CLIMATE CHANGE FORCES FAR AND WIDESPREAD GLOBAL ECONOMIC CHANGE

By Gretchen Colvert

Nature forces change on people, sometimes multilaterally, sometimes locally. In all reality, international borders do little to prevent natural disasters and climate change from affecting any particular region. Nonetheless, global trade renders otherwise remote locations economically dependent upon one another, as well as susceptible to reciprocal losses. Considering this, the United Nations Framework Convention on Climate Change (UNFCCC) asks not of "whether to adapt?" but now "how to adapt?" in their 2004 publication The First Ten Years. The UN and many Non-governmental Organizations (NGOs) have recognized the moral implications of the current environmental state of the world: the unfair distribution of negative climate change effects between the richest and poorest nations.

Yet there are signs of positive response to this global problem. According to this document, in the past decade many countries have found innovative ways to reduce emissions, curb pollution, and switch to more sustainable sources of energy through advanced technology. And it appears that not only are laws changing. The report indicates that civil attitudes reflect the trickle-down effect of new public policy into public mentality.

But these efforts may only be sufficient for sustaining the currently "developed" countries, the so-called 'Annex I', 'Annex II', and "EIT" (economy in transition) nations. In developing nations which are classified as 'Non-Annex I', climate change is retarding, if not stagnating, much of the possibilities for eco-

WORLD’S CONCEPTION OF MERCENARY SLOWLY CHANGING

By Kristen Eason

As technology progresses and politics evolve, the traditional concept of a mercenary has also shifted. No longer are mercenaries necessarily third-party military combatants; today, a more common scenario involves private military companies (or PMCs, who supply not only manpower, but also technical expertise, such as logistics and contractors) and other "corporate" mercenaries (such as security firms and humanitarian relief agencies) who focus on international conflicts in terms of financially advantageous business ventures.

Generally - with the exception of security and policing firms - PMCs and corporate mercenaries are not engaged in physical combat. Indirectly, however, their role is considerable: many specialize in training, advising, maintenance, and equipment (from weapons to transportation, computers, and more) for military groups and weakened governments. Such support often means the difference between success or governmental collapse.

Corporate mercenaries and PMCs often come under attack due to the politically-charged nature of the conflicts in which they are involved. Although most Western businesses adhere to a policy of strict professionalism and patriotism - intentionally avoiding contracts that may be seen as inconsistent with their nation's interests - it is not only increasingly hard to impartially define a country's interests, but as corporations, the primary motivation is (and will always be) income. Furthermore, not all situations end in clear victories, and many contend that the presence of these mercenaries only inflame regional problems.

Certainly the most famous dispute involving such entities is the ongoing "conflict diamond" situation in Angola and Sierra Leone in Africa. For more than a decade, rebel groups have exploited these lands

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The world's poorest; thus, to become debilitated by their economies are the first these changes. Annex I/II countries are learning that once an environment becomes hostile to its inhabitants, there is only so much that foreign aid can do to recover repeated losses.

In light of this grim reality, the question of "how to adapt" becomes more challenging, although not impossible to answer. While it will take decades to reverse the growing emissions trends and there is no one cure-all solution, law-makers the world over have introduced measures that are both environmentally and economically effective. One mutualistic scheme for trying to link weaker economies to stronger ones is for governments to offer incentives to businesses that make investments in non-Annex I nations in the form of tax breaks or grants. Still another idea may be to introduce 'green' taxes on businesses outsourcing work to environmentally fragile areas. Companies would pay closer to the actual production and ecological costs, and taxes could be 'recycled' back into energy-saving technologies.

