Special Political and Decolonization Committee

SPECPOL

MUNUC 36

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Dear delegates,

My name is Israel Pierre and I will be serving as Co-Chair of your Special Political and Decolonization committee or SPECPOL. I am a fourth year political science major and I have been a member of MUNUC since my first year. I also participate in ChoMUN which is our collegiate conference and I am a member of the competitive traveling team as well.

This year we will be discussing the usage of private military contractors as well as autonomous regions throughout the world. I am excited to discuss these topics as they cover the long term historic effects of military action and the increasing privatization of warfare and conflict throughout the geopolitical landscape. One of the main issues with private military contractors is that of accountability and efficacy.

While discussing these issues it is important to retain high levels of respect and awareness regarding these sensitive topics. It is important that no one exhibits speech or behavior that is racist, sexist, homophobic, or misogynistic. There is absolutely zero tolerance for such behavior and delegates found in violation of this will be disciplined with respect to MUNUC's policies. If you are unsure whether or not a piece of content is allowed or not it is always best to ask the chairs first.

I want your session to be fun and interactive. This is meant to be a learning experience. Not only are you learning about important geopolitical issues, but you will also be learning negotiation, leadership, speech, and awareness. I hope to provide an invaluable learning experience in which you can grow as a person and learn more about the impacts of PMCs and autonomous zones on the world. It is my hope that what you learn here will continue to be of use for you throughout your lives.

Sincerely,

Israel Pierre

Dear delegates,

Welcome to the Special Political and Decolonization Committee (SPECPOL) at MUNUC 36! My name is Viren Maira, and I will be one of your co-chairs. This year, SPECPOL will be focusing on two topics that both relate to reining in government authority worldwide and giving more power and independence to the people. I am truly thrilled to hear you all debate how best to address these issues as we work to reverse colonization efforts and prevent governmental abuses of power, in line with the goals of SPECPOL.

Here's a little bit about me: I'm a second-year in the College majoring in Biology, and I'm also on the pre-med track. This is my first year staffing MUNUC, but I served as an assistant chair last year for UChicago's collegiate conference, ChoMUN, and this year at ChoMUN I will be chairing The Kasparov Gambit: The International Chess Federation, 1993. I also compete on UChicago's travel MUN team. Outside of MUN, I perform research in a cancer biology lab on campus, volunteer for UChicago Medicine, and am a member of UChiVotes.

We hope that this committee will encourage you to think critically about topics within the realm of international relations that often don't garner as much attention as they should. Historically, powerful governments have continuously expanded their authority to subject residents of foreign territories to their will; not only do these imperialist empires still exist in the form of non-self-governing territories, but the mechanisms that allow governments to maintain them, such as private military companies, remain largely unregulated. Hopefully, this background guide and any additional research you do will provide more insight into the topics at hand and inspire your own creative solutions to these longstanding problems. However, even while tackling issues that even the world's foremost international policy experts have struggled to address, we want you to have an enjoyable weekend and are eager to meet you all in February! Please reach out if you have any questions or concerns.

Cordially,

Viren Maira

virenmaira@uchicago.edu

The Special Political and Decolonization Committee (also known as SPECPOL) is the Fourth Committee of the United Nations. Prior to 1993, the Fourth Committee only dealt with questions of decolonization, while a separate committee called the Special Political Committee (SPC) handled special political situations. However, these two committees merged in 1993 to form SPECPOL.[1] The merger between the original Fourth Committee of the General Assembly and the SPC has given the new Fourth Committee a much broader purview, which has allowed it to address numerous issues that the other Main Committees of the General Assembly do not formally discuss. SPECPOL is primarily responsible for issues related to decolonization, but also deals with a number of other unique and important topics including peacekeeping operations, the dissemination of information, and peaceful uses of outer space.[2] SPECPOL has played a critical role in the quest to abolish colonialism and has also facilitated meaningful discussion on many other political issues, developing policies that can be implemented on a global scale. However, these policies only serve as recommendations for the international community–though they carry significant weight, SPECPOL resolutions are nonbinding.

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[1] "UN General Assembly Documentation: Main Committees," United Nations. https://research.un.org/en/docs/ga/committees.

[2] "Special Political and Decolonization (Fourth Committee)," United Nations. https://www.un.org/en/ga/fourth/.

Statement Of The Problem

Security contractors from Triple Canopy, Inc., a private military company, during a joint training exercise with U.S. Army soldiers, Iraq, 2011.[3]

There are several problems that arise when considering the usage of **private military companies (PMCs)**. Over the past few decades, their usage has become increasingly relevant in various armed conflicts around the world. Many states have begun to rely on them as they are often considered to be the most cost effective option over traditional militaries.[4] While this argument is often touted to justify and support their usage, this is often not necessarily the case.

PMCs are essentially the marriage of the mercenary and the modern corporation. One of the largest users of PMC is the United States. Despite having the world's most powerful and capable military, about 50% of the armed forces used by the United States in contemporary conflicts are employed by PMCs.[5] The reasons among which their prevalence has increased can be explained by the increasing trend towards general privatization across all industries. Additionally, gradual changes in the nature of warfare would necessitate approaches that are more dynamic and different than in the past. Due to the fact that PMCs now play a pivotal role in modern warfare, it is important, then, to examine the various ways in which they affect various countries and even more importantly, how they can be problematic.

Lack Of Accountability

Case Study: Blackwater Incident

Blackwater USA was founded in 1997 by Erik Prince and Al Clark.[6] Initially starting as a private security firm that provided training to law enforcement officials, Blackwater would be contracted by the United States to fulfill various

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[3] Couffer, John. *Muleskinners Train Triple Canopy*. September 4, 2011. Image. *Defense Visual Information Distribution Service*. https://www.dvidshub.net/image/451392/muleskinners-train-triple-canopy.

[4] Casendino, Alexander. "Soldiers of Fortune: The Rise of Private Military Companies and Their Consequences on America's Wars." Berkeley.edu, October 25, 2017. https://bpr.berkeley.edu/2017/10/25/soldiers-of-fortune-the-rise-of-private-military-companies-and-their-consequences-on-americas-wars/.

[5] Ibid.

[6] Silent Professionals. "Private Military Companies: Blackwater." Silent Professionals, March 21, 2019. https://silentprofessionals.org/blackwater/.

personnel protection and support missions during the 2000's throughout the Iraq War.[7] Blackwater faced public scrutiny as a result of multiple legal and ethical questions arising from their actions in Iraq and their dubious conduct led to Blackwater USA becoming nearly synonymous with the idea of a PMC.

The Blackwater Incident, also known as 'The Nisour Square Massacre, was an incident that occurred on the 16th of September 2007 in Iraq.[8] Blackwater security contractors began firing at a crowd of civilians which resulted in 17 deaths and 20 injuries. The result of this tragedy was a forever strained relationship between the US and Iraq, international outrage, and challenges to the use of PMCs in warfare. More specifically, as we will outline later, Blackwater's actions led to the development of international agreements and discourse calling for regulation of PMCs, such as the Montreux Document in 2008.[9] The license for Blackwater to work in Iraq was temporarily revoked and four of the contractors involved were

charged and convicted on murder and manslaughter charges, respectively.[10] However this small show of "accountability" would not have any long term solvency. Many of them were not charged and there was no concerted effort by the US or Blackwater themselves to promote comprehensive change in their practices. Action was only taken to the extent that they would be able to recuperate from a public relations standpoint. Controversially, the four contractors convicted were pardoned by US President Donald Trump in 2020, drawing criticism from the UN that the pardons constituted a violation of human rights and international law.[11] Blackwater USA would go on to rebrand and merge with other PMCs several times to create the present day company, Constellis Holdings, which continues to operate as a PMC.[12] The lack of lasting punishment for the contractors involved in the massacre and the continued unimpeded operation of Blackwater's successor

[7] Ibid.

[8] Glanz, James, and Alissa J. Rubin. "From Errand to Fatal Shot to Hail of Fire to 17 Deaths." *The New York Times*, October 3, 2007, sec. World. https://www.nytimes.com/2007/10/03/world/middleeast/03firefight.html?pagewanted=all.

[9] Switzerland Federal Department of Foreign Affairs. "The Montreux Document." www.eda.admin.ch, n.d. https://www.eda.admin.ch/eda/en/home/foreign-policy/international-law/international-humanitarian-law/private-military-security-companies/montreux-document.html.

[10] Apuzzo, Matt. "Blackwater Guards Found Guilty in 2007 Iraq Killings." *The New York Times,* October 22, 2014. https://www.nytimes.com/2014/10/23/us/blackwater-verdict.html.

[11] Reuters Staff. "Trump Pardon of Blackwater Iraq Contractors Violates International Law - UN." *Reuters*, December 30, 2020, sec. 2020 Candidate Slideshows. https://www.reuters.com/article/us-iraq-blackwater-un-idUSKBN294108.

[12] Constellis. "Constellis – Creating a Safer World." www.constellis.com, n.d. https://www.constellis.com/.

reiterates the lack of accountability when it comes to usage of PMCs.

Case Study: Iraq and Abu Gharaib

The Iraq War was started in 2003 as a part of the official Bush administration's "War on Terror" and as an alleged response to the terrorist attacks on September 11th, 2001. It spanned nearly a decade, officially ending in 2011.[13] This war, along with that in Afghanistan, is arguably the most controversial conflict in which the United States has participated during the 21st century. This war was waged in opposition to the Baathist government headed by Sadam Hussein.[14] Although Sadam Hussein was captured about three years after the start of the war and executed, this was not the end of the conflict. Fighting continued for years between the insurgents that opposed the US occupation of the country and US forces. During the Iraq war, there was one particular scandal that shocked the world and called into question the role of PMCs in warfare. In the early years of the war, US military personal, CIA agents and contractors (specifically members of CACI and Titan) all engaged in torture and human rights abuses in Abu Gharaib prison.[15] The offenses included but were not limited to

physical abuse, sexual assault, psychological torture, physical torture, and more. The most notable of these victims is Manadel al-Jamadi, a tortured Iraqi national whose body was suspended in a position condemned by many human rights activists.[16] This sheds light on the operations of the United States in the region but also forces one to ponder the extent to which PMCs did or did not exacerbate these offenses. No one was charged in the death of al-Jamadi despite the involvement of the US soldiers and security contractors. This is a prime instance of accountability and blame being obscured. Here, PMCs serve as one piece in the large puzzle that is American foreign policy. It is pressing and important, then, to evaluate and reflect on how the privatization of warfare informs general conduct abroad. A document shedding light on US foreign policy are the "Torture Memos". They were a set of legal memoranda providing a legal rationale and justification for what would commonly be considered torture by the international community. The Torture Memos may have informed US interrogation practices throughout the Iraq War and led to the instances of torture at Abu-Gharib.[17]

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[13] "Iraq War". Encyclopædia Britannica. Retrieved 27 October 2012.

[14] See 5

[15] Sontag, Susan (May 23, 2004). "Regarding The Torture Of Others". The New York Times Magazine. Archived from the original on September 2, 2017.

[16] Hersh, Seymour M. "Chain of Command." *The New Yorker*, 2017. https://www.newyorker.com/magazine/2004/05/17/chain-of-command-2.

[17] The New York Times. "Reaction to C.I.A. Torture Report." archive.nytimes.com, December 9, 2014.

Transparency And Oversight

Due to the fact that contractors are privately owned, they have far less accountability than a government soldier. This means it is more difficult to obtain information regarding the activities of these contractors. Their records are not subject to the Freedom of Information Act, a law that requires at least the partial release of information pertaining to the US government. This fact is actually counterintuitive to the interests of the United States and other powers who opt to use these contractors since lack of transparency can make tasks more logistically difficult. The most dangerous implication of lack of oversight has to do with human rights abuses and undue casualties. There have been many instances of PMCs harming civilians and engaging in torture. The two most notable of these instances were the Blackwater Incident and Abu Gharaib. Both of these incidents created steep anti-American sentiment and exacerbated already ongoing conflicts. While the merits of American presence in the first place is a widely debated topic, the increased likelihood of casualties due to lack of oversight is a clear detriment of PMCs.

Case Study: The War in Afghanistan

A security contractor from Xe International, a PMC, instructs a member of the Afghan Border Police during a joint training exercise with U.S. Army soldiers, Afghanistan.[18]

The United States' involvement in Afghanistan is probably the most well known instance of their usage of PMCs. To summarize, the United States began their Invasion of Afghanistan in 2001. This would be the beginning of a conflict often given the nickname "endless war" to combat the legitimacy of the Taliban in the country and began as a part of Bush Administration's "war on terror" as a response to the September 11, 2001

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https://archive.nytimes.com/news.blogs.nytimes.com/2014/12/09/cia-torture-report/.

[18] Defense Visual Information Distribution Service. *A Military Contractor from Xe International, Who Asked*. n.d. Image. *DVIDS*. https://nara.getarchive.net/media/a-military-contractor-from-xe-international-who-asked-70f309.

attacks.[19] This conflict would last for two decades and would be one of the defining aspects of US foreign policy in the Middle East. During the United States' presence in Afghanistan they underwent the task of "statebuilding" by helping replace the Taliban. During this twenty year period, PMCs were used to suppress the Taliban and maintain US presence in the country. The difficulty in analyzing their role in Afghanistan is the lack of complete data. Scholars and analysts whose job is to make policy assessments do not have a large amount of data to draw from. However, there are implications that can be made and takeaways to be drawn from the information that is available. Upwards of twenty percent of the contractors in Afghanistan served in security roles. The other contractors served important non-security roles such as engineering, communication, and transport. This highlights the nature of warfare in a modern age. The fact that there are auxiliary services provided by the contractors indicates that there is a diversity of benefits associated with their usage and that not all contractors would necessarily result in civilian death.

However, there has been analysis done on the open source data. The casualties database reports 238 contractor deaths between 2006 and 2016 in Iraq.[20] Many of these contractors are veterans, and even former special forces soldiers, who do contracting as their secondary career after military service. These deaths can be explained by the lack of organization and support given to contractors in comparison to national military forces.[21] It is important to keep in mind that this is a very small sample size in comparison to the total number of contractors that have been used. This indicates that there is still more information that is missing from the public discussion regarding PMCs.

Case Study: Chinese Use of PMCs

Compared to the information on the United States, information on China's use of PMCs is relatively limited. However, there are newer studies exploring the security landscape of the Chinese state. More recent literature has explained the PMCs are a tool for states to project their power internationally.[22] A 2022 Center for Strategic and International Affairs article on Chinese use of security contractors actually makes a distinction between private military

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[20] Swed, Ori, Thomas Crosbie, Texas Tech University , and Royal Danish Defense College. "Who Are the Private Contractors in Iraq and Afghanistan?" Navy Times, March 17, 2019. https://www.navytimes.com/news/your-navy/2019/03/14/who-are-the-private-contractors-in-iraq-and-afghanistan/.

[21] Ibid.

[22] Markusen, Max. "A Stealth Industry: The Quiet Expansion of Chinese Private Security Companies." www.csis.org, January 12, 2022. https://www.csis.org/analysis/stealth-industry-quiet-expansion-chinese-private-security-companies.

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[19] Xu, Ruike. *Alliance Persistence within the Anglo-American Special Relationship*. Springer, 2017.

contractors (PMCs), and private security contractors (PSCs). The former is prohibited by Chinese law whereas the latter is not[23]. Additionally, the Chinese government has strict regulations over the use of PSCs. Despite this distinction, the line between PSCs and PMCs are very blurred. The data that is available on Chinese PSCs as of 2018 suggests that there are about 7,000 operatives worldwide. A 2018 report published by the Mercator Institute for China Studies estimates that "Chinese PSCs have a much more modest presence abroad and referenced some 20 Chinese PSCs operating overseas, employing an estimated 3,200 staff of security professionals. Other studies have cited higher numbers, suggesting that somewhere between 30 and 40 Chinese PSCs operate overseas in locations from Central Asia to Africa."[24] The numbers and reports vary regarding the presence of Chinese PSCs but they still appear to be relatively modest in comparison to the likes of the United States and Russia.[25] Despite this, they still play a role in Chinese security and policy goals. These security forces are also different since the Chinese government prohibits them from using force and have less direct involvement with the Chinese military.

Contractors Around The World

The usage of PMCs is widespread, and while the US may be one of the largest consumers of their services, they are not the only ones. As the global landscape changes, countries increasingly use PMCs to advance their foreign policy goals in areas where official military involvement would be difficult. One example is the Wagner Group, which has assisted Russia's invasion of Ukraine and continues to operate in other countries around the world.[26] This is one among many other mercenary groups that have been involved in the conflict. Other areas in which PMCs have been deployed or employed over the past few decades include Yemen, the Balkans, South Africa, Angola, Sierra Leone, China, and more. In addressing this problem, delegates should evaluate not just the history of PMC usage by nations such as the United States, Russia, and China, but also consider adapting solutions to the possible future uses of PMCs around the world.

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[23] Ibid.

[24] Ibid.

[25] Ibid.

[26] BBC. "What Is Russia's Wagner Group of Mercenaries in Ukraine?" *BBC News*, April 5, 2022, sec. World.
https://www.bbc.com/news/world-60947877.

History Of The Problem

Lt. Col. David Stirling, founder of one of the first PMCs, Watchguard International.[27]

The Cold War

The first well known instance of a modern private military company was during the Cold War. Former Special Air Service veterans David Stirling and John Woodhouse founded **Watchguard International** in 1965 to serve as a security and military service company.[28] Since it was founded during the Cold War, one of its first missions was an intelligence gathering operation in which members of Watchguard went to Yemen to report on a ceasefire.

Stirling, one of the company's founders, continued expanding the operations of the SAS to other countries such as Iran, Zambia, and Sierra Leone. They also engaged in arms sales and even had a failed attempt to usurp Muamar Gaddafi's rule in 1971.[29] Here, we already see the wide and varied roles that can be played by PMCs. More importantly, we see the varied role that even the earliest companies would have.

The emergence of Watchguard International marked the beginning of PMCs, both as a foreign policy tool and a business model. By combining the military and strategic expertise of former soldiers with a corporate business model, Watchguard, and the PMCs that followed, brought about a new global security industry motivated by profit and changed the role that private companies play in the context of warfare and global affairs.[30]

PMCs After The Cold War

The post-Cold War era saw the rise of even more PMCs. This was due to the fact that many

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[27] Imperial War Museums. *Portrait of Lt Colonel David Stirling DSO*. 1945. Image. *Wikimedia Commons* . https://commons.wikimedia.org/wiki/File:The_S pecial_Air_Service_(sas)_in_North_Africa_duri ng_the_Second_World_War_E21340.jpg.

[28] Hanks, John. *Operation Lock and the War on Rhino Poaching*. Penguin Random House South Africa, 2015.

[29] Редакция. "The PMC's Evolution: From the War in Angola to the Wagner Group - Posle Media." Posle Media, February 2023. https://posle.media/language/en/the-evolution-of -private-military-companies-from-the-war-in-ang ola-to-the-wagner-group/.

[30] Baghai, Christian. "David Stirling and the Genesis of Private Military Companies: The WatchGuard International Story." Medium, May 26, 2023. https://christianbaghai.medium.com/david-stirlin g-and-the-genesis-of-private-military-companies -the-watchguard-international-story-2af7d8d62c 19.

millions of people from western militaries left military service during the 1990s at the conclusion of the Cold War as militaries downsized, leaving many former soldiers looking for a secondary career. This allowed for the emergence of PMCs as they were able to recruit from the ex-military population as they had high need for large numbers of experienced personnel and military veterans were highly suited to private security work.

Some of the most notable of these post-Cold War PMCs include Vinnell Corporation and Military Professional Resources Inc. in the United States;[31] G4S in the United Kingdom;[32] and Executive Outcomes in South Africa.[33] The post-Cold War era saw the beginning of more continued and regular use of contractors in armed conflicts throughout the world. Of the previously listed PMCs, Vinnell, G4S, and Executive Outcomes continue to operate in

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[31] Baum, Joel A. C., and Anita McGahan. "Outsourcing War: The Evolution of the Private Military Industry after the Cold War." *SSRN Electronic Journal*, 2009. https://doi.org/10.2139/ssrn.1496498.

[32] Langewiesche, William. "Meet G4S, the Contractors Who Go Where Governments and Armies Can't—or Won't." Vanity Fair, March 18, 2014. https://www.vanityfair.com/news/business/2014/04/g4s-global-security-company.

[33] Barbesino, Nicola. "Executive Outcomes: The Rise, Fall, and Rebirth." Grey Dynamics, June 28, 2023. https://greydynamics.com/executive-outcomes-the-rise-fall-and-rebirth/.

various capacities around the world, with G4S emerging as one of the world's largest PMCs in the last several decades.

PMCs In The 21st Century

Case Study: Blackwater and the USS Cole

The damaged USS Cole en route to receive repairs following the attack by Al-Qaeda.[34]

As the threat of terrorist attacks increased in the 2000s, PMCs were increasingly deployed as a tool of foreign policy to combat the emerging terrorist threat and provide necessary protection and support. On October 12th, 2000, Al-Qaeda orchestrated a bombing of the USS Cole, resulting in the deaths of seventeen United States

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[34] Maes, Don. *The Crew of the ARLIGH BURKE-Class USS COLE (DDG 67), Escort Their Wounded Ship Aboard Navy Tug Vessel, USNS CATAWBA, to a Staging Point in the Yemeni Harbor of Aden Awaiting Transportation by the Norwegian-Owned Semi-Submersible Heavy Lift Ship MV BLUE MARLIN back to Their Homeport, during Operation DETERMINED RESPONSE, on October 29, 2000*. October 29, 2000. Image. *U.S. National Archives*. https://nara.getarchive.net/media/the-crew-of-the-arligh-burke-class-uss-cole-ddg-67-escort-their-wounded-ship-f1167a.

Navy sailors and over thirty injured in the attack. As a result, Blackwater USA, which had previously only held small training contracts with the US military, signed their first large military contract to provide backup, support, and counterterrorism training to US Navy sailors.[35] This led to further contracts between Blackwater and various branches of the US government. Throughout the 2000's, Blackwater would be tasked with protecting top CIA personnel, specifically those who were in charge of tracking down Al Qaeda members. Blackwater's involvement with the War on Terror in the Middle East was direct and continuous. Specifically, they were contracted to be involved in various aspects of the US invasion of Afghanistan and the Iraq war, both of which are considered to be some of the most controversial engagements in US military history.[36]

Their first Iraqi contract was in 2003 for $21 million for personnel protection and security services in Iraq.[37] They were supplementary to United States military and intelligence operations in the region. In 2004, the company, along with others (DynCorp International and Triple Canopy Incorporated)[38] were hired under an umbrella contract to assist the United States military in their engagements in Afghanistan, Iraq, Bosnia, and more.[39] Totaling the value of all contracts combined, Blackwater would receive almost half a billion dollars for their efforts. It was during both of these engagements that many contractors would commit acts many in the international community would consider to be war crimes. As previously discussed, the chief among these for Blackwater was the 2007 Nisour Square Massacre which resulted in several civilian deaths and injuries. The company was also known to offer their services to both private and government assets and personnel during the aftermath of hurricane Katrina in 2005.[40]

Over time, Blackwater would undergo several rebrandings and name changes, as well as increase their training bases and operations. Their most recent notable conflict engagement was in Yemen. They routinely engage with Houthi rebels and many attacks have led to their personnel becoming casualties. The company went from Blackwater Corporation when it was originally

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[35] Flintoff, Corey. "Timeline: Blackwater and Security Regulations." *NPR*, December 14, 2007. https://www.npr.org/2007/12/14/17269881/timeline-blackwater-and-security-regulations.

[36] Ibid.

[37] Siddhartha, Anupam, and Bharat Joshi. "Blackwater – the Private Military and Security Company: SELLING SECURITY – BUYING DEATH." *World Affairs: The Journal of International Issues* 13, no. 3 (2009): 106–21. https://www.jstor.org/stable/48505206?seq=3.

[38] Elsea, Jennifer. "Private Security Contractors in Iraq: Background, Legal Status, and Other Issues," August 25, 2008. https://sgp.fas.org/crs/natsec/RL32419.pdf.

[39] Ibid.

[40] Flintoff, Corey. "Timeline: Blackwater and Security Regulations." *NPR*, December 14, 2007. https://www.npr.org/2007/12/14/17269881/timeline-blackwater-and-security-regulations.

founded, to Blackwater Worldwide in 2007, to Xe Services LLC in 2009.[41,42] The logic behind these changes were to signify the fact that the company (at the time) wanted to branch past security operations and go into aviation, logistics, engineering, etc.[43] Erik Prince, former CEO, would eventually exit his role when the company was sold to the investor group known as USTC holdings who would further rebrand the company to Academi. Many members of the board of directors were former members of high level positions in the United States government and military, in legal, intelligence, and executive capacities including former Attorney General John Ashcroft, former White House Counsel and Vice Presidential Chief of Staff Jack Quinn, retired Admiral and former NSA Director Bobby Ray Inman.[44] In 2014, Academi would merge with several other companies and form the Constellis group.[45] The most recent notable incident is that in Yemen. In 2015, Academi hired Colombian mercenaries to engage with Houthi rebels and six were killed by a rebel attack.[46] Two more incidents like this would occur in 2016. In terms of corporate structure, Constellis was most recently bought out by Apollo.[47] This goes to show the ever changing nature of PMCs. It would serve well to remember that these are corporations with shareholders who have an interest in profit as all corporations do. The rollercoaster of corporate change is indicative of this reality.

Naval Operations

PMCs have been involved in naval operations since the 2000s. Most notably, they have engaged in anti-piracy operations in Somalia among other regions. They also provide security to the shipping operations of many different countries

[41]Zielbauer, Paul von. "Blackwater Softens Its Logo from Macho to Corporate." *The New York Times*, October 22, 2007, sec. Business. https://www.nytimes.com/2007/10/22/business/media/22logo.html?_r=2&oref=slogin&oref=slogin.

[42] The Associated Press. "Blackwater Changes Its Name to Xe (Published 2009)." *The New York Times*, 2022. https://www.nytimes.com/2009/02/14/us/14blackwater.html.

[43] Reuters Staff. "Xe Founder Steps down as CEO." *Reuters*, March 2, 2009, sec. ETF News. https://www.reuters.com/article/xe-ceo/xe-founder-steps-down-as-ceo-idUSBNG47688920090302.

[44] Fishel, Justin. "Former Blackwater Security Firm Gets New Leaders in Image Makeover." Fox News, March 26, 2015. https://www.foxnews.com/politics/former-blackwater-security-firm-gets-new-leaders-in-image-makeover.

[45] Constellis"History." Constellis, n.d. https://www.constellis.com/who-we-are/history/.

[46] Safi, Michael, and Joshua Robertson. "Australian Mercenary Reportedly Killed in Yemen Clashes." *The Guardian*, December 8, 2015, sec. Australia news. https://www.theguardian.com/australia-news/2015/dec/09/australian-mercenary-reportedly-killed-yemen-clashes.

[47] Constellis "Constellis Announces Closing of Management-Led Buyout." Constellis, September 13, 2016. https://www.constellis.com/press/constellis-announces-closing-of-management-led-buyout/#:~:text=Constellis%20Announces%20Closing%20of%20Management%2DLed%20Buyout%20%2D%20Constellis&text=RESTON%2C%20Va..

passing through the region. This security, however, is largely decentralized which makes it difficult to hold them to any standard of accountability. There is also little data concerning the frequency or outcomes of their engagements with pirates, unlike the data available for the navies of sovereign nations and their engagements.[48] While PMCs are by definition private, they have served as a supplement to naval operations such as the EU's Atalanta and NATO's Ocean Shield combat piracy in waters near the Horn of Africa.[49,50] The PMCs served as additional support to domestic navies and militaries as well as having more freedom when it comes to operations and logistics.

International Attempts To Restrict PMCs

At the conclusion of the Cold War, the UN began to take measures to prohibit the usage of mercenaries in warfare. In 1989, the UN adopted the International Convention against the Recruitment, Use, Financing, and Training of Mercenaries in an attempt to ban the usage of mercenaries around the world. While the distinction between mercenaries and the security contractors employed by PMCs is blurry at best, the Convention represented a step in the right direction to curb the use of soldiers for hire in warfare. Over 30 states have ratified the convention in the last several decades, but there are still many more who have not. Notably, this includes the United States, Russia, and China who are among the most frequent employers of PMCs.[51]

In 2008, an effort by Switzerland and the International Committee of the Red Cross saw the creation of the Montreux Document, a non-binding international treaty which aims to place certain regulations and responsibilities on states that employ or contract with PMCs.[52] The Montreux Document also establishes best

[48]Jarle Hansen, Stig. "International Interventions, State-Building and Democratization: Justifying the Role of the Private Security Companies in Somalia?" African Security 5, no. 3-4 (July 2012): 255–66. https://doi.org/10.1080/19392206.2012.732897.

[49] Hurlbert, Emma Lin. "The Emerging Role of Private Military and Security Companies in Anti-Piracy - Emma." The Security Distillery, March 26, 2021. https://thesecuritydistillery.org/all-articles/market-for-force-the-emerging-role-of-private-military-and-security-companies-in-anti-piracy-operations.

[50] NATO. "Counter-Piracy Operations (2008-2016)." NATO, May 19, 2022. https://www.nato.int/cps/en/natohq/topics_48815.htm?.

[51] United Nations Treaty Collection. "International Convention against the Recruitment, Use, Financing and Training of Mercenaries." treaties.un.org, n.d. https://treaties.un.org/Pages/ViewDetails.aspx?src=IND&mtdsg_no=XVIII-6&chapter=18&clang=_en.

[52] Montreux Document Forum. "The Montreux Document on Private Military and Security Companies." Montreux Document Forum. https://www.montreuxdocument.org/about/montreux-document.html#:~:text=The%20Montreux%20Document%20reaffirms%20the.

practices for security contractors and PMCs themselves to uphold human rights and avoid misconduct. It is important to note "It is a non-binding, non-legal document in that it neither creates nor alters legal obligations, but merely articulates existing requirements pertinent to private security operations"[53], meaning there is only so much impact the document can have. It is important to recognize that while a non-binding document, the Montreux Document represents one of the first international efforts to explicitly regulate private military companies and their usage.

Usage Of PMCs By NGOs

There have been many **non-governmental organizations (NGOs)** who have been known to use PMCs to assist them in their operations. NGOs are non-government (often non-profit) entities that engage in humanitarian aid and activism throughout various regions in the world. Ultimately, they are organizations who are usually organized around a particular cause or agenda. Due to the danger involved with many humanitarian aid missions, security is often needed. While the United Nations often provides UN Peacekeepers and aid, NGOs find themselves

often in need of private support as well.[54] Most of the security they hire consist of local entities and are usually unarmed. This is beneficial due to the local corporations' knowledge of terrain and language as well as the ability to outsource any potential liability. There are, however, many who voice concerns about NGO use of PMCs. One is that overreliance on outsourced security will restrict the decision making capabilities of NGOs. Next is that the perception of private security by the local public could compromise the perceived notion of neutrality and therefore lead to an increased security risk, as well as hamper the respective goals of any given NGO.[55] Additionally, the costs of these contractors may rise, causing lower pay for members and leading to higher turnover rates. Multiple conclusions can be drawn from this. Firstly, it is evident that PMCs provide a service to NGOs that other parties such as UN Peacekeepers cannot necessarily fulfill. Despite a necessity of security for humanitarian groups, it has been shown that the presence of PMCs can display crime and violence onto even poorer populations in regions being served.[56] This demonstrates an interesting

[54] Malcy, Kayla. "Publicly Available Information on the Private Military and NGO Relationship: A Case Study," April 6, 2018. https://scholar.colorado.edu/downloads/xk81jk99 0#:~:text=Private%20Military%20and%20Security%20Companies.

[55] Ibid.

[56] Ibid.

[53] Ibid.

circumstance where the deployment of PMCs may be beneficial to allowing an NGO to perform their mission successfully, but there are additional trade offs to consider as well.

Past Actions

Previous UN Discussion Of PMCs

The past actions of the United Nations regarding PMCs are not highly extensive. However, there are still important instances in which the UN has spoken about or addressed this issue. On October 30th 2018, the 73rd session of SOCHUM, the Third Committee of the UN General Assembly, led to a discussion of PMCs. During this session, they received testimony from Saeed Mokbil, Chairperson-Rapporteur for the Working Group on the use of mercenaries[57] who would explain that Private Military Companies actively hinder the development of "peace, justice, and strong institutions."[58] Essentially the creation and maintenance of a stable state is far more difficult with the inclusion and involvement of PMCs. This is likely due to the reasons and examples highlighted in the previous sections of this background guide which includes committing war crimes against civilians and a lack of

standardized methods of holding PMCs accountable for their actions. One of the main solutions, then, would be to place a ban on the usage of them in warfare. However, as previously discussed, it is clear that many member states actively use PMCs to pursue their own domestic and foreign policy goals.

The job of the UN as an international peace-seeking body is to serve the interests of all people. Therefore, solutions that account for or supersede the diversity of member states' positions on PMC usage must be found and discussed. Additionally, solutions would have to be geared around accountability, decreased usage, or the increased usage of non-violent conflict resolution. Throughout the meeting of the 73rd session, various member states highlighted issues that are tangential to the deployment of PMCs. These included but were not limited to Islamophobia, racism, human rights abuses, xenophobia, hate crime, etc. Saeed Mokbil, described in detail the findings from the working group. He explained that the violence perpetrated by 'mercenaries' as well as their continued impunity directly hinders efforts to stop the child abuse, crack down on human trafficking, and end other human rights abuses.[59] Once again it seems that there is a directly observable relationship between PMCs and instability. However, it is still important to understand this within a larger geopolitical context. Many of the conflicts

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[57] United Nations. "Mercenaries, Private Military Contractors Can Destabilize Rule of Law, Expert Tells Third Committee, amid Calls to End Racism, Respect Migrant Rights | UN Press." press.un.org, October 30, 2018. https://press.un.org/en/2018/gashc4246.doc.htm.

[58] Ibid.

[59] Ibid.

wherein contractors are deployed have long, rich, and complex histories. It is important to keep this in mind when trying to prescribe a resolution for their usage.

During this discussion on PMCs, Mokbil also highlighted the problematic nature of engaging in combat purely for monetary gain.[60] There are various implications that come with fighting for monetary gain. One of the largest examples of PMC usage and their links to instability would be with Russia's Wagner group. For example, in 2020, the Central African Republic (CAR) requested foreign aid during an election and to help maintain stability in the wake of a civil war.[61] However, Russian presence in the goings-on of the Central African Republic began earlier "Journalists and UN experts estimate that over 2,000 armed Russian mercenaries have played an active role in the conflict in CAR since 2018."[62]

The aspect of this which pertains most to this member body should be the amount of plausible deniability that these member states are afforded when they are allowed to use these contractors.

While the Wagner Group has no official ties to the Russian state, it is said to have private ties to Russian President Vladmir Putin, meaning that the state can pursue 'covert' agendas without much consequence. Many of these agendas actively work against the anti-colonial, pro-humanitarian, and pro self-determination goals of this committee and of the United Nations as a whole.[63] This is visible with the recent deployments of the Wagner Group, as stated in an article published in the Columbia Journal of Transnational Law, "...the mercenaries in CAR have helped investors secure control over valuable natural resources and subjected journalists, peacekeepers, and civilians to mass executions, torture, sexual violence, looting, and harassment."[64]

Indeed, when many Russian mercenaries suddenly departed from central Africa in February 2022, it became evident they were being redirected to Ukraine."[65] Here, we see that the lack of accountability and oversight with regards to contractors is directly correlated to human rights abuses. Additionally, there is a stated monetary incentive that plays into class-based and colonial dynamics.

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[60] Ibid.

[61] Bodurtha, Molly. "An Obligation to Regulate: How Private Military Companies Embolden Conflict with Impunity from the Middle East to Central Africa." Columbia Journal of Transnational Law, April 1, 2022. https://www.jtl.columbia.edu/bulletin-blog/an-obligation-to-regulate-how-private-military-companies-embolden-conflict-with-impunity-from-the-middle-east-to-central-africa.

[62] Ibid

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[63] Ibid.

[64] Ibid.

[65] Ibid

Montreux Document

A map of the 58 countries that currently support the Montreux Document.[66]

In the past, there have been some international legal attempts to increase regulation of PMCs, but they have not had long lasting efficacy. As discussed in brief previously, the first of these would be the **"Montreux Document"**. While non-binding, the Montreux Document aims to state best practices for states and contractors "[c]rucially, the Document recommends that states conduct due diligence on PMCs prior to contracting, and that PMCs conduct due diligence on personnel prior to hiring".[67] Essentially, this just presents non-binding

guidelines for state and private military actors. As a result, there is not much solvency with this document and further work is necessary to strengthen international frameworks regulating PMCs.

International Code Of Conduct For Private Security Providers

Another similarly non-binding document was introduced in 2013 by the International Code of Conduct Association (ICoCA). They introduced the International Code of Conduct for Private Security Service Providers which effectively reiterated that the actions of PMCs should not supersede or ignore human rights laws.[68] Like the Montreux Document, the International Code of Conduct for Private Security Service Providers is unenforceable at an international level. But the standards of the Code, such as obligating PMC contractors to respect human rights and fulfill humanitarian responsibilities in the countries in which they are deployed, present an ideological foundation for further international actions to build upon.

Possible Solutions

Supply Side Regulation Of PMCs

Countries who are largely responsible for the production and usage of PMCs (i.e., the suppliers of PMCs) should create domestic legislation to increase accountability and provide more teeth to

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[66] Wikimedia Commons . Map Montreux Document. February 17, 2021. Online Image. Wikimedia Commons. https://commons.wikimedia.org/wiki/File:Map_montreux_document.png.

[67] Bodurtha, Molly. "An Obligation to Regulate: How Private Military Companies Embolden Conflict with Impunity from the Middle East to Central Africa." Columbia Journal of Transnational Law, April 1, 2022. https://www.jtl.columbia.edu/bulletin-blog/an-obligation-to-regulate-how-private-military-companies-embolden-conflict-with-impunity-from-the-middle-east-to-central-africa.

[68] Ibid.

groups like the ICoCA, international agreements such as the Montreux document, and increase oversight of PMCs. A supply side approach to regulating PMCs should be explored, and as a leading producer, the United States, as well as the likes of Russia, would have to take charge in such an effort. This would mean domestic legislation that serves to thoroughly vet hired personnel and incentivizes contractors to adhere to international guidelines. Additionally, this would mean domestic civil and criminal legislation to increase the liability of these mercenaries and to hold them accountable for any wrongdoing. An international effort to do further supply-side regulation on a state by state basis could lead to more solvency than non-binding documents.

Changing Relationships Between Domestic Militaries And PMCs

Another issue to consider would be the way in which domestic militaries would have to approach or engage with private military companies. Additionally, it seems like some of these companies operate in such a way that is illegal according to the domestic laws of their respective countries of origin. For example, the Russian Wagner group is technically not allowed to operate in Russia. This creates further complexities for both the Russian state and interested actors, as well as outside states and

actors.[69] "Since Russian laws prohibit PMCs, they resort to shadow-like independent operations outside of Russia under the guise of providing security services to states and groups close to Russia.[70] It is believed that President Putin uses this precarious status to exert control over PMCs to project power and influence where he does not have the desire or the ability to expend government resources. PMCs are thus a double-edged sword: Putin and the Kremlin can manipulate these groups' activities to their advantage, but could not openly intervene if a PMC oversteps under international scrutiny without showing Moscow's complicities."[71,72]

Here we see that state actors can have dual allegiances, or more accurately, covert motivations. Therefore, when actors such as the US and NATO engage with Russia, a distinction

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[69]McHaty, Robert, and Joe Moye. "The US Military Must Plan for Encounters with Private Military Companies." Brookings, March 30, 2021. https://www.brookings.edu/articles/the-us-military-must-plan-for-encounters-with-private-military-companies/.

[70] Ibid.

[71] Dunigan, Molly, and Ben Connable. "Russian Mercenaries in Great-Power Competition: Strategic Supermen or Weak Link?" www.rand.org, March 9, 2021. https://www.rand.org/blog/2021/03/russian-mercenaries-in-great-power-competition-strategic.html.

[72] Eckel, Mike. "Pentagon Says U.S. Was Told No Russians Involved in Syria Attack." *Radio Free Europe/Radio Liberty*, February 23, 2018, sec. Russia. https://www.rferl.org/a/syria-deir-zor-attack-pentagon-russians-involved/29058555.html.

must be made between the Russian military and private contractors. This kind of situation adds complication to the aforementioned solution of domestic legislation regulating PMCs.

An example of PMCs serving the contradictory geopolitical interests of several different countries would be the Syrian civil war. The United States has backed rebels fighting against the government whereas the Russian military and the Wagner group support Bassar al-Assad's government.[73] Generating a resolution when members of this body have differing interests can be complicated, especially when it comes to conflicts where states do not fully outline their intentions and long term goals. At the very least, states should be aware of the rules of engagement with regards to PMCs and act accordingly. The United Nations should do its best to hold PMCs to the same standards of international engagement as domestic militaries that engage in the same operations. The lack of said regulations allows for states to pursue covert agendas with plausible deniability which hinders the overall mission of this body for limiting conflict.

The ideal situation would be one wherein state actors creating such domestic legislation would also have transparent policy goals, interests, and individual actors. However, this is obviously not the case. A potential step to remedying this would be to assess the democracy scores of

member states as well as other metrics such as the corruption index, Human Development Index, GDP per capita, etc. and establish correlations between those and PMC policy. Some states have more of a stake in the PMC market than others due to larger GDPs or unique geopolitical interests (such as the United States, Russia, China) or small domestic militaries. Therefore, it is recommended that member bodies explore solutions that take these factors into account and accommodate smaller nations as well. PMCs also harm peacekeeping initiatives. A lot of peacekeeping is privatized in the status quo which has actually been shown to hinder those efforts.[74] The presence of PMCs is usually destabilizing in the long term. Another solution to this would be for private humanitarian and peacekeeping organizations to work with United Nations peacekeepers or for us to provide guidelines for the private sector to actually achieve their peacekeeping goals. Such an effort, however, would require funding from member states as well as a recruitment campaign to expand the number of United Nations peacekeepers. Additionally, collecting data in peacekeeping groups and humanitarian/development NGOs that use or are disrupted by PMCs which would allow this body to better assess next steps.

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[74] Groot, Tom de, and Salvador Santino F. Regilme. "Private Military and Security Companies and the Militarization of Humanitarianism." Journal of Developing Societies 38, no. 1 (December 25, 2021): 0169796X2110668. https://doi.org/10.1177/0169796x211066874.

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[73] Ibid.

Increasing Transparency Of PMCs

In addition to the aforementioned problems and potential solutions, one should also address the issue of information. One of the key defining traits of Private Military Contractors is simply the lack of information, which pairs with a lack of transparency. Having access to more data regarding the usage of these corporations would allow this body to create better assessments as well as more effective solutions. Thus, it is recommended that a sort of information task force or committee be created to explore and obtain more data about the usage of these contractors. This body can put forward a recommendation for countries to publish and share data about their use of contractors or to provide them to the United Nations for the purpose of cataloging and reporting. Many countries may be reluctant to do this for reasons previously mentioned (covert agendas, long term policy goals, etc). Therefore, it is also recommended that this body comes up with incentives/disincentives for the outlining of information related to the usage and development of PMCs.

Bloc Positions

Countries and Entities that Produce and Use PMCs

One of the major blocs in the session will be those countries that regularly employ the use of PMCs.

Oftentimes, as established before, these countries have active or ongoing military campaigns that have been in progress for several years. Three of the biggest countries that employ the use of these PMCs are the United States, Russia, and China. Each of these countries have their own unique policy initiatives and goals that would prompt them to use PMCs as an option. One of the main motivations, as previously discussed, is also the plausible deniability that comes with employing mercenaries. These countries have some of the largest militaries in the world and thus may use PMCs for power projection. Additionally, many of these countries have conflicting goals and often engage in policy that is antagonistic against one another. For example, the United States and China have had a fraught relationship via many avenues. Particularly when it comes to trade and intellectual property. Additionally, the United States and Russia have deployed PMCs in the Middle East for various reasons. Oftentimes they have backed actors that are in conflict with one another further exacerbating conflicts in the area.

Countries are not the only entities that use PMCs. As previously discussed, there are various NGOs that also find the employment of PMCs to be useful for their goals. In fact "Organizations such as Oxfam, Save the Children, CARE, and the International Committee of the Red Cross

have all hired PMSCs."[75] It is also important to remember that the companies themselves are their own private entities. They have shareholders and boards to appease to, and that should be kept in mind when policy is being made. In fact, there are instances where these companies can have conflict with their host countries (take Wagner and Russia for example).

Countries that Do Not Employ PMCs and Countries in Conflict

The vast majority of countries are not military behemoths and therefore do not have the infrastructure for large militaries or to host/hire military contractors. In contrast to the previous bloc, many of these countries either rely on international alliances (i.e. NATO), are unable to afford large militaries, or a combination of the two. There are also countries who are subject to foreign intervention and by proxy are forced to deal with foreign militaries and hired contractors. These are often the locations wherein contractors working for PMCs are most often employed. These are also the places at risk of further instability due to contractor presence. Additionally, as countries in conflict are the most

directly affected by the presence and usage of PMCs, countries in this bloc may prioritize greater international control and regulation of PMCs and their deployments, especially in countries with more fragile state governments.

[75] Baum, Joel A. C., and Anita M. McGahan. "The Reorganization of Legitimate Violence: The Contested Terrain of the Private Military and Security Industry during the Post-Cold War Era." Social Science Research Network. Rochester, NY, October 29, 2013. https://papers.ssrn.com/sol3/papers.cfm?abstract_id=2347503.

Blackwater USA - A notable PMC with a controversial history during the Iraq War founded by former Navy SEALS Erik Prince and Al Clark in 1996. Blackwater exists in the present day as a part of Constellis Holdings.

Mercenary - A soldier for hire that is motivated by profit. The distinction between a mercenary and a security contractor is undefined, but mercenaries typically do not work for a company or entity.

Montreux Document - A non-binding international agreement that establishes regulations for countries that produce PMCs as well as best practices and standards for security contractors.

Non-governmental organization (NGO) - A voluntary group or organization that undertakes humanitarian aid missions typically focused on a particular cause or goal (e.g., Amnesty International, Doctors Without Borders)

Private Military Company (PMC) - International organizations with a corporate structure that offer security and risk management services to private companies and governments. PMCs employ security contractors to carry out operations around the world and are largely unregulated and not subject to the same restrictions as domestic militaries.

Security Contractor - An employee of a PMC. Typically ex-military veterans tasked with working security and support operations to fulfill a PMC contract.

Watchguard International - A company recognized as one of the first PMCs that would lead to the birth of the modern private security industry.. Watchguard was founded by ex-British Army pilots David Stirling and John Woodhouse in 1965.

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https://archive.nytimes.com/news.blogs.nytimes.com/2014/12/09/cia-torture-report/.

United Nations. "Mercenaries, Private Military Contractors Can Destabilize Rule of Law, Expert Tells Third Committee, amid Calls to End Racism, Respect Migrant Rights | UN Press." press.un.org, October 30, 2018. https://press.un.org/en/2018/gashc4246.doc.htm.

United Nations Treaty Collection. "International Convention against the Recruitment, Use, Financing and Training of Mercenaries." treaties.un.org, n.d. https://treaties.un.org/Pages/ViewDetails.aspx?src=IND&mtdsg_no=XVIII-6&chapter=18&clang=_en.

Wikimedia Commons . *Map Montreux Document*. February 17, 2021. Online Image. *Wikimedia Commons*. https://commons.wikimedia.org/wiki/File:Map_montreux_document.png.

Xu, Ruike. *Alliance Persistence within the Anglo-American Special Relationship*. Springer, 2017.

Zielbauer, Paul von. "Blackwater Softens Its Logo from Macho to Corporate." *The New York Times*, October 22, 2007, sec. Business. https://www.nytimes.com/2007/10/22/business/media/22logo.html?_r=2&oref=slogin&oref=slogin.
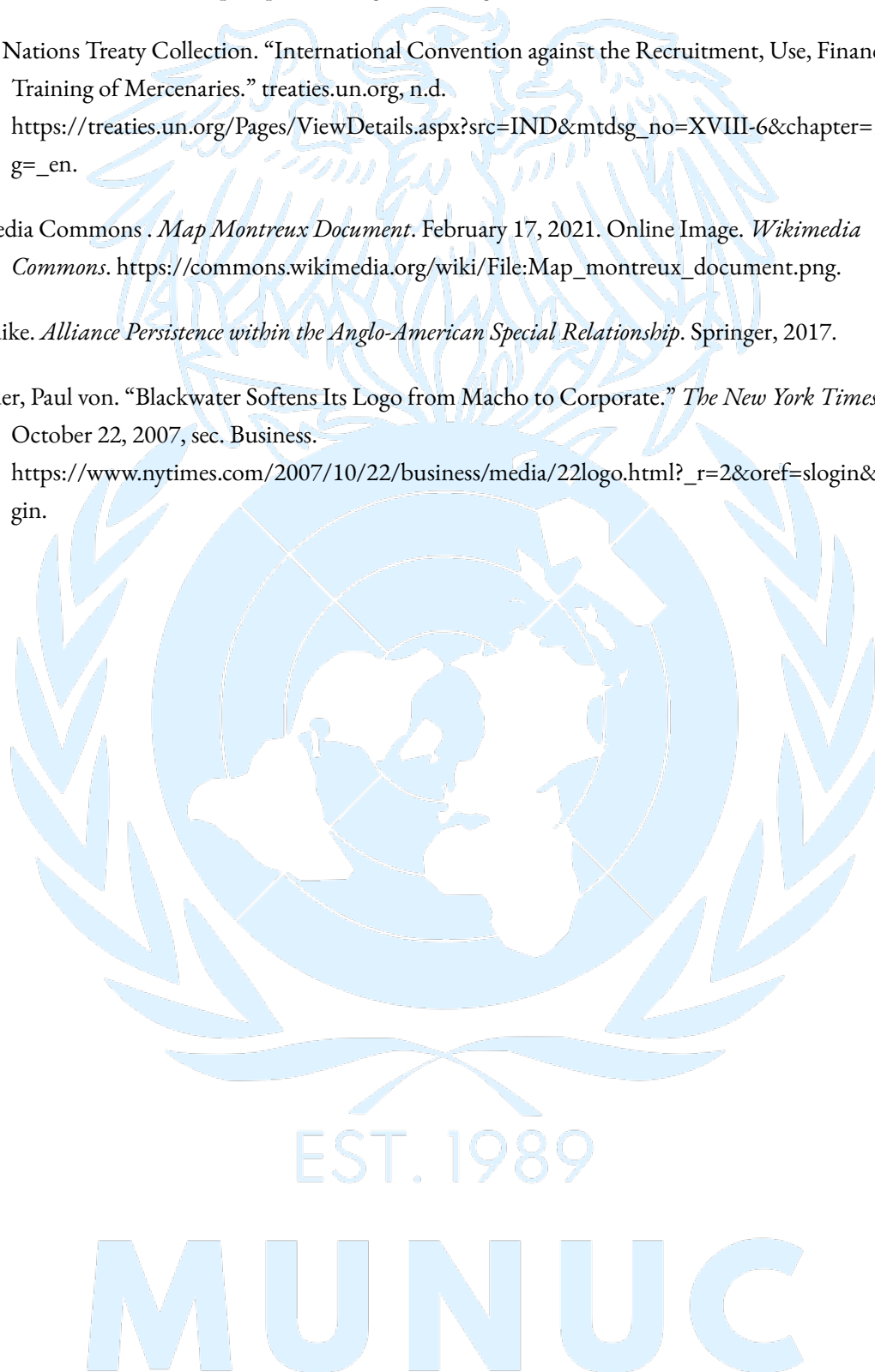
Topic B: Non-Self-Governing Territories

Statement Of The Problem

Imperialist practices have affected many countries in one way or another. Several European countries, including France, England, the Netherlands and Spain used their influence to establish empires throughout the world during the 15th to 18th centuries. Their spheres of influence included the Americas, the West Indies, and India.[76] The United States was one of many countries affected by these practices, as in 1607 the British Empire officially established the colony of Jamestown in Virginia, which was the first of several colonies that the British would eventually set up in the Americas.[77] Over time, however, the spheres of influence of imperialist countries have shrunk considerably as colonies rebelled against their colonizers and gradually gained their independence. Nevertheless, despite the significant progress that has been made in the fight to end colonialism, relics of this ages-old practice are still around today in the form of non-self-governing territories (NSGTs). Interestingly enough, despite formerly being colonized itself, the United States happens to be one of the four countries that currently possesses an NSGT, stressing the importance of putting an end to colonialism as it has certainly persisted for too long if a previous colony is now colonizing others.[78]

Independence And Self-Governance

According to Chapter XI of the UN charter, NSGTs are defined as "territories whose people have not yet attained a full measure of self-government". Each NSGT remains under the ultimate jurisdiction of a country called an **Administering Power**.[79] One of the biggest problems facing NSGTs is their reliance on their Administering Powers. Many NSGTs require help from their parent states to develop infrastructure and navigate crises. For example, during the COVID-19 pandemic, the French NSGT of New Caledonia was forced to rely on help from the French government to ensure that there were adequate funds and vaccines available

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[76] "Imperialism and Its History | Britannica," in *Encyclopædia Britannica*, accessed August 14, 2023, https://www.britannica.com/summary/imperialism#:~:text=Between%20the%2015th%20century%20and.

[77] The Editors of Encyclopaedia Britannica, "American Colonies | Facts, History, and Definition," in *Encyclopædia Britannica*, accessed August 14, 2023, https://www.britannica.com/topic/American-colonies.

[78] "Non-Self-Governing Territories | the United Nations and Decolonization," United Nations, accessed August 14, 2023, https://www.un.org/dppa/decolonization/en/nsgt#_edn2.

[79] "Non-Self-Governing Territories | the United Nations and Decolonization."

to keep New Caledonians safe. This issue caused the citizens of several NSGTs to overwhelmingly vote against independence because they are worried about whether their government is capable of supporting the people if independence is achieved.[80]

To help address these concerns, the political future of each NSGT must be considered. In accordance with becoming a fully independent state, each NSGT will likely need a constitution or a similar legal document that clearly delineates the structure of the government and how it will operate. It should also clearly state what rights citizens will have in the new state. Developing at least a basic legal framework prior to officially gaining independence would go a long way in ensuring the long-term stability of NSGTs as they become states. Additionally, the existence of a framework for the new government could comfort citizens of the NSGT and could motivate them to vote for independence in a future referendum. However, these constitutions may look different for each NSGT. Delegates must consider the varying needs and unique circumstances of each NSGT in addressing questions of governance.

Natural Disasters

Photo of the damage caused to the St. Thomas International Airport after it was hit by Hurricane Irma. The airport was just one of many critical buildings left completely nonfunctional after the hurricane passed through the U.S. Virgin Islands. [81]

Even with the support of an Administering Power, there are several problems that NSGTs still significantly suffer from. One of those problems is their increased vulnerability to natural disasters. As climate change has gotten worse over the past several decades, an associated increase in extreme weather events has occurred as well. Caribbean and Pacific islands are at the greatest risk of experiencing these extreme weather events given their location, and unfortunately, many NSGTs fall under this geographical designation. Generally, economic activity in small islands is often concentrated by

[80] "New Caledonia Rejects Independence from France in Third Vote," Al Jazeera, December 12, 2021,
https://www.aljazeera.com/news/2021/12/12/new-caledonia-rejects-independence-from-third-vote.

[81] Hill, Lauren. *A Photo of the Storm Damage to the St Thomas International.* September 9, 2017. Image. *Defense Visual Information Distribution Service.*
https://picryl.com/media/a-photo-of-the-storm-damage-to-the-st-thomas-international-d3ab2f.

the coast, and this is especially the case for NSGTs such as the Cayman Islands which has many beaches and accordingly relies heavily on its tourism industry. As such, when Caribbean and Pacific NSGTs experience severe weather events, they often suffer significant infrastructural damage and are immediately plunged into a crisis as they are left scrambling to rebuild and stabilize their economy.[82]

For example, Hurricane Irma in 2017 caused catastrophic damage to several NSGTs in the Caribbean. Anguilla, an NSGT under the jurisdiction of the UK, suffered major infrastructural losses as a result of the hurricane. It destroyed hospitals, schools, and government buildings, and left the country in ruins. Tourism is vital to Anguilla's economy, but without enough infrastructure remaining in the territory to even support its own residents, the tourism industry collapsed and the economy entered a

recession.[83] Likewise, in the U.S. Virgin Islands, Hurricane Irma demolished much of the existing infrastructure; on St. Thomas, which is one of the Islands, 40,000 of the 52,000 residents were left homeless. Subsequently, the U.S. government stepped in and sent members of the military to deliver desperately needed supplies and help with recovery efforts. Additionally, officials in the Islands coordinated with the Federal Emergency Management Agency (FEMA) to ensure that there were enough temporary workers to undo the damage that Irma caused.[84] Evidently, it is imperative that the issue of natural disasters is addressed as comprehensively as possible in resolutions attempting to guide NSGTs towards independence. Protocols are needed to ensure that as these island NSGTs become independent countries, they do not have to rely so heavily on foreign entities to recover from instances of severe weather.

[82] Jolyn Debuysscher and Raphaël Cecchi, "The Caribbean and Pacific Islands: Climate Change Leading to Rapidly Increasing Risks in the Most Vulnerable Countries," Credendo, November 15, 2019, https://credendo.com/en/knowledge-hub/caribbean-and-pacific-islands-climate-change-leading-rapidly-increasing-risks-most#:~:text=When%20a%20storm%20strikes%20a.

[83] "Flashback: How Has Anguilla Progressed since Hurricane Irma in September 2017?," The Anguillian Newspaper - the Weekly Independent Paper of Anguilla, September 13, 2021, https://theanguillian.com/2021/09/flashbackhow-has-anguilla-progressed-since-hurricane-irma-in-september-2017/#:~:text=Hurricane%20Irma%2C%20probably%20the%20most.

[84] Michael Sheetz, "The US Virgin Islands, Devastated by Hurricane Irma, Are in Serious Need of Aid," CNBC, September 13, 2017, https://www.cnbc.com/2017/09/13/the-us-virgin-islands-devastated-by-hurricane-irma-are-in-serious-need-of-aid.html.

Lack Of Industrial Development

Another major problem for NSGTs is that they often only have a few primary industries, which makes these territories more prone to financial crises. Many Caribbean NSGTs rely on tourism as one of their biggest industries; in fact, the Caribbean is the most tourism-reliant region in the world. However, as previously described, this industry is especially volatile given the prevalence of natural disasters in the Caribbean that could seriously disrupt tourism throughout the region (and already has many times). Furthermore, many of these territories practice unsustainable tourism that harms the island's environment and disrupts surrounding ecosystems.[85] The tourism industry as it currently exists in the Caribbean and in other NSGTs cannot continue to go unregulated, and in the future it should be complemented by other industries to create a stronger, more resilient economy.

Other NSGTs rely on a variety of industries including mining and agriculture. For example, Western Sahara's biggest industries are phosphate mining and fishing.[86] New Caledonia boasts a very strong nickel mining industry, as it is the home to about one-quarter of the world's known nickel deposits.[87] One of the biggest industries in the territory of French Polynesia, located in the middle of the South Pacific Ocean, is pearl farming.[88]

Despite the existence of some successful industries in NSGTs, increasing the economic diversity of these territories must remain a primary consideration as they continue to develop to become independent states. Without a path to welcome NSGTs to the world stage, allowing them to develop in new economic sectors such as retail or technology and also participate in international trade, they will have a very difficult time achieving economic stability. This may require an overhaul of educational systems in these territories, better preparing the next generation of the workforce to contribute to the prosperity of their home state in a perpetually evolving and increasingly interconnected global economy.

[85] "Caribbean Islands," Sustainable Travel International, accessed August 14, 2023, https://sustainabletravel.org/places/caribbean-islands/#:~:text=The%20Caribbean%20is%20more%20dependent.

[86] "French Polynesia | Economic Indicators | Moody's Analytics," Economy.com, accessed August 14, 2023, https://www.economy.com/french-polynesia/indicators.

[87] "New Caledonia Country Brief," Australian Government Department of Foreign Affairs and Trade, 2021, https://www.dfat.gov.au/geo/new-caledonia/new-caledonia-country-brief#:~:text=Economic%20overview.

[88] "French Polynesia | Economic Indicators | Moody's Analytics."

Map showing the locations of the remaining NSGTs. Note that France, New Zealand, the United Kingdom and the United States are the four countries that currently possess an NSGT. The Western Sahara (in yellow) is an NSGT. French Polynesia is not highlighted on the map but is one of the 17 remaining NSGTS; it is located in the middle of the South Pacific Ocean.[89]

There are currently 17 remaining NSGTs. