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Chair’s Letter

Dear Delegates,

My name is Nathan Eckstein, class of 2016 and originally from Chicago, and I'm looking forward to one last year at PMUNC! I am majoring in the Woodrow Wilson School and pursuing certificates Latin American studies and humanistic studies. Recently, I was awarded a “SINSI” scholarship for MPA study at the Woodrow Wilson School in addition to a two-year fellowship with the U.S. Government. My last two summers were spent abroad, in 2014 interning at the U.S. Embassy in La Paz, Bolivia, and in 2013 interning for the non-profit El Niño y La Bola in San Jose, Costa Rica. At PMUNC, I previously served as Chair of SPECPOL (2014) and Chair of Legal (2013). Off-campus, I will serve as Secretary-General for SUSMUN 2015 in Atlanta, Georgia; at SUSMUN I previously served as Chief of External Relations (2014) and Director of DISEC (2013). Recreationally, I am an enthusiastic member of diSiac Dance Company and Princeton University Ballet.

Hi delegates! My name is Tomi (pronounced tow-mee) Johnson, and I'm delighted to be one of your two chairs for SOCHUM at this year's PMUNC. I’m a Woodrow Wilson School major focusing on International Organizations and Global Governance, and am also pursuing a certificate in French Language and Culture. I began competing in Model UN during my sophomore year of high school, and first attended PMUNC as a senior. This will be my fourth (and, sadly, last) time staffing PMUNC; in the past, I have served as Director for UNESCO (2012), Chair of WHO (2013), and Co-Chair of Legal (2014). Outside of IRC, I work with the Daily Princetonian's design and photography departments, serve as co-chair of Butler College Council, perform with BAC: Dance Company, and write for Speaking of Princeton, the undergraduate admissions blog. If I’m not doing one of those things, you can catch me cheering for Chicago sports teams, playing intramural volleyball, or scrolling through travel Instagram feeds.

We competed together on the same high school team, co-chaired at PMUNC 2014, and very much look forward to reuniting for one final MUN conference!

See you soon,
Nathan and Tomi
Topic A: Press Freedom and Journalistic Integrity

Freedom of journalists and media institutions, while imperative for a country's political and economic success, has come under threat since the turn of the century. In 2014, the international community was horrified by the gruesome videos of Western journalists beheaded by ISIS forces.¹ The videos, which resonate in part due their sheer lack of humanity, are a reminder that journalists are still human beings, and therefore deserve the same human rights as any other civilian in a conflict zone.

The physical safety of journalists in conflict zones is one issue that should be considered. However, challenges to press freedom can also take many other forms, including legal codes and practices that enable political imprisonment of journalists, state manipulation—and often times direct control—of key media outlets, and regulation of the Internet that inhibits bloggers and other independent sources of information. In many cases, the suppression of media activity is justified in the supposed interest of national security or of “moral values”. Delegates will be tasked with deciding whether these claims are legitimate. More importantly, SOCHUM must create policies that protect the integral basic right to press freedom enshrined in international law.

History

Naturally considered a threat to the absolutist monarchies of the past, press freedom as an important value began to emerge in England in the late 1600s. At the time, publications were heavily regulated by the Licensing of the Press Act of 1662, but the existence of a relatively independent Parliament and a healthy culture of criticism of government

¹ http://www.cnn.com/2014/08/19/world/meast/isis-james-foley/
contributed to the Act’s demise in 1695. The intellectual inspiration for the repeal was provided by philosopher John Milton’s *Areopagitica*, in which he argued that open access to information was necessary in order for the best arguments, and therefore the most effective policies, to prevail.²

This legal precedent spread to Britain’s New World colonies, and as a result the First Amendment to the Constitution of the United States explicitly guarantees the right to press freedom.³ Few countries, Sweden in the 1700s being an exception, followed the United States’ lead; in general, freedom of the press remains a critical value only for democratic governments.