"Another idea is to introduce 'green' taxes on businesses outsourcing work to environmentally fragile areas."

and people through extensive diamond mining. The sales of these "blood diamonds" are in turn used to fund further rebel operations, civil wars, and arms procurement (even Al-Qaeda uses the sale of these illegitimate diamonds to fund their international activities). As diamond smuggling from these chaotic regions continued, increasingly severe sanctions were administered from the UN Security Council, not only forbidding the sale of these diamonds, but also imposing embargoes on weapons and strict sanctions on petroleum and international travel. In 2000, the United Nations met with the Government of South Africa and members of the diamond industry in a series of meetings dubbed the Kimberley Process. From this, national import and export standards as well as an international system of certifying rough diamonds were established; now, a Certificate of Origin accompanies legitimate diamonds (those mined from areas under legitimate government control), and a group known as The Diamond Development Institute (DDI), whose membership includes major diamond retailer De Beers and several mining companies) has pledged to facilitate the legal mining, transportation, and marketing of these diamonds through support of miners' organizations, free markets, and the involvement of international governments and non-governmental organizations. Though many warily eye the ability of the DDI to self-regulate, since implementation of these new guidelines, exports of legitimate diamonds in Sierra Leone and Angora have increased dramatically, and rebel groups have sustained considerable financial blows.

"A strong, active UN presence during this volatile time should serve as an effective check against the growing power and influence of the DDI."

As long as nations view UN response to peacekeeping duties as lagging and these groups are able to provide resources at a more attractive cost than the foreign governments or military can otherwise provide, PMCs and corporate mercenaries will continue to thrive in the current unstable world environment. Currently, contracts are flourishing in Angola, Sierra Leone, Columbia, Bosnia, and other countries experiencing organized crime, drug trafficking, and rebel movements. Although the UN has shown initiative by establishing protocol and systems of monitoring to investigate violations, the presence of powerful organizations driven first and foremost by the prospect of monetary gain leaves room for considerable exploitation.
LEGAL COMMITTEE

By Ryan Smith

With the approach of the Arkansas Model U.N. conference, committees are gearing up for lots of new issues and agendas to discuss. One committee that will be quite busy is the Legal Committee, whose purpose is to analyze and determine the validity of different nations' legal systems along with the actions they take to carry out world agendas.

This year, the U.N. Legal Committee will be discussing three topics. The first topic is concerning humanitarian moves that the U.N. has made in the past. Since the end of the Cold War, a large debate has risen over whether the international community should intervene in nations where humanitarian crises or human rights abuses abound. An article in the United Nations Charter actually prohibits the U.N. from intervening in such cases. However, the U.N. has gotten involved in many human rights matters such as in Somalia, Rwanda, and Haiti.

The main question is whether the U.N. should amend to allow for such interventions and what situations would be considered extreme enough to intervene. Second, the committee will be discussing the right of a nation to use preemptive force if it feels threatened. With the war in Iraq still raging and its initial purpose in question, the U.N. has started discussing the use of preemptive force, its advantages and drawbacks.

Prior to the invasion of Iraq, the United Nations Conference of Catholic Bishops sent a letter to President Bush questioning the connection between September 11th and Iraq and the threat that Iraq posed. However, the other side sees it differently. Legal Advisor to the U.S. Secretary of State William Taft IV says that the U.S. had every right to self defense because of Article 51 of the U.N. Charter, which defends a nations' right to use force if threatened. Those that agree with Taft also say that the U.S. had a legal and moral right to defend itself against Iraq because of its alleged weapons of mass destruction and support of global terrorism.

The basic question is whether the use of preemptive force is permissible under the U.N. Charter and international law and what constitutes such actions. The final topic to be addressed is the prosecution of crimes against humanity in the Darfur region of Sudan.

In October 2002, violence broke out between Arab militants and non-Arabs in Sudan; members of two rebel groups - the Justice and Equality Movement (JEM) and the Sudanese Liberation Army (SLA) - began.

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THE MICJ

By Joshua Bugeja

This year the Model International Court of Justice (MICJ) has three cases, including case #1 concerning the debate between Spain and the United Kingdom regarding the territory of Gibraltar. The MICJ is to provide an advisory opinion about Gibraltar’s right to self-govern, if not to at least participate directly in talks between the United Kingdom and Spain's respective sovereignty over it. The representative from Spain argues that they should maintain control of Gibraltar by virtue of the Treaty of Utrecht which claimed sovereignty, while the representative from the United Kingdom argues that they are the administering power and should maintain control.

More than 40 years ago, the United Nations recommended that decolonization of the territory should be resolved in accordance with the principle of territorial integrity and not the principle of self-determination favored Spain's claim; however, the Special Committee designated by the ICJ didn't require the United Kingdom to comply with the Charter to promote Gibraltar's self-government. It can be inferred that this failure to force compliance has harmed Gibraltar and has left them lacking self-government.

