Resolution 273:

FORUM: GENERAL ASSEMBLY GA6
QUESTION OF: ENHANCING THE POWER OF THE INTERNATIONAL CRIMINAL COURT (ICC)
SUBMITTED BY: SLOVAKIA

THE GENERAL ASSEMBLY,

Recalling that the aim of the International Criminal Court (ICC) is to prosecute the perpetrators of the most serious crimes of concern to the international community including genocide, crimes against humanity, war crimes and crime of aggression,

Recognising that the prosecution by the ICC represents a clear threat to highly placed individuals who commit serious crimes,

Aware of the fact that the ICC may only interfere in affairs referred to them by the United Nations Security Council, or conflicts occurring in the 123 Member States of the Rome Statute,

Believing that the contribution of the ICC to international justice is reliant on the support it receives from states, its own impartial work and institutional autonomy, and on its perception by potential criminals and victims in the world,

Keeping in mind that the ICC is an independent body and that such independence is integral to its legitimacy and therefore all measures should be taken to remove the court from the influence of political circumstance,

Taking into account the potential of improving national judiciaries, through giving unstable countries the ability to entrust the ICC with urgent cases of the gravest crimes when their judicial system cannot effectively prosecute and enforce incarceration, along with serving as an exemplar for a just and impartial court of law,

Emphasising that the ICC is a court of last resort intended to complement existing national judicial systems, via the concurrent judicial system of complementarity, and therefore does not infringe upon national sovereignty,

Noting with deep concern that three out of five permanent members of the UN Security Council are not party to the Rome Statute,

Affirming the objective to work through jurisdiction of positive complementarity, encouraging states and the ICC to assist each other, as discussed at the Review Conference in Kampala, in 2010, whilst cooperating closely with the United Nations (UN) and Member States,

Realising that by indicting heads of government, the ICC ends impunity for leaders who actively harm their citizens or fail to protect citizens’ human rights, and therefore helps to
implement the concept of “responsibility to protect,” agreed upon by the UN General Assembly in 2005.

Welcoming the perspective that the ratification of the Rome Statute, and thus involvement in the ICC, demonstrates support for the defence of human rights,

Bearing in mind the inherent challenge of seeking to apply procedural approaches from the civil or common law system within the sui generis context of the ICC and the special nature of international criminal proceedings,

Guided by the work of the Study Group, set up at the Kampala 2010 review conference by the Assembly of State Parties (ASP), which has led discussions on the efficiency of the court,

Taking note that there is no measurable performance indicator for quality of judicial decision making and that crude measures of performance based on turnover of cases, or based upon comparisons between courts are inappropriate,

Affirming the issue of victim participation, one of the unique features of the Rome Statute and potentially most complex facing the ICC without fixed safeguards implemented by judges to prevent the unfairness to the defence,

Further emphasising that the court and its investigators are dependent upon diplomatic and logistical support from states as the ICC holds no standing police force, and investigators can only work in areas which they can access with the protection of the host government,

Noting with appreciation actions taken by groups such as the Indian Coalition for the ICC, the Indonesian Civil Society for the ICC, the Malaysian Bar Association and the Philippines Coalition for the ICC to promote awareness and encouraging ratification of the Rome Statute,

Having considered the dissatisfaction of African countries with the ICC’s allegedly biased and prejudiced choice of investigation against people of colour and concerned by the threats of withdrawal made by Gambia and South Africa in November 2016, and the withdrawal of Burundi in October 2017,

1. **Strongly urges** states that have not yet done so, to become state parties to the International Criminal Court via ratification of the Rome Statute;

2. **Confirms** that the ICC continues to pursue concurrent jurisdiction and therefore not interfere in countries where legal matters are being handled sincerely, as maintained in the codification of the ICC, unless:
   a) the country is a signatory of the Rome Statute
   b) called upon by the relevant nation to assume jurisdiction
   c) called upon by the United Nations Security Council;

3. **Calls upon** the UN to encourage and facilitate the convention of Review Conferences such as in Kampala, Uganda in 2010, in which:
   a) amendments to the Rome Statute may be discussed by representatives of signatory nations
   b) observer state signatories may contribute to discussions with the aim of promoting the likelihood of ratification by such states
c) the organs of the ICC will be represented to ensure legitimate consideration of proposals for enhancing the effectiveness of ICC activities;

4. **Requests** the availability of the ICC Detention Centre for indicted individuals to serve a sentence after a verdict has been issued, when:
   a) the nation’s prisons are unavailable, unable or unwilling to detain the individual
   b) the nation’s governmental instability and corruption endangers the individual’s residence in a detention centre in the home country
   c) the nation’s governmental instability impedes the fulfilment of a penal sentence;

5. **Recommends** the continuation of connections between the ICC and regional groups such as the European Union (EU) and African Union (AU), through which:
   a) countries within the unions can encourage other countries, with whom they have precedent alliances, to join the ICC
   b) more countries within unions will choose to ratify the Rome Statute, and thus ratification may be seen as an implicit condition of membership;