Perhaps as a result of their relatively tolerant policies, both the USA and UK developed thriving newspaper industries in the late 1800s. In the United States, investigative journalism by these outlets, known as ‘muckraking’, resulted in high-profile legislation in the areas of food safety, urban reform, and economic regulation.⁴

International consensus shifted in the 20th century, resulting in the protection of press freedoms in the Universal Declaration of Human Rights and other agreements.⁵

However, the time period also saw many notable violations of these rights—for instance, all sides engaged in wide-ranging propaganda and censorship during World War II. Media suppression was not limited to the West—the Indian government under Indira Gandhi held an iron grip on the media that persisted until

²[https://www.dartmouth.edu/~milton/reading_room/areopagitica/text.shtml](https://www.dartmouth.edu/~milton/reading_room/areopagitica/text.shtml)


the country’s liberalization in the early 1990s.\(^6\)

The past fifteen years have seen the emergence of new threats and possibilities with respect to journalism. Firstly, the global focus on terrorist incidents following the 9/11 attacks has predicated a bolstering of national security legislation, which in turn has caused countries to keep large amounts of key information classified. Secondly, the growth of the Internet has allowed material to emerge from non-traditional sources such blogs and social media accounts. These mediums have made journalism more nimble and decentralized, making both verification and suppression far more difficult endeavors.

\textbf{Relevant International Law and UN Actions}

\textit{Universal Declaration of Human Rights (1948)}

In part as a response to widespread censorship during World War II, the UDHR includes a broad endorsement of freedom of the press. Article 19 reads:

> “Everyone has the right to freedom of opinion and expression; this right includes freedom to hold opinions without interference and to seek, receive and impart information and ideas through any media and regardless of frontiers.”\(^7\)

Essentially, freedom of the press is an extension of freedom of individual speech. Because of its idealistic nature, the UDHR does not mention any cases in which press freedoms could be curtailed, leaving that for future documents.

\(^6\) http://time.com/3935184/indira-gandhi-emergency-40-years-1975/

\(^7\) http://www.un.org/en/documents/udhr/
International Covenant on Civil and Political Rights (1966)

The ICCPR, which is binding international legislation, uses the same language as the UDHR. However, it also does note that press freedoms may:

“be subject to certain restrictions, but these shall only be as such as are provided by law and are necessary (a) for respect of rights and the reputations of others [and] (b) for the protection of national security or of public order, or of public health or morals.”

As we will see, these exemptions are often invoked (or exploited, depending on the perspective) as rationale for limitations of journalistic activity.


The resolution, motivated in part by several attacks on foreign journalists in Iraq and Afghanistan, was transformative in that asserted that “journalists, media professionals and associated personnel engaged in dangerous professional missions in areas of armed conflict shall be considered as civilians and shall be respected and protected as such.” In explicitly declaring wartime journalists to be civilians, the resolution brought the media under the protection of the entire body of human rights law, including the Geneva Convention protections against civilian casualties. These rights were reaffirmed in Security Council Resolution 2222, which was passed in response to ISIS attacks on journalists.

It is also useful to note that there are many other human rights that depend on

freedom of the press, such as freedom of thought, freedom of religion, and the right to a personal identity. At the same time, freedom of the press depends on rights to life, individual freedom, and security protected under international law.

Current Situation

Today, prospects for freedom of the press worldwide appear bleak. According to the Reporters Without Borders World Press Freedom Index, the overall level of violations of freedom of information rose by 8% in 2014. The situation is particularly precarious in the Middle East and North Africa due to continued political instability in the region.

However, according to the measure, deteriorations in press freedom were seen across all regions. For reference, the European Union and the Balkans generally enjoy the freest press, followed by the Americas and Africa. On the other hand, countries in the Middle East and North Africa impose the most limitations on journalists (and this is excluding ISIS), followed by former Soviet states in Eastern Europe and Central Asia and by the Asia-Pacific region.


\[12 \text{Ibid.}\]
Freedom House’s annual report found similar results: global press freedom is at its lowest point in over 10 years. At this point, only one in seven people live in a country whose press can be classified as “free”. There is a certain irony to these results: as the report put it, “in a time of seemingly unlimited access to information and new methods of content delivery, more and more areas of the world are becoming virtually inaccessible to journalists.” The report identifies two factors—restrictions of the press through legislation, and limitations on physical access to conflict and protest areas—as the primary causes of recent declines in press freedom.