During 2003, the Chief Minister made numerous statements on the status of Gibraltar and the Territory's position with respect to the United Kingdom talks. He said that the people of Gibraltar valued their British sovereignty and wished to retain it, as well as their constitutional link with Britain. The people of Gibraltar intended to promote the attainment of these dual objectives through a process of constitutional modernization which would retain British sovereignty, close constitutional links with Britain and that degree of control over their own affairs.

At the same time, Spain's representative to the Chief Minister made numerous statements on the status of Gibraltar and the Territory's position with respect to the United Kingdom talks. He said that the people of Gibraltar valued their British sovereignty and wished to retain it, as well as their constitutional link with Britain. The people of Gibraltar intended to promote the attainment of these dual objectives through a process of constitutional modernization which would retain British sovereignty, close constitutional links with Britain and that degree of control over their own affairs.

"[The ICJ didn't require the United Kingdom to comply with the Charter to promote Gibraltar's self-government."

The Fourth Committee said that Gibraltar's Government, by inviting the Special Committee to send a visiting mission to Gibraltar, was attempting to garner implicit or explicit support for the opposition to the principle of territorial integrity recognized by the Organization and international law. Spain was opposed to a visiting mission, reiterating Spain's desire to continue negotiations with the United Kingdom with a view to achieving a satisfactory comprehensive agreement that would respect the legitimate interests of the inhabitants of the Territory.

One of the issues worthy of note is the political situation in Gibraltar presently. In 2004, Gibraltar celebrated the anniversary of 300 years of British rule. Further, basic civil and political rights, along with the assignment of responsibility for local matters to a local Government, are stated in Gibraltar's 1969 Constitution. In contrast to this principle, however, the United Kingdom still retains power over defense, external affairs, and internal security; all issues that the MICJ should take into account when coming to a decision.

The topic will surely be an issue of debate in the MICJ this year.
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gan attacking government soldiers and installations in February 2003. Since the violence began, about 180,000 individuals have died and some two million have been displaced. A cease-fire was eventually instituted and on April 8, 2004, the African Union agreed to deploy 3,000 troops to supervise the cease-fire.

In July 2004, the U.S. approved a resolution declaring the conflict “genocide” and on July 30th of the same year, the U.N. Security Council called for the Sudan government to disarm the Arab militants. On September 18, 2004, the UN Security Council established a group to investigate accusation of genocide by Arab militants against non-Arabs. The group has identified 51 individuals responsible for the war crimes. The question is what else should be done to end the conflict and who should be responsible for investigating and prosecuting those accused, the International Criminal Court (ICC) or Sudanese court. The Legal Committee will discuss all these and try to come up with the best answers to the problems faced by the U.N.

INT'L CRIMINAL COURT

By Tiffany Shumpert

At UCA’s recent Forum on the Future of the United Nations in the 21st Century a debate ensued on the merits of the International Criminal Court between Adam Silverman, a visiting Assistant Professor of Political Science at the University of Central Arkansas and John Washburn, a member of the American Non-Governmental Organizations Coalition on the International Criminal Court.

The ICC founded in July 2002 has many optimistic of its ability to effectively prosecute dangerous war criminals and provide justice for serious crimes committed against humanity. It is very similar to any other court in that if defendants are unable to afford a lawyer they are given one. However, there is no jury. Instead three judges handle the proceedings. It is seen as being a legitimate criminal court and has more legitimacy than other courts such as the tribunal set up after the Rwandan genocide because this institution is permanent. In addition, Washburn said, “This court can act against people who are in the middle of committing a crime. It also allows victims restitution or reparations.”

The ICC has a certain pattern it must follow when bringing individuals to trial. Washburn said, “Countries in trouble that have mass violence in their governments that cannot deal with it, refer their problems to the United Nations.” As an example he stated that Uganda has been involved in civil wars for some time and that one group in particular, the Lord’s Resistance Army, was guilty of committing atrocious war crimes. One such crime is that they enlist child soldiers and their militias often slaughter entire villages.

Because the Sudan government was not exerting any effort to solve this problem, the UN decided to use the ICC to intervene. The US did not oppose this action, although they do oppose the ICC’s current administration. The US is not supportive of the ICC because it does not want Americans to be tried as war criminals as was suggested due to misconduct of American soldiers towards POWs in Afghanistan and Iraq.

Despite the US’s lack of involvement with the institution, there is a possibility that Americans can still be tried in the court. For example, if someone were found guilty of a severe enough crime in Canada, they could be referred to the ICC. Many Americans are frustrated with this issue, even though if that person were somehow able to make it back to the US without being charged, they would gain immunity from the charges unless the government decided it would be in its best interest to turn him or her over.

Silverman believes that the ICC shows promise but still has a long way to go before it can be truly productive. He mentioned one harmful aspect was the use of “anonymous witnesses” who can testify in secret if they feel they will be harmed. He discussed another issue of concern saying, “I am not sure that [the ICC] should not be responsible for people who actually do the killing. There is currently no way funding for prosecution would cover trying all the people who do the worst sorts of things [by simply following orders].” Washburn had previously stated that “the court has jurisdiction only over individuals.” It cannot prosecute “legal persons: governments, societies, corporations.”

The ICC would only go after leaders of governments such as Osama bin Laden or Saddam Hussein. Both men agreed that the ICC’s real test will be to uphold its integrity and not display favoritism. They were in agreement that it was fair that the US and Britain had not committed severe enough crimes to warrant action. Silverman feels that “it is important that the court continue to pass the test. What happens to the institution if they fail once or twice?” he wondered.

Despite various misgivings, both men feel that the ICC bodes well for the future of international relations because it lays the foundation for justice and future peace efforts.
THE SECURITY COUNCIL
By Gretchen Colvert

Much has changed for United Nations member-states since the immediate years following World War II – excepting the stagnated development of democracy within the UN Security Council (SC). The new-fashioned idea that there is a need for structural reform within the SC reflects the actual shifts of power that are occurring between prominent members in the twenty-first century. Before the emergence of the global conscience, the twentieth century was marked by an epoch of nationalistic isolationism that constrained relations between the world’s then most powerful countries. The divided equality of the SC veto held these tensions in place, while the five nations in control of the veto (China, France, the Russian Federation, the United Kingdom, and the United States) matured in tandem economically and diplomatically. To this day, these five nations still enjoy permanent residency on the SC. Yet now that the phenomenon of globalization has networked even farther reaches of the world together, the SC’s core members are unable to assume its equally expanding responsibilities.

While these superpowers have created a more stable, if not more accountable pattern of diplomatic dialogue amongst themselves and the other UN members, the exclusivity of their privileges has come under global scrutiny. Many of the nations that have enjoyed temporary, or rotated, membership within the United Nations’ Security Council are now calling for a restructuring of representative equality. Most of the pressure for this addendum comes from the combined voices of Germany, Japan, India, and Brazil. It is predicted by many within the UN that the addition of these so-called “G-4 nations” will happen within a short measure of time. In its entirety, this plan would raise the number of total SC memberships from 15 to 25, gaining at least seven new permanent seats. Out of the seven, it has been proposed that two memberships should go to African states, with another assigned to a member from the Arabic league.

And this is where it could get interesting.

Africans have varying views on how and to what degree the changes within the Security Council should occur, but from all who have spoken up about the possibility, the discussion has been lively. On the one side, there are those who would advocate that the open positions should be filled by particular, well-qualified African nations. On the other side, the advocacy favors a guaranty of diplomatic dialogue amongst members of the Security Council must find a way to balance the social and economic needs of the Sudanese with the political agendas of the developed countries that have a huge say in their future. Otherwise these changes will provide only temporary relief.

SUDAN CRISIS

By Tiffany Shumpert

Sudan, a country, ravaged by civil war between its northern and southern regions has many comparing it to the Rwandan genocide of 1995. Many African rebels accuse the Khartoum regime (the Sudanese government) of “favouring Arab Sudanese,... and of monopolizing power and wealth.” Khartoum supplies weapons to the Arabs who stand accused of engaging in “widespread rape, killing and burning in non-Arab villages.” Tens of thousands have been killed in the crossfire and over 2 million non-Arabs have been forced to leave the country.