6. **Urges** the Court to take all necessary measures to increase the transparency of the Court and its key organs, and to enable greater public participation and connection to its cases, whilst respecting all safeguard measures, through means such as:
   a) minimising the number of closed session hearings
   b) increasing efforts to ensure public access to transcripts of proceedings, in particular, of ongoing trial proceedings in order to allow members of the public to follow cases
   c) publishing projections for each case which is initiated, including the estimated time frame and budget of the procedure
   d) requiring the presidency of the jury to publish a statement, on appropriate websites, at the conclusion of each verdict
   e) releasing policy documents on appropriate websites, with particular recommendations to the Office of the Prosecutor to expedite efforts to publish a policy document on disclosure of evidence, and the role of the Prosecutor, as outlined in Article 54 of the Rome Statute;

7. **Asks for** the creation of an independent framework by the Study Group, for the administration and monitoring of the frozen assets of those indicted by the court at the next Review Conference, following the basis of:
   a) creating an entity under the Registry, responsible for valuation of assets at the time of issue of arrest warrant by such a body
   b) making this entity responsible for monitoring and maintaining the inactivity of the accounts of the accused
   c) relying on cooperation of states to disclose the banking information of the accused, and thus enforcing genuine collaboration between national banks and the ICC;

8. **Further recommends** that the Study Group investigates a possible future amendment to the Court’s legal texts providing the court with subpoena powers in order to:
   a) aid the fair and expeditious conduct of proceedings
   b) protect the rights of defendants by avoiding prolonged and inefficient trials, favouring productivity in the courtroom
c) improve the efficiency of trials with the use of relevant and contemporary evidence
d) allow judges to hear all available evidence from witnesses whilst continuing the provision of protection to victims and witnesses;

9. **Proposes** that the prerequisites and scope of the unique victim participation, and the high degree of judicial discretion involved in interpreting Article 68(3) of the Rome Statute, evolve through jurisprudence and that no amendments are immediately made to the Statute regarding this issue;

10. **Suggests** that intergovernmental and nongovernmental organisations (NGOs) cooperate with the Court if requested, in accordance with competence and mandate, through means such as:
   a) provision of information or documents
   b) provision of expert opinions and information in relevant areas, regarding investigation and trial
   c) provision of urgent medical help when needed, in countries and areas affected by crimes committed by accused individuals, and under the jurisdiction of the ICC
   d) provision of suggestions serving the purpose of improving victim and witness protection, for consideration by both organs of the Court and State Parties;

11. **Further requests** assistance for victims in their mental and physical recuperation and rehabilitation, as well as reintegration into society, with the aim of providing complete justice, through:
   a) the creation of temporary facilities open to affected families who no longer feel safe in their homes, or whose homes have been raided, seized, or rendered uninhabitable in any way
   b) the provision of medical care and therapy to individuals left mentally and physically scarred by the occasion and consequences of the crime(s) committed, by allocating doctors and psychiatrists to the facilities
   c) the creation of support groups, in which members of the community can:
      i. openly discuss their experiences
      ii. receive feedback and group counsel from a licensed therapist
      iii. overcome the fear and trauma created by the crime(s) committed
   d) the implementation of a temporary system of education in such facilities, for younger generations up to the age of 18, in the hopes that their learning will not be hampered dramatically as a consequence of a crime
   e) the provision of advice to victims on legal rights and employment
   f) the aiding of citizens in the process of potentially returning home, or seeking asylum in the aftermath of the devastation;

12. **Expresses its hope** for these reforms to increase the efficiency of the ICC, leading to the elimination of perceived bias against African nations as the court will become able to investigate and prosecute cases with a wider global mandate, facilitated by means such as but not limited to:
   a) enhancement of perceived global legitimacy of the court through increased recognition of the Rome Statute
   b) continued use of victim participation to allow the demonstration of genuine need for justice in all present and future cases
c) increasing recognition of the court as an independent international body, thus preventing manipulation for use as a political tool
d) demonstrating the belief in global community and international cooperation
e) cooperation between the ICC and national judicial/investigative systems as well as NGOs such as the International Criminal Police Organization (INTERPOL) and Human Rights Watch (HRW) in order to provide a clearer and more efficient method by which to prosecute and convict criminals through more available debate and increased understanding of motives, actions and damages
f) diversifying the number of judges employed by the ICC from a variety of Member States to provide equal representation of all nations, particularly those in Africa or those considering exiting the ICC;

13. **Hopes** that the ICC, national and local courts will engage in increased connectivity so that efficient cooperation and positive relationships may be achieved;

14. **Calls upon** the Office of the Prosecutor (OTP) to produce notes to justify every action taken in the investigation and throughout the trial, which would,
   a) remain secret until the end of the investigation and under no circumstance be disclosed to the general public during that time frame
   b) be made public once the investigation has finished and the OTP believes there are no dangers for any mentioned witnesses or victims that could arise from the publication of said notes where:
      i. victims and witnesses should be notified at least three months prior to the publication of any references to them and it should remain each individual’s choice to decide whether said information becomes public
      ii. in case an individual decides to remove their name from the publication, the publication should be postponed until every reference is removed
   c) the Appeals Chamber should analyze the notes in order to determine that no irregularity has occurred and that the rights of every individual involved have been upheld and if such is not the case, the Appeals Panel may decide to invalidate the Court’s ruling;