**Key Issues**

**Physical Attacks**

The use of physical force to silence or intimidate journalists is perhaps the crudest method of restricting journalists.


14 Ibid.
and therefore should be the easiest to stop. The ISIS attacks are perhaps a special case, given that the rebel group is the de facto authority in the region. However, in many cases, journalists are not attacked directly by the ruling government, but instead are targeted by terrorists or criminal groups. Government culpability, then, stems from the failure to properly protect journalists and prosecute their attackers.

As one example, Bangladesh has seen a rise in assaults on journalists by Islamic fundamentalist groups; in one high-profile case last year, a liberal American-Bangladeshi blogger was attacked with a terrorist with a machete and killed.\(^{15}\) While the blogger’s American citizenship brought international attention to the case, the reality is that several similar attacks on bloggers and journalists had occurred in recent months without government action. Notably, most of the targeted work independently instead of for established news organizations, a factor that may have made their work riskier.

Legal Restrictions

In many countries, press restrictions often emerge through the manipulation of legal codes. In India, for instance, authorities may censor articles that supposedly relate to national security, and additionally prosecute uncooperative journalists, under a law that dates from 1923.\(^{16}\) These codes are certainly applied: in August of this year, three journalists from the international Al Jazeera news network were each sentenced to three years in jail for a series of violations; the court ruled that the journalists had not properly registered with the government, had brought in equipment with prior approval, had secretly broadcasted from a

\(^{15}\) \url{http://www.reuters.com/article/2015/02/27/us-bangladesh-blogger-idUSKBN0LV11G20150227}

\(^{16}\) \url{https://freedomhouse.org/report/freedom-press/2015/india}
hotel, and most egregiously, were accused of broadcasting “false news”. While the trial is portrayed in the USA and Western Europe as a shocking attack on media freedoms, there are many countries that in reality have similar restrictions on journalistic activity in place.

**State-sponsored Media**

In many cases, challenges arise due to the fact that key media outlets are directly controlled by the state. In China, for instance, news and TV outlets are tightly regulated; for instance, Xinhua News, the main news outlet, rarely covers political events in Tibet. Other mediums are also well watched; the so-called Great Firewall restricts users from accessing many foreign sites, especially those that could provide an outside perspective on controversial topics. The government openly recognizes its impact on Internet use, and even has developed its own political theory of “Internet sovereignty” that essentially forces all media outlets, including foreign ones, to respect Chinese regulations. In the eyes of the state, these policies are essential for political and economic security, as under a one-party system media criticism of the government would just lead to instability.

Another example of the challenges of independent state-sponsored media can be found in the UAE, where the ruling government recruited several journalists from the New York Times and other leading Western media outlets to start a newspaper called the National. As a former reporter attests, this effort was a complete failure. Despite the presence of experienced and impartial journalists, the

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state could simply block any material that it felt was destabilizing, crippling the project from the start.

Delegates must keep in mind the reasoning provided by governments for maintaining control of media. National security is a common one, as are “moral values”, especially in countries with religious governments and political parties. A government may choose to block certain sites, for example, to protect citizens from the immorality of pornography. This past year, the Indian government did just that; it reversed its decision soon after following the discovery that its list of pornographic sites included the popular humor website College Humor.

The New Reporters

For what it is worth, the rights of reporters at big media outlets are mostly respected, in part due to the institutional power of major newspapers and TV networks. The committee will be faced with deciding if press freedom ends with these groups or if they extent to the “new reporters” of the 21st century: independent bloggers, videographers, and tweeters that use the Internet as their medium of publishing and networking. As some argue, freedom of the press was and is at its core the right of any individual to publish what they believe. Other countries might adopt a more restrictive definition, allowing a small group of professional journalists to publish while ensuring that the majority of the population receives a regulated line of information.

Solutions

As always, delegates should search for innovative ways to protect or regulate press freedom, depending on country policy. There are, however, some

20 http://www.newstatesman.com/blog/s/media/2012/07/what-freedom-press-should-mean
solutions that are certain to emerge in committee.