As recently as 2003 the Sudanese government and the rebel Sudan People’s Liberation Army (SPLA) were engaging in peace talks mediated by the United States, Britain, Norway, interests and Italy. These talks called for a ceasefire as well as a balance of power between the two factions and "a mechanism to determine... that the Council’s attempt to meet in Nairobi, Kenya to discuss imposing sanctions against the Khartoum regime or the Sudanese government. Due to the conflicting agendas of China and Russia, which exercised their veto power because of their “significant oil,” this plan was never implemented.

In May 2005 after much debate, the Security Council decided to take a more active role in Sudan by creating three important resolutions to begin repairing the damaged country. Resolution 1593 deals with the Council’s agreement to refer “perpetrators of human rights abuses to the International Criminal Court,” even though the United States very heavily opposes the ICC because of its view on the country’s treatment of war criminals. This is the first time that the Security Council referred a case to the ICC. Resolution 1591 responds to the issue of “armed parties’ failure to comply with previous resolutions, [so that] the Council also ordered a travel ban and a freeze of assets for human rights violators.” In turn, Resolution 1590 focuses more on humanitarian effort: The Council agreed to a UN peacekeeping mission in Southern Sudan where 10,000 UN forces will be deployed to assist the African Union. They will monitor the “disarmament, demobilization and reintegration” of the troops. Despite the UN’s decision not to send troops to Darfur, many are optimistic about the future of Sudan. Although, even with these efforts, violence and exploitation still continue to plague Sudan, especially in Darfur.

However, in order for Sudan to have a true chance at peace, the Security Council must find a way to balance the social and economic needs of the Sudanese with the political agendas of the developed countries that have a huge say in their future. Otherwise these changes will provide only temporary relief.
check other nations with a veto seems positive. However, just days after the Zambian address the Foreign Minister of Libya, Mr. Abdurahman M. Shalgam, expressed to the UN General Assembly that he thought the veto power should be relinquished once the SC expansion had taken place. Majority rule would then determine the decision-making process of the UN’s most powerful body, making this the SC’s new democracy.

Yet by what criteria would the UN name the African states to any of these possible positions, in such a way that the UN can promote continued political development and cooperation both intranationally and internationally? Perhaps within the context of geopolitics there may be a realistic answer for this question. To make a logical disgression, let us remember the current plight of the many African peoples: Up until the 1980’s there had not been much information produced about the regional environmental difficulties that Africans faced. Now, after a couple more decades of research, climatologists and humanitarian workers both agree that there is little that can be generalized about the conditions of Africans, their local environments, and their options for improvement. From escalated soil erosion to decreased rainfall, from soaring fertility rates to increasing generational gaps (due to middle-age AIDS deaths), and from untold genocides to uncontrollable communicable diseases – there are enough problems that plague each of the African nations.

As the continent can be roughly divided into five regions (North, Central, East, West, and South), so can the demographics of some of these major tragedies. Though desertification is an issue bound to the land surrounding the Sahara, it is not an issue everywhere in Africa. Likewise, for example, the concerns of Botswana to diminish the national production of diamonds within the next few decades remains a problem only for the government and people of that country. The global community must pay attention to these distinctions and not generalize African nations as one and the same. The five regional classifications have even been used by aid organizations in order to investigate where the best applications of aid resources can be used. The practical science of geopolitics works well when it is applied in relief situations. Why not employ these obvious nature-made boundaries within the designation of the African SC seats? The major, legitimate concerns of each region could be brought to the attention of the other SC member-states, each in their own turn receiving a fair rotation between the other African Union nations. And in this scenario, the delicate developments of politically fragile nations would not inhibit the growth of other African neighbors. Quite probably, the rotation would provide a regulated framework within which the UN and its member-states could bolster the individual nations’ and regions’ efforts for overall development. Perhaps then, we the people, could recognize our long-neglected African brothers and sisters.

Model UN Times Staff

Editor
Phillip Worley

Associate Editor
Abby Stone

Staff Writers:
Joshua Bugeja
Gretchen Colvert
Kristen Eason
Tiffany Shumpert
Ryan Smith

Editor’s Note: These opinions expressed herein are solely those of each respective author and in no way reflect the opinions of the Arkansas Model United Nations Organization.