Research Report

Leiden Model United Nations 2016
~ fresh ideas, new solutions ~

Forum: *Economic and Social Council*
Issue: *Rights to self-determination*
Position: *President*

Introduction

You have the right to be who you are. It is a right that you were granted. It is very fundamental to peace. The concept and the implementation of the right to self determination is well known in our history, which applies to the rest of the world. According to the Oxford dictionary, self-determination is *"The process by which a country determines its own statehood and forms its own government."* The citizens of stateless nations have often used this right to democratically express their will. As well as to take responsibility for their own future. Exercising this right can lead to many different outcomes. Many examples include, autonomy, federalism, confederalism, linguistic and cultural recognition, unification, cultural and fiscal autonomy, and ultimately independence.

Definition of Key Terms

Rights: a moral or legal entitlement to have or obtain something or to act in a certain way.

Self-determination:

- Determination by oneself or itself, without outside influence.
- Freedom to live as one chooses, or to act or decide without consulting another or others.
- The determining by the people of the form their government shall have, without reference to the wishes of any other nation, especially by people of a territory or former colony.

General Overview

The UN was founded at the end of WWII, when around 750 million people lived as non-self-governing colonies and territories. After WWII, millions of people have declared their own independence, founded their own countries, and exercised their right to *self-determination.*

The right to self-determination means that someone is able to freely determine their political status and to freely pursue their social, economic, and cultural development. A major part of self-determination is associated with the process of decolonisation, which is the act of getting rid of colonisation, or freeing a country from being dependent on another country.

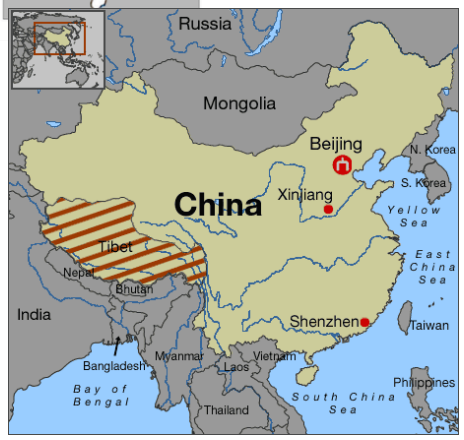
An example is the United States; the signing of the Declaration of Independence

and fighting the Revolutionary War. However, the modern day struggles of Native Americans to govern themselves and preserve their cultural identity are also examples of self-determination.

The right to self-determination is a universal human right which is recognised by the international community. However, people are not always allowed to exercise this right for many reasons:

(**Major Parties Involved**)

- **Israel** was founded in 1948 after it long fought for self-determination. As a result a lot of **Palestinians** became refugees. And today, Palestinians are struggling to exercise their right to self-determination by forming their own state alongside Israel. Furthermore, Palestine is trying to become a member of the United Nations, but its fight for membership is being stopped by the **United States**.



- **Tibetans** are trying to exercise their right to self-determination by establishing their own country, but they are occupied by the **Chinese** military. The Dalai Lama, the leader of Tibet who is currently in exile, travels around the world to speak about their peaceful resistance and the self-determination of Tibet.

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- The **Chechen** people are trying to exercise their right to self-determination by trying to break away from from **Russia**. However, the government of Russia does not believe that Chechnya has a right to self-determination. Which has led to violence in Chechnya, including the creation of rebel groups and even to terrorism.

Countless groups of people around the world are trying to exercise this right, but this also threatens the security of other countries and leads to more and more violence.

Timeline of Events

26 June 1945	The Charter of the United Nations was signed.
10 December 1948	The Universal Declaration of Human Rights (UDHR) was adopted by the United Nations General Assembly.
14 December 1960	The United Nations' General Assembly adopted Resolution 1514 (XV) "Declaration on the Granting of Independence to Colonial Countries and Peoples"
29 November 2012	The General Assembly adopted resolution 67/19 on the "Peaceful settlement of the question of Palestine"
18 December 2012	The General Assembly adopted resolution 67/23 on the "Status of Palestine in the United Nations."

Previous Attempts to Solve the Issue

The international community has recognised the right to self-determination ever since the establishment of the UN:

- In the **Charter** of the United Nations, one of the UN's purposes is *"to develop friendly relations among nations based on respect for the principle of equal rights and self-determination of peoples."*
- In the Universal Declaration of Human Rights, **article 15** declares that *"everyone has a right to a nationality"* and that *"no one shall be arbitrarily deprived of his nationality nor denied the right to change his nationality."*
- Both the I**nternational Covenant on Civil and Political Rights** (ICCPR) and the **International Covenant on Economic, Social, and Cultural Rights** (ICESCR) start with the same first article: *"All peoples have the right of self-determination."* They freely determine their political status and freely pursue their economic, social and cultural development."
- The General Assembly (GA) recognised the right to self-determination in x with **Resolution 1514** (XV), *"Declaration on the granting of independence to colonial countries and peoples."* Since 1990, the GA has declared three consecutive *"international decades"* for the *"eradication of colonialism."*

The UN has also taken various actions to help people exercise the right. One of the original organs of the UN was the **Trusteeship Council;** which helps non-self-governing territories get independence.

The UN governed former colonies, including present-day Cameroon, Somalia, and Rwanda, until they were able to govern themselves. In 1994, the last territory managed by the Trusteeship Council gained independence, Palau, and the council suspended its operations indefinitely.

Now, the 4th Main Committee of the GA is the **Special Political and Decolonisation Committee,** which deals with issues related to Palestinian refugees, human rights, and other cases related to decolonisation.

The Committee of 24 or **The Special Committee on Decolonisation,** assists former colonies and territories to achieve and maintain independence, and exercise their right to self-determination.

Possible Solutions

There are three areas to consider about the fight for self-determination in which

the committee can elaborate on while drafting a new resolution:

1. **PALESTINE:** The struggle of the Palestinian people for self-determination has been a disputable issue as old as the UN itself. In 2012, the General Assembly adopted resolutions 67/19 on the *"Peaceful settlement of the question of Palestine"* and 67/23 on the *"Status of Palestine in the United Nations."*
    - How can the international community help or aid Palestinians in their struggle for self-determination?
        - without threatening Israel and the stability of the Middle East?
    - Can Palestine be admitted to the UN as member, even if its membership is opposed by the US?
2. **TIBET:** From Tibet to Chechnya to North America, minority groups around the world struggle for self-determination. They struggle to preserve their cultural identity, to govern themselves, or to declare their own independence.
    - Can the international community help minority groups achieve self-determination? or
    - Does this pose a threat to the countries in which these groups reside?

Useful documents + Appendix/Appendices

The Right of Nations to Self-Determination by Vladimir Ilyich Lenin
https://www.marxists.org/archive/lenin/works/1914/self-det/index.htm

United Nations General Assembly Resolution 1514(XV). "Declaration on the Granting of Independence to Colonial Countries and Peoples"
http://undocs.org/A/Res/1514(XV)

United Nations Charter.

http://web.archive.org/web/20080516034015/http://www.un.org/aboutun/charter

Self Determination - International Law and Practise
http://www.tamilnation.org/selfdetermination/