15. **Endorses** the creation of a direct line of communication between the registry of the ICC and the office of the Secretary General to facilitate the process of issuing complaints of states’ non-compliance and appropriately reprimand.
**Resolution 275:**

**FORUM:** General Assembly Sixth Committee  
**QUESTION OF:** Strengthening the rule of law through the use of Ombudsman Institutions  
**SUBMITTED BY:** Afghanistan

THE GENERAL ASSEMBLY,

Defining the “Rule of Law” according to the report of the Secretary General (S/2004/616) as “a principle of governance in which all persons, institutions and entities, public and private, including the State itself, are accountable to laws that are publicly promulgated, equally enforced and independently adjudicated, and which are consistent with international human rights norms and standards”,

Noting that the “Rule of Law,” rather than “Rule by Law,” is the form of governance most sought after by citizens, and that through its application socio-economic development can occur without any unnecessary inhibitions, be they political, financial, or criminal,

Appreciating the rapid increase in the number of national Ombudsman’s Institutes (OI) around the world in past 4 decades, meant to investigate citizens’ complaints of the government as well as taking it upon themselves to take initiatives, having increased from 29 countries with an OI in 1980 to having 133 countries with an OI in 2010, according to the World Bank,

Recognizing the need for the OIs to have independence and functional, administrative, and financial independence from all government authorities for them to be able to make independent, impartial, and just conclusions for the conflicts before being able to communicate the solutions in an unaltered form,

Encouraging the search for strengthening the OIs by collaborating with other OIs in international or regional bloc to share experiences and know-hows, examples including but not limited to the International Ombudsman Association (IOA), International Ombudsman Institute (IOI), as well as various international and domestic OIs,

Further Noting the participation of the Office of the United Nations High Commissioner for Human Rights in the 9th World Conference of the IOI, held in Stockholm in June 2009,

Referring to the Declaration of the High Level Meeting on the Rule of Law (A/Res/67/1), in which the General Assembly stated that “all persons, institutions and entities, public and private, including the State itself, are accountable to just, fair and equitable laws and are entitled without any discrimination to equal protection of the law,” which once more emphasized our commitment to the United Nations (UN) Charter, international law and justice, international order based on Rule of Law, and their fair and equal application upon everybody,

Guided by our collective desire to meet the UN Sustainable Development Goals (SDG), particularly and appropriately SDG 16: the promotion of “Just, peaceful, and inclusive societies,”
Confident that all members of the UN can surmount its challenges and incorporate with great effect its potential, to achieve prosperity and peace for all,

1. **Recognizes** the significant role of OIs in strengthening the Rule of Law, preventing the escalation of conflicts, and standing as neutral and impartial mediators where tensions are met:

   a) appointing Ombudsmen to oversee political officials and institutions at local, regional, and national levels, through means such as but not limited to:
      i. ensuring that Ombudsmen are present and available at all levels of government, and made accessible to the general public and to other officials wishing to make a complaint, highlight an issue, or suggest an idea
      ii. recommending that Ombudsmen are properly qualified, meaning they have thorough knowledge of their country’s legislation, constitution, and institutions so as to readily be of assistance
      iii. inviting all Ombudsmen employed by the government to be a part of an independent body, so that they might easily coordinate their efforts and work free from the influence of third parties who could impede on their inquiries

   b) proclaiming the independence and neutrality of the Ombudsman by defining, within each country’s government, a strong and clear legal framework within which Ombudsmen may act so as to avoid any uncertainty as to their role and power

   c) allocating them the appropriate budget, to be accounted for in the country’s national budget as defined every year
      i. allowing OIs to suggest before their country’s legislative body the necessary resources they will need to conduct their mission throughout the year
      ii. calling upon these OIs to keep scrupulous financial records to be made public every year as to affirm the independence and neutrality of the body

   d) inviting all Member Nations to work in coordination with the United Nations Ombudsman and Mediation Services (UNOMS) in the establishing or strengthening of their nation's ombudsman institutions;

2. **Encourages** all member nations to employ ombudsmen and OIs to uphold and promote the rule of law by means such as but not limited to:

   a) inviting all Member Nations to work in coordination with the United Nations Ombudsman and Mediation Services (UNOMS) in the establishing or strengthening of their nation's ombudsman institutions;

3. **Invites** all national governments to take the initiative to incorporate their respective ombudsman institutions in their respective constitutions, which should confer authority upon the organ to affect the following as the governments and people see as fit:

   a) executive and legislative organs agreeing on an individual to head the Ombudsman institution, their decision then being proposed in a referendum that the people are to participate in, their vote determining the individual’s incumbency in free, fair, and informed elections

   b) increasing the urgency with which ombudsman suggestions should be viewed and addressed by the legislative organ by means such as but not limited to monthly reporting of investigations and research to the concerned parties

   c) promoting solidarity and independence between the Judicial and Ombudsman organs by delineating jurisdiction
i. court jurisdiction would extend to all subject matter of cases
ii. Ombudsman jurisdiction would extend to the malfeasance and inefficiency of those administering and related to the process of adjudication
d) protecting subordinates from retribution by higher echelon public sector officials when they speak out against inappropriate state actions;

4. Calls Upon governments to endow OIs with the necessary power to carry out their mission of upholding the Rule of Law and preventing conflicts by means such as but not limited to:
   a) allowing Ombudsmen to gain access to the necessary information and documents they require as part of their investigations
   b) granting Ombudsmen extended legal powers, such as but not limited to the capability to:
      i. appeal to courts and partake in court proceedings
      ii. recommend policy changes and propose amendments on legislation
      iii. suggest disciplinary or criminal proceedings
   c) ensuring that Ombudsmen are not subordinate to any other government body or institution
   d) facilitating dialogue between different government branches and bodies and ombudsman institutions by establishing direct and secure lines of communication between them through means such as but not limited to:
      i. appointing a representative of the nation’s Ombudsman Institution to give a formal report before the country’s legislative assembly, highlighting key issues and topics concerning their work
      ii. requiring Ombudsmen to write frequent reports on the progress of their work, and communicating it to the relevant government officials or institutions
      iii. expediting meetings between Ombudsmen and other high ranking government officials as needed, including but not limited to heads of state, ministers, and secretaries;

5. Further Calls Upon the national OIs to develop efficient models of communication for exchanging information with their countrymen in order to ensure clear and direct communication without misunderstandings or alterations during the process by:
   a) strictly maintaining the anonymity of the informant unless the government and the national OI deems the informant as a threat to the national security who could destabilize sectors in the nation including but not limited to infrastructure, economy, national defence, environment, social order and justice
   b) having the OI release the information through various channels of communication simultaneously when reporting to the public of a finalized investigation or a part of investigation, in order to prevent censorship, make it more accessible for the general public, and to prevent distortion of information through methods including but not limited to:
      i. conducting press conferences with both digital and printed media, with unambiguous answers in order to provide the overview of the conclusion
      ii. releasing the full transcripts of the press conferences as well as the appropriate parts of the investigation to the public through the OI’s webpage, social media, as well as through broadcasting
c) giving the national OIs the right to indict and correct the statements of those who have distorted the OI’s reports in an attempt to interfere with the OI’s reputation or their future functioning abilities;

6. **Invites** Member States to endeavor to make their respective OIs accessible and visible to the general public through measures such as but not limited to:
   a) dedicating a part of the humanities or subjects with similar purposes’ curriculum for secondary school students for elaborating upon the history, functions, and the importance of the OIs, as well as the Rule of Law
   b) providing ready information about the country’s Ombudsmen and how to get in touch with them in all local government offices such town halls and consulates to promote accessibility for the public, through methods including but not limited to:
      i. phone numbers and contact information of the relevant offices
      ii. clear and legible webpages
      iii. explanations about how the process of using an Ombudsman works, and what to expect
   c) encouraging governments to highlight the key role of Ombudsmen in holding political institutions accountable and strengthening the Rule of Law by publicly speaking and advocating for their action
   d) making themselves known to all demographic groups, without discrimination towards race, ethnicity, gender, sexual orientation, geographic residence, and other factors;

7. **Approves** the creation of an independent international body, to be called the International Ombudsman Organisation (IOO), whose missions will comprise amongst others:
   a) embodying a mission to harmonize different OIs from around the world, as well as to stay alert for a potential need in the world for an OI, striving to strengthen bonds between the developing and developed nations in terms of the OIs, thus allowing expertise to be passed on from one nation to the other, as well as facilitating communication between different OIs if aid is necessary
   b) establishing an international legal framework within which all ombudsman institutions must function, to be established at a future UNOMS and U.N. sponsored conference where every member state is invited to participate so as to:
      i. determine a general understanding and definition of the role of Ombudsman Institutions
      ii. prescribe measures to further their independence and impartiality as they conduct their inquiries
      iii. suggest guidelines regarding the functioning of different ombudsman institutions, that are relatively flexible so as to accommodate social, cultural, and political differences between nations
      iv. define measures to protect and facilitate the work of ombudsmen, especially when they are working on sensitive cases of capital importance
   c) establishing a database of OI investigation files, which shall consist of the final reports created by the organizational or national OIs at the end of an investigation:
      i. with permission from the authoring OI, the IOO shall make the final reports be available on its website for the general public to review
ii. with permission from the authoring OI, the IOO shall make a collection of advice for OIs to work effectively;

d) designating measures to monitor the impartiality and performance of Ombudsman institutions through steps such as but not limited to:
   i. reviewing the number of complaints made to Ombudsman institutions and the speed with which they are handled and resolved
   ii. studying the number of cases Ombudsmen are capable of resolving informally as opposed to through traditional legal measures
   iii. monitoring the number of complaints that investigate systemic issues
   iv. establishing the acceptance rate of Ombudsmen's recommendations regarding a course of action to take at the end of their investigations
   v. detailing the acceptance rate of Ombudsmen's recommendations regarding a course of action to take at the end of their investigations

e) supervising the creation of a special court in affiliation with the International Court of Justice tasked with the prosecuting of any Ombudsman found to be using their position to break the law, including but now limited to:
   i. using their position to conduct corrupt actions
   ii. using their position so as to avoid accusations of sexual misconduct and/or assault
   iii. using their position to further the interests of third parties;

8. **Recommends** all UN Member States to form or strengthen regional blocs for OIs, enabling them to send an Ombudsman delegation to another country’s OI for maximum 4 years, with in-between resting periods for a year, in order for different national OIs to grow efficiently by learning from each other;

9. **Requests** the Secretary-General to report to the General Assembly at its seventy-first session regarding the implementation of the present resolution, in particular on the obstacles encountered by States in this regard, as well as regarding best practices in the work and functioning of Ombudsman, mediator and other national human rights;

10. **Promises** to be actively seized on the matter.
Resolution 348:

FORUM: GA6 (Legal)
QUESTION OF: Legal measures to eliminate international terrorism
SUBMITTED BY: The United States of America

THE GENERAL ASSEMBLY SIXTH COMMITTEE,

Reaffirming that terrorism in all its forms and manifestations, committed by whomever, wherever and for whatever reasons is one of the most serious threats to international peace and security,

Alarmed that according to the Global Terrorism Database in 2016 there were 13,488 incidents of terrorism,

Recalls all conventions and treaties which have been signed and/or ratified and relevant general assembly and/or security council resolutions which have been passed on the topic of eliminating international terrorism, such as, but not limited to, the UN Global Counter terrorism strategy, Measures to Eliminate International Terrorism, 17 February 1995 (A/RES/49/60), Measures to Eliminate International Terrorism, 6 September 1996 (A/51/336), Measures to Eliminate International Terrorism, 16 September 2016 (A/RES/68/11),

Aware of the United Nations' and the International Atomic Energy Agency's (IAEA) 19 international legal instruments and amendments to prevent terrorist acts and the necessity for member states to participate in those topics, which include nuclear terrorism, nuclear material, financing of terrorism, terrorist bombings, explosive materials, maritime navigation, civil aviation, the taking of hostages, and the protection of international staff,

Recognizing that in resolution 2178 (2014) the Security Council makes explicit the link between violent extremism and terrorism, and underscores the importance of measures being in line with international norms as well as recognizes the need for prevention,

Further recognizing the Plan of Action to Prevent Violent Extremism with a focus on preventive measures for addressing violent extremism which contributed to insecurity and armed conflict throughout the world, presented by the Secretary-General and adopted in 2016 by the General Assembly,

Praising the work done by The Counter-Terrorism Implementation Task Force (CTITF) established by the Secretary-General in 2005, and endorsed by the General Assembly through the United Nations Global Counter-Terrorism Strategy, which consists of 38 international entities and the International Criminal Police Organization (INTERPOL),

Appreciating all 12 thematic working groups in place in the CTITF, including the two “information” working groups, “Gender Sensitive Approach to Preventing and Countering Terrorism” and the “Working Group on Communications”,


Noting the establishment of the new Office of Counter-Terrorism which holds the CTITF and the UN Counter-Terrorism Centre which aims to assist member states in implementing the United Nations Global Counter-Terrorism Strategy,

1. **Calls upon** a panel of experts, working under the CTITF, to strive towards the universal agreement on the definition of “terrorism” which will begin to make it possible for a Comprehensive Convention on International Terrorism to be drafted, which incorporates all types of terrorist activities to assist member states when working towards the prevention of international terrorism;

2. **Further calls upon** all member states including any and all relevant organizations to become party to the CTITF while:
   a) implementing the United Nations Global Counter-Terrorism Strategy and resolutions relating to the first through fifth biennial reviews of the Strategy, including the Plan of Action to Prevent Violent Extremism,
   b) recognizing the Global Counter-terrorism strategy adopted by consensus and strengthening the rule of law in prevention of proliferation of terrorism-conducive conditions in conjunction with the working group of the CTITF, whose mandate is derived from Pillar I of the Global Strategy aimed to prevent radicalization and violent extremism,
   c) considering taking part in the existing international conventions, implementing United Nations resolutions concerning international terrorism, and cooperating with the counter-terrorism subsidiary bodies of the Security Council that provide according assistance,
   d) remembering their obligations under various existing international conventions and protocols and Security Council Resolutions which strive to ensure that the perpetrators of terrorist acts are brought to justice,
   e) forming economic ties to foster incentive for coordination on this matter;

3. **Invites** the United Nations to consider other options in the event that a member state fails to implement the United Nations Counter-Terrorism Strategy in ways such as but not limited to:
   a) Renegotiation with those specific member states to come to some sort of compromise
   b) Potential consequences if member states continue to deliberately refuse to implement the UN Counter-Terrorism Strategy in ways such as, but not limited to,
      i. The United Nations Security Council eventually considering placing economic sanctions on such member states
      ii. Limiting cooperation with such member states, in terms of intelligence sharing regarding terrorism;

4. **Further invites** the biennial review of the Strategy to occur more frequently, such as biannually, so as to stay updated about the evolution of terrorist tactics and help accelerate efforts for counter-terrorism at the global, regional and sub-regional levels;

5. **Establishes** a new sub-section of the United Nations Counter-Terrorism Centre (UNCCT) called the Assistance for Implementation of the Strategy (AIS) that will work in conjunction with willing member states, relevant international entities, The Terrorism Prevention Branch (TPB) of the United Nations Office on Drugs and Crime (UNODC),
and INTERPOL which will focus all of its resources in assessing and assisting the areas in which the United Nations Global Counter-Terrorism Strategy is proving difficult to be implemented, whilst also paying attention to the efforts already made by the UNCCT, in order to effectively provide member states with needed resources and support to enable them to combat terrorism through more efficient means of communication;

6. **Mandates** a one-off convention, that may be held again if the Under-Secretary-General deems it necessary, called the Convention for the Effective Implementation of the United Nations Global Counter-Terrorism Strategy, headed by the Under-Secretary-General, attended by the new sub-section AIS, and open to member states and any and all relevant organizations, held before the next review of the United Nations Global Counter-Terrorism Strategy July 2018 to:
   a) allow member states to submit information on the measures adopted and also difficulties they may be facing in order to facilitate further adoption and implementation of the United Nations Global Counter-Terrorism Strategy,
   b) compile a thorough report of the work and research done by AIS of the CTITF, taking into consideration documents such as but not limited to the Report of the Secretary-General on the capability of the United Nations system, to assist Member States in implementing the United Nations Global Counter-Terrorism Strategy, and the work done by any relevant NGOs to be presented at the next review of the Strategy in order for their findings to be taken into consideration,
   c) determine which member states and any lawless states may need financial assistance with the implementation of the United Nations Global Counter-Terrorism Strategy, based on the completed report;

7. **Asks** that the working group of the CTITF, Preventing Violent Extremism and Conditions Conducive to the Spread of Terrorism, establish reference guides which will be:
   a) done in conjunction with member states and existing entities of the working group,
   b) similar to those created by the working group Promoting and Protecting Human Rights and the Rule of Law While Countering Terrorism,
   c) using the Basic Human Rights Reference Guides published by the UNCCT as possible templates for what member states can do to prevent the spread of terrorism,
   d) having themes relating to those which are already inherent in the objective of the working group, whilst also addressing issues such as tackling the root causes of terrorism through peaceful means and combating the issue of radicalization and recruitment by terrorist groups due to inequality in various member states, and increasing intercultural and interethnic communication,
   e) paying attention to groups of people targeted by terrorist groups, such as women and youths;

8. **Further asks** that a secure hotline be created and run by the CTITF in order to warn leaders of member states of any potential terrorist threats that may occur within their borders, based on the collected information of a new panel called the Prevention of Terrorism Network System (PTNS) which will have a center stationed in every member state, having full respect for human rights and fundamental freedoms and consistent with obligations under domestic and international law, through the use of secure networks, information from every law enforcement agency in the member state, in relation to matters such as, but not limited to:
a) any pertinent fact concerning past or ongoing investigations of suspected, planned, thwarted or executed terrorist attacks,
b) stolen or forged identity papers and travel documents,
c) individuals who are known or suspected to be involved with or responsible for any form of terrorist activity or of assisting in any way in the perpetration of any terrorist activity;

9. **Urges** the creation of a new convention called the Model Legislation Anti-Terrorism Convention (MLATC) to occur semi-annually overseen by the CTITF and attended by member states, any relevant NGOs and UN agencies to discuss and create model legislation and further measures in relation to the following types of international terrorism such as but not limited to:
   a) nuclear terrorism, by encouraging the creation of laws to control and confiscate materials used to manufacture nuclear weapons including but not limited to weapons built using uranium, as well as arresting and investigating those individuals that assist in any form or manner in the creation or circulation of such weapons or are found in their possession,
   b) state terrorism, by encouraging the creation of laws that will improve relations, especially economic and political, between nations, such as negotiations and communication, as well as between a state’s government and its people,
   c) non-state terrorism, dealt with in a similar manner as stated in sub-clause b, due the similarities existing between the two types of terrorism addressed above,
   d) cyber-terrorism, through advising governments to create laws that require those involved with government intelligence units to respect confidentiality, whilst enhancing their monitoring of the Internet, and by setting specific restrictions on the amount and type of government information and data placed on the Internet,
   e) bioterrorism, by encouraging governments to focus efforts on strengthening laws that regulate the provision of capital, in relation to funding for medical research facilities, in order to identify, monitor and prevent the use of research on possible viruses or diseases being manipulated for terrorism purposes,
   f) narco-terrorism, by encouraging governments to strengthen laws relating to restrictions in public transportation checkpoints and border controls, so that the transfer of illegal substances can be prevented more effectively, and relating to conducting investigations on individuals suspected of involvement in any manner in drug manufacture or trafficking, as well as areas where illegal drug activity occurs, involving the help of special task forces;

10. **Recommends** that all member states work willingly with the working group Protection of Critical Infrastructure including Vulnerable Targets and Internet and Tourism Security in order to place strong focus on social media that is used in recruiting members, and with the Working Group on Communications, currently under formation, the findings of which will be passed onto the Prevention of Terrorism Network System who will then determine how this information will be used;

11. **Further encourages** member states to utilize technical assistance and advisory services provided by the United Nations Office of Legal Affairs (UNOLA) to strengthen respective prosecutorial systems for mutual judicial assistance to strengthen capacities of member states in combating crimes that often occur or that exacerbate terrorism, such as drug trafficking, money-laundering, smuggling and proliferation of nuclear weaponry, through means such as, but not limited to:
a) creating a multilateral advisory network that assists participating states in developing methods to investigate, extradite and/or in jurisdiction,
b) assisting the development of domestic laws which establish terrorist acts as criminal offences,
c) creating adequate punishments for such offences, to be determined by the UNOLA;

12. Advises member states to create programs, in conjunction with the CTITF, aimed at enlisting and duly training specialist police forces, so as to strengthen the ability of the member state to police and monitor, with full respect for human rights and fundamental freedoms and consistent with obligations under national and international law, designated areas and events including:
   a) public areas, including but not limited to, public parks, shopping malls and town squares, government buildings, frequently visited streets, tourist attractions, airports and border controls,
   b) public, mass-gathering events of any kind which may draw many people’s attendance and hence be possible/likely locations for terrorist groups or individuals to act;

13. Requests that member states, in conjunction with the CTITF and any and all UN agencies and NGOs, take active measures in educating relevant people such as children, so as to cultivate respect for life, liberty, freedom of belief and acceptance and respectfulness towards immigrants and their cultures, as many cases of racism or xenophobia have led to people joining extremist and/or pro-terrorism organizations, with such measures to include, but not be limited to:
   a) the presentation of ideas about equality, human rights and peace as part of school curricula
   b) at later stages of schooling, teaching about terrorism, its motivations and effects
   c) training on standard procedures in response to terrorist attacks
   d) utilizing campaigns and advertising to encourage anti-racist behaviors, promote acceptance of different people and their cultures and to help decrease pressures on migrants and reducing the risk of them joining extremist or pro-terrorism organizations;

14. Asks that member states, when considering new legislation, go to the greatest possible length to combat terrorism in all its forms, while at the same time upholding rule of law and UN human rights standards;

15. Supports the enforcement of financing laws and regulations, in ways such as, but not limited to:
   a) Increased monitoring of charitable fundraising
   b) Further examination of regional money flows
   c) The establishment of mechanisms and protocols to freeze assets of those suspected of financing terrorism
   d) The strengthening of anti-money laundering programs through cooperation with international financial intelligence units
   e) Working with existing financial counter-terrorism task forces towards:
      i. Enhancing coordination and information sharing between states
      ii. Blocking terrorist funds coming from illicit commercial activities
      iii. Preventing access to terrorists to the international banking system
f) Developing policies to prevent the payment of ransom fees to terrorist groups to deter future hostage situations;

16. **Recommends** all member states implement a piece of legislature calling for biannual financial inspection of all government employees by a third party for the purposes of:
   a) Identifying individual officers who may be financially benefitting by obstructing justice
   b) Aiding in retracing any financial transaction made by a terrorist organization.
Resolution 351:

FORUM: General Assembly Sixth Committee
QUESTION OF: Legal accountability of United Nations officers and experts on mission.
SUBMITTED BY: Myanmar

THE GENERAL ASSEMBLY SIXTH COMMITTEE,

Reaffirming the need to promote and ensure respect for the principles and rules of international law, the obligation of United Nations officials and experts on mission to respect the national laws of the host State, as well as the right of the host State to exercise, where applicable, its criminal jurisdiction, in accordance with the relevant rules of international law and agreements governing operations of United Nations missions,

Recognizing the valuable contribution of United Nations officials and experts on mission towards the fulfilment of the purposes and principles of the Charter,

Underlining the importance of a zero-tolerance policy for misconduct and the commission of crimes by United Nations officials and experts on mission,

Alarmed by the actions of UN officials who commit any crime in the nations they are working in,

Recalling the atrocities committed by United Nations officers in areas such as the Central African Republic, Haiti and Sierra Leone,

Aware of the lack of prosecution and accountability of United Nations personnel following criminal activities in overseas missions,

Expressing its concern with respect to all alleged crimes on the part of United Nations officials and experts on mission, including allegations of fraud, corruption and other financial crimes, and in that regard welcoming the reaffirmation by the Secretary-General that there will be no tolerance for any corruption at the United Nations,

1. Urges all States to consider establishing, jurisdiction over crimes, particularly those characterized as serious crimes in operative clause 5, committed by their nationals while serving as United Nations officials or experts on mission so that there is an overlapping legal framework between the host state and state of origin;

2. Further urges States and appropriate international organizations provide technical and other appropriate assistance in developing such legal measures to States requesting such support;

3. Endorses the implementation of a yearly operational review in which host nations and colleagues can input their perspective on areas such as:
   a) the conduct of the official during the mission
   b) any potential or suspected violation of the code of conduct
   c) the efficacy of the overall operation;
4. **Calls** for the creation in Switzerland of the International Court of United Nations Officers (ICUNO) as an organ under the jurisdiction of the United Nations with the following offices such as:
   a) a prosecutor’s office with responsibilities such as:
      i. reviewing previous case files including transcripts, entered pieces of evidence and testimony, to determine the necessity of a retrial
      ii. conducting a retrial, if needed, abiding by the legal code of the defendant’s nation state to ensure sovereign jurisprudence is upheld
      iii. developing and maintaining a collective group of specialized lawyers on each member state’s legal code
   b) administrative office which has responsibilities such as:
      i. working in coordination with the data center mentioned in operative clause 6 to compile and organize pertinent data
      ii. issuing and updating open warrants for defendants and working in tandem with local and regional law enforcement for the transfer of individuals and physical evidence
   c) judge’s office which has responsibilities such as:
      i. recruiting and managing the presiding judges in specific cases
      ii. positing the final verdict for retrial with an objective and fresh perspective on the issue;

5. **Further calls** for the creation of a rubric by the ICUNO to determine the degree of one’s potential criminal activities, categorizing behavior into groups such as:
   a) misdemeanors which encompass crimes such as:
      i. petty theft
      ii. drug possession
      iii. vandalism
      iv. harassment
      v. mismanagement of United Nations resources
   b) felonies which encompass crimes such as:
      i. embezzlement
      ii. murder
      iii. hate crimes
      iv. sexual assault
      v. rape;

6. **Requests** the creation of a multinational information center, stationed in Switzerland next to the ICUNO, which specializes in data collection and debriefing of missions for purposes such as:
   a) citing and organizing the debriefed reports of all United Nations Missions
   b) organizing and storing all post-operation rating system data that has been collected
   c) acting as a reference for all past complaints and post-operational victim testimonies
   d) organizing an extensive history of previous trials with a list of plaintiff, outcome, and transcripts
   e) compiling the post-operation debrief review data as mentioned in operative clause 3;
7. **Supports** the creation of Offices of Trial Accountability (OTA) in each continent with the headquarters in Switzerland next to the ICUNO and the information center for the purposes of:
   a) ensuring the authenticity and due process of the trials of United Nations Officers and Experts by sending officers to observe the trial process
   b) acting as the intermediary in the process of transferring information from the court such as the documentation referred to in operative clause 6, in order to expedite and maintain a chain of command
   c) establishing a regional connection in an effort to not over-extend one body of authority, effectively maintaining and stabilizing the overarching office of accountability;

8. **Further requests** a possible amendment to the Vienna Convention on Diplomatic Relation Treaty, specifically the Article discussing diplomatic immunity, asserting that an enactment of a severe crime will constitute as grounds for nullification of the perpetrator’s diplomatic immunity by the Secretary General for the purposes of:
   a) instilling a sense of responsibility and a potential repercussion that acts as an incentive for individuals to not commit such heinous crimes
   b) addressing the extensively abused loop hole in the previously established Article
   c) establishing an overarching system to regulate diplomatic statuses and grounds for dismissal of privileges like diplomatic immunity;

9. **Suggests** briefing all individuals affiliated with United Nations operations prior to deployment for the purposes of:
   a) reemphasizing the clause in the 1961 Vienna Convention on Diplomatic Relations which discusses the need to respect the laws and regulations of the host nation
   b) illustrating the possible repercussions of any criminal activities and emphasizing the newly created ICUNO’s role in ensuring accountability for all
   c) the possible repercussions of neglecting to report any possible infringement of the Code of Conduct of the respective organization;

10. **Encourages** the enforcement of accountability for Sexual Exploitation and Abuse (SEA) crimes, especially in LEDC’s (Less Economically Developed Countries), with the aim to eliminate or reduce the under-reporting of such crimes by means such as:
    a) Raising awareness by:
       i. creating public UN funded campaigns to raise awareness amongst locals
       ii. integrating an open-minded and human rights tolerant approach in all schools and general education institutions, in accordance with the existing nations’ cultural and political beliefs
    b) encouraging victims by:
       i. providing 24 hour hotlines
       ii. organizing mass media campaigns to raise awareness and facilitate denunciation;

11. **Endorses** a joint operation with the United Nations Children’s Fund (UNICEF) in areas of conflict and remote areas for purposes such as:
   a) educating individuals of their legal rights of coming forward with complaints of misconduct
b) informing individuals of access to nearby victim protection services which can provide specific legal guidance and liaise with the pre-established United Nations bodies to ensure accountability of the perpetrator of said crime

c) disseminating access and acknowledgement of the hotline system established in operative clause 10, sub clause B, sub-sub clause 1;

12. **Requests** the implementation of background checks for any UN peacekeeper applicant, which would screen individuals’

   a) criminality, or previous criminal record

   b) mental health and/or stability;

13. **Further suggests** the creation of a new sub-section of the ICUNO which will be devoted to ensuring that the ICUNO remains effective in the long-term, through means such as:

   a) Holding an annual convention at which member states may submit information regarding the work being done by the ICUNO so that it can be taken into consideration in the future

   b) Publishing a regular report, to be made available to the public, which will outline the achievements and work done by the ICUNO so as to ensure transparency between the ICUNO, member states, and any other relevant organizations

   c) Taking into consideration the yearly operational review in clause 3, especially in sub-clause c;

14. **Endorses** the elevation of training standards for current and future officials and experts on mission by instituting a set of general, mandatory guidelines and standards that member states must follow before offering the services of their officers and experts; standards may include:

   a) education of the host nation’s criminal laws as well as the corresponding punishments

   b) training in the host nation’s traditions and customs so as to improve cultural awareness

   c) training in the recognition of signals of abuse by fellow officers as well as how to aid the person abused.