From a legal standpoint, many countries will encourage ratification of the International Covenant on Civil and Political Rights. In fact, the creation of a new international agreement on press freedoms could be on the cards, especially given recent Security Council action on the subject. Such an agreement would have to consider how journalism has changed since the turn of the century, and determine the extent to which bloggers and other independent investigators will be protected under the umbrella of “freedom of the press”. On the national level, countries would be encouraged to adopt these proposals in their own legislation.

On a more practical level, the United Nations does have the capability to assist independent media in conflict zones. The UN flag is often the only one that can avoid attack (even though it is not always successful) and so its resources should be utilized well.

UNESCO has a history of serving as an advisor to new independent media outlets in areas of conflict, helping to fill gaps in information that often perpetuate such clashes. 21

More free press-leaning countries are also more likely to encourage mediums of transmission that are less easily regulated. For instance, satellite television (especially from foreign sources) is much harder to restrict and regulate than local cable television, and any sort of Internet use is vastly more difficult to regulate because of its decentralized nature. If these technologies become the modern standard, it is likely that governments will accept their use instead of trying to resist in the name of security.

On the other hand, there will be many countries in committee that are wary of excessive press freedom. They will advocate for some different policies—for instance, an international treaty that protects the governmental prerogative to regulate free journalism in the name of national security. They will urge for cooperation between countries to more effectively facilitate control of content when necessary. And it is likely that these countries would opt for a more narrow definition of journalism which excludes the bloggers and netizens of the modern age.

**Country Policy:**

Note: These policies often vary even within regional blocs. Check [https://index.rsf.org/#/](https://index.rsf.org/#/) to see how restrictive or supportive your country is of its press.

**United States, Canada, Australia, New Zealand, and Western Europe:**

These countries have very few media controls; in many cases freedom of the press is enshrined in fundamental legislation. These more developed countries are also technology hubs, meaning that their resources will be valuable in achieving their goal of spreading independent journalism to the rest of the world.

**Latin America:**

The region has varying levels of press freedom that broadly correlate with levels of development. Chile and Costa Rica are relatively free; Cuba and Mexico are some of the most invasive. Mexico’s case offers a potential justification for press regulation—drug cartels are dominant and any secret information that the government has on them could be crucial.
Africa:
Similar levels of supervision to Latin America, and varies widely by country. There are few truly democratic regimes, which lowers incentive to develop a free press.

Middle East and North Africa:
Governments tend to be very involved in the media. Egypt was mentioned earlier, but the biggest perpetrators are Iran, Saudi Arabia, and Syria, whose high involvement can be attributed in part to the civil war. Violence against journalists is relatively common in the region, and these statistics do not even capture the targeted capture and killing of journalists by ISIS.

Asia:
Across Central, South, East, and Southeast Asia, regimes tend to closely monitor the press. China’s strategies are well-known, but its neighbors Vietnam and Laos are similarly restrictive. Surprisingly, democracies Japan and South Korea barely rank in the top third of countries, which is surprisingly low given their levels of development.

Questions to Consider in Formulating Country Policy:

Where does your country rank on Reporters Without Borders’ Press Freedom Index? What reasons does the organization success for your country’s position?

Does your country have some aspect—perhaps an ongoing conflict, or a commitment to certain moral values—that makes it more likely to restrict its press?
Questions to Consider in a Resolution:

How can national security issues be reconciled with press freedom? Are there cases where the press should be restricted?

How can journalists be protected in regions without stable governments or other institutions?

Do Internet bloggers deserve the same protections as professional journalists?

How can undemocratic governments be encouraged to develop independent media? Should they be?
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Topic B: Racism, Xenophobia, and Related Intolerance

The issue of racism, xenophobia, and related intolerance is a subject that, somewhat ironically, is faced by countries and cultures worldwide. As a result, the UN General Assembly’s Third Committee, otherwise known as SOCHUM, has made repeated efforts to combat these cultural conflicts. In 2014, during the UN’s most recent completed session, the General Assembly adopted Resolution 69/162, “A global call for concrete action for the total elimination of racism, racial discrimination, xenophobia and related intolerance and the comprehensive implementation of and follow-up to the Durban Declaration and Programme of Action.” As this title suggests, UN policy on racism and xenophobia is dictated by the 2001 Durban Declaration, a non-binding but still seminal agreement that laid out both specific rights of oppressed peoples and particular strategies that states should adopt in order to protect these rights. As we will see, the Declaration is both non-binding and highly contentious, as many countries including the United States refused to ratify it. Over the past decade, however, global trends have made the issues discussed in the Declaration even more relevant. Globalization and technology have brought about new waves of migration of people and ideas—the European migrant crisis of this past summer is one poignant example—making peaceful interactions between different cultures even more important for global economic and political stability. It is under this turbulent context that our committee will once again address the issue of racial and ethnic intolerance.

Terminology

According to the International Convention on the Elimination of All Forms of Racial Discrimination (ICERD), racial discrimination is defined as “any distinction, exclusion, restriction or preference based on race, colour, descent, or national or ethnic origin which has the purpose or effect of nullifying or impairing the recognition, enjoyment or exercise, on an equal footing, of human rights and fundamental freedoms in the political, economic, social, cultural or any other field of public life.”

On a simpler level, racial discrimination or racism generally refers to discrimination based on physical characteristics.

Xenophobia, however, suggests distinction based on the individual’s place of origin. Hostility towards foreigners, even towards those of an identical ethnic or racial background, would still be considered xenophobic.

History

Racism and xenophobia have existed for almost as long as civilization itself. In Antiquity, the word barbarian was used first by the Greeks and then by the Romans to refer to foreigners. Because the Romans (justifiably) considered themselves a superior civilization to the Germanic and other tribes that constantly threatened the empire, the word took on a negative connotation; in modern language, of course, it

References:

23 http://www.ohchr.org/EN/ProfessionallInterest/Pages/CERD.aspx
24 http://www.unesco.org/most/migration/imrdx.pdf
25 Ibid.
simply refers to the unsophisticated.\textsuperscript{26} Institutionalized racism, in the Western world at least, first emerged in Spain during the Middle Ages. The \textit{Reconquista}, the centuries-long effort by the Catholic kings of Spain to rid the Iberian peninsula of its Muslim rulers, was based in part on the Catholics’ strong belief in their inherent superiority. \textsuperscript{27}This emphasis on ethnic homogeneity and superiority continued even after the fall of Granada in 1492, as is shown by the Spanish Inquisition. In an effort to establish religious unity, Jews in Spain were targeted with violence and political persecution. As a result of widespread anti-Semitism, most Jews were forced to flee or convert.\textsuperscript{28}

The development of these ethnocentric attitudes in Spain and elsewhere coincided with the rise of European imperialism. European colonizers engaged in unprecedented interactions with previously unreachable civilizations, and carried their convenient biases with them in the process. This serves to explain many of the hierarchical social structures that developed in the colonies; the \textit{encomienda} system in Spanish America and South African \textit{apartheid} are just two examples. This discrimination, at the time economically convenient for the European elites, also manifested itself in the slave trade. Even if the Church eventually began to explicitly criticize slavery, European colonizers’ internalized belief in their moral superiority provided the ethical justification for the establishment of slavery across the New World.\textsuperscript{29}

\textsuperscript{26} \url{http://www.merriam-webster.com/dictionary/barbarian}
\textsuperscript{27} \url{http://www.britannica.com/event/Reconquista}
\textsuperscript{28} \url{http://www.britannica.com/topic/Spanish-Inquisition}
\textsuperscript{29} Lecture by Michael Barry at Princeton University on 9/16/2015
These trends are important because they are still visible worldwide. The United States still grapples with underlying racial conflict, a legacy of the slavery era; the fall of apartheid still leaves South Africa with economic and social inequality. More recently, the European migrant crisis has unearthed deep-rooted tensions between the continent’s modern ideals and its fractious past. Even as EU rules proclaim to protect refugee rights, there is widespread opposition to immigration, especially from outside Europe; the president of Hungary recently declared that “[Hungarians] do not want a large number of Muslim people in [their] country” because they threaten the European way of life.  

If anything, the crisis reveals that racism and xenophobia will not be overcome with a theoretical espousal of egalitarian ideals. Delegates will need to find specific ways to reconcile the equal rights of oppressed groups with the legitimate sentiments of pride and nationalism that are held worldwide.

Previous International Agreements

*International Convention on the Elimination of All Forms of Racial Discrimination (1965)*

The ICERD is the primary binding UN treaty on racial discrimination; it does not address xenophobia directly. With 177 UN member states as parties to the treaty, it has gained widespread acceptance, and its stipulations have in many cases been translated into national legislation. The treaty provides a comprehensive definition of racial discrimination—provided at the beginning of this guide—and then goes on to specify measures that

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31 [http://www.ohchr.org/EN/Profession allInterest/Pages/CERD.aspx](http://www.ohchr.org/EN/ProfessionallInterest/Pages/CERD.aspx)
states must take to combat racism. For instance, states must:

- Prohibit racial discrimination within public institutions
- Establish the explicit right to equality under the law regardless of origin
- Create and implement legal codes to prosecute perpetrators of racial injustice and compensate victims
- Ban apartheid i.e. any public policy that explicitly separates individuals of any racial/ethnic background
- Criminalize hate speech and hate crimes
- Implement affirmative action policies (which seek to assist groups impaired by racism) when necessary

While these stipulations may seem relatively intuitive, they have not necessarily been implemented by every member state. It is worth observing that the majority of the above clauses deal with explicit legal equality for disadvantaged racial and ethnic groups; only the affirmative action clause suggests any sort of action to reverse established racial inequities. One should also note that the ICERD established a complaint mechanism, the Committee on the Elimination of Racial Discrimination, to serve as a sort of racism "supreme court" if disputes cannot be solved at the national level. In any case, due to the classic issue of national sovereignty, enforcement of the treaty's many stipulations remains a challenge.

**Durban Declaration and Programme of Action (2001)**

The DDPA is, or at least was intended to be, a more modern, specific, and far-reaching version of the ICERD. However, its specificity comes at the expense of its effectiveness, as the Declaration is non-
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States are simply encouraged to adopt the updated policies outlined in the declaration, which in many cases are ethnicity- and issue-specific.34 In reiteration of the ICERD, the Durban Declaration calls upon states to:

- Ratify the ICERD and implement all of its principles in country-level legislation
- Carry out widespread education and awareness programs to prevent racist behavior whenever possible
- Establish appropriate legal institutions (protection under the law, courts, lawyers) that victims of discrimination can access

However, the DDPA also recognizes that racist and xenophobic actions take more forms than were previously recognized, and therefore includes some additional recommendations.35 It suggests that states:

- Recognize and combat the “gender dimension of racial discrimination”, and understand that discrimination based on sex, language, religion, etc. is often compounded with racism
- Utilize a “victim-oriented approach”, because the same policies that help Syrian refugees in Europe might not be appropriate for Roma groups
- Combat institutionalized racism in the workplace, healthcare system, police forces, and education system, implying that equality under the law is insufficient
- Adopt affirmative action policies wherever decision-making might be biased against certain groups
- Create ways to combat hate speech on the Internet

35 Ibid.
• Acknowledge the role that slavery and colonialism played in modern-day inequities

These are all important issues, and delegates should consider ways to implement these suggestions if their country policies so permit. It is important to use a broader understanding of discrimination and combat it with social and economic measures instead of just legal ones.

However, while the Durban Declaration should serve as the ideological basis for debate, it is likely that several countries would rather see an entirely new agreement than simply a modification. This is because several Western countries, including the United States and much of the EU, view the document as both anti-Semitic and see the hate speech provisions as excessively restrictive of freedom of speech.\textsuperscript{36} As a result, the real-world process of improving upon the DDPA has stalled; neither the 2009 Durban Review Conference (Durban II) nor the informal 2011 Durban III conference yielded any progress.\textsuperscript{37} As a result, SOCHUM delegates will face the challenge of identifying which solutions in the Durban Declaration that can garner international support.

\textbf{Key Issues}

\textbf{Legal Equality}

Equality of all individuals under the law would seem almost universal at this point, having been espoused by the UN Charter and the ICERD. Discrimination based purely on race is illegal in most cases—the Gulf States being a potential exception that we will address in a moment. However, even if racism has

\textsuperscript{36} \url{https://geneva.usmission.gov/2011/09/27/durban-declaration-and-programme-of-action/}

\textsuperscript{37} \url{http://www.jpost.com/International/Durban-III-opens-amid-boycott-by-major-democracies}
been somewhat purged from legal codes, xenophobia has not. In many cases, it is still legal and common for discrimination to take place explicitly on the basis of country of origin.

Significantly, ICERD allows states to “make distinctions, exclusions, restrictions or preferences between citizens and non-citizens” as long as all non-citizens are treated equally.\(^{38}\) This means that citizenship can become a tool of discrimination, especially against foreigners. The United Arab Emirates, for instance, has exploited this distinction for years. Out of a population of 9.2 million people, 7.8 million are expatriates, with the vast majority being migrant workers from South Asia.\(^{39}\) While the 1.4 million Emirati citizens enjoy great prosperity, the migrant workers suffer under the Kafala system, in which employers take workers’ passports and essentially force them to work below international labor standards.\(^{40}\)

Another easily exploited legal distinction is that which separates legal and illegal immigrants. Most countries do not (explicitly at least) guarantee all economic and political rights to illegal immigrants. However, the committee must determine which of these rights only belong to legal immigrants and which belong to all. Public education, for instance, presents one such conundrum. Education is a human right, but public education is taxpayer-funded; should illegal immigrants have the right to such an education?


\(^{39}\) http://www.migrationpolicy.org/article/labor-migration-united-arab-emirates-challenges-and-responses

\(^{40}\) Ibid.

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**Economic Inequality**

The true contentiousness begins after equality under the law has been established. Under one perspective, which might be described as conservative or perhaps neoliberal, the establishment and
enforcement of legal codes are sufficient. All individuals enjoy equal protection under the law, and with it, equal opportunity for economic gain. Conservatives in the United States commonly hold this view: underprivileged minorities, particularly blacks and Hispanics/Latinos, have enjoyed equal rights since the civil rights movement of the 1960s. Affirmative action policies that explicitly target those minorities are therefore unnecessary.

The other, more left-wing side of that argument would support affirmative action policies in education and elsewhere on the grounds that these programs would simply be adjusting for previously created inequities. Under this perspective, legal equality is not sufficient; there should also be programs that explicitly target the economic divide between racial or ethnic groups. This perspective stems from the belief that past racist and xenophobic social structures directly caused economic challenges for these minority groups. The interplay between these two sides will significantly influence the policy directions taken in committee. For what it is worth, the Durban Declaration explicitly endorses affirmative action programs in education, the workplace, and other areas. It is unclear how many countries, especially poor and ethnically homogeneous ones, will be willing to do the same.

Terrorism and Xenophobia

Xenophobia has become a relevant international topic in part because of Islamophobia in the United States and Western Europe, the byproduct of a rise in Islamic terrorism since the turn of the century. While events like 9/11 and Charlie Hebdo have left these countries traumatized, the fact remains that their populations are still comprised of many peaceful Muslims; 7.5% of France's
population was Muslim as of 2010. In committee, delegates will essentially have to decide whether or not national security and minority rights are mutually exclusive or go hand in hand. It might be necessary, for instance, to subject certain individuals from minority groups to extra security at airports in the name of national security. On the other hand, effective cultural and economic integration of Muslim and other immigrants might actually reduce the chances of homegrown extremism.

**Freedom of Speech**

Another issue that needs to be carefully considered—and proved to be particularly contentious during Durban Declaration negotiations—is the role of hate speech restrictions. Both the Universal Declaration of Human Rights and many country constitutions include a strong commitment to freedom of speech. This means that some countries may view certain types of hate speech simply as expressions of free speech that cannot be restricted. For instance, European Union legislation outlaws Holocaust denial on the grounds of it being anti-Semitic. However, in the United States, Holocaust deniers are, while shunned, simply exercising their right to free speech.

Even if they agree on regulations on hate speech, delegates will also have to deal with the issue of hate speech on the Internet, which is a significantly more difficult medium to regulate because of its relatively anonymous and international nature. In this case, specific technological responses will be required.

[41](http://www.pewforum.org/2011/01/27/table-muslim-population-by-country/)

[42](http://www.ohchr.org/EN/UDHR/Documents/UDHR_Translations/eng.pdf)

[43](http://www.nytimes.com/2007/04/19/world/europe/19iht-eu.4.5359640.html)
Solutions

Resolutions will take many different approaches, and innovative solutions are encouraged! Here are some ideas to consider.

On the international side, delegates should consider ways to improve the ICERD, Durban Declaration, and other international legislation. The Durban Declaration, for instance, likely needs to be reformed to gain the support of the West. On the national side, legal frameworks need to be improved and better enforced, especially in the Gulf countries and in the developing world.

Starting with the Durban Declaration’s region- and ethnicity-specific strategies, there has been a growing trend towards specialization in addressing distinct strands of racism and xenophobia. Delegates should consider creating some of these strategies—how do they vary between developed and developing countries? This also involves a better data-driven understanding of discrimination at the regional and national level, something that the EU has championed; perhaps others countries should follow their lead.44

To deal with economic inequity, if a group so chooses, there are many variations of affirmative action that can be considered—in healthcare, education, and the workplace. What factors should these programs consider? Race? Ethnic background? Immigration status? Income?

Finally, the long-term process of social integration can only be completed through effective education and awareness programs. UNESCO runs a highly effective program called the International Coalition of Cities against Racism (ICCAR) which allows cities (where racial/ethnic conflict manifests itself most intensely) to share effective

programs in schools, local communities, and the media.\(^45\) Again, good data collection is imperative so that “best practices” can be verified and implemented.

**Country Policy**

**United States**

The USA will certainly oppose work on the Durban Declaration in its current form due to its historical opposition. However, it remains committed to many of the goals, including the more far-reaching responses to racism and xenophobia worldwide. Its support for affirmative action programs will likely be limited.

**Canada and Western Europe**

Similar position to the USA on the Durban Declaration, but much more open to most of its principles. Likely to support affirmative action programs as well as further restrictions on hate speech.

**Eastern Europe**

Especially in light of the migrant crisis, Eastern Europe is unlikely to support extremely welcoming policies for foreigners and minorities. Funds and internal political support will be required; the international community can provide the former but not the latter.

**Africa**

South Africa in particular has a long history of xenophobic attacks on foreigners, especially those from neighboring African countries. In any case, African countries are likely to support proactive measures in Europe, as many people from the continent are among the most recent wave of migrants.

Latin America

Central American countries will act similar to African ones, given the large populations from the region in the United States. South American countries do have a history of xenophobic conflict as well—Argentina in particular is known for isolating lower-class immigrants from Bolivia and Peru. Compared to the US and Western Europe, national sovereignty may also become a source of resistance to new policy.

Asia

The East and Southeast Asian countries tend to be ethnically homogeneous (Singapore excluded), meaning that resistance to a completely open policy on racism and xenophobia is likely. South Asia is somewhat more diverse because of religious and cultural variations within the subcontinent, but the same issues persist.

Questions to Consider for Country Policy:

- Does your country have a history of xenophobia or racism against a certain racial group? How proactive has the government been?
- How has your country responded to the International Convention on the Elimination of All Forms of Racial Discrimination and to the Durban Declaration and Program of Action?

Questions to Consider in a Resolution:

- Should the Durban Declaration be revised or completely scrapped?
- Is proactive economic support necessary for underprivileged minority groups? Should the role of slavery and imperialism be considered in determining this support?
How accepting of immigrants is a country expected to be? Will a heterogeneous country always have some level of racism or xenophobia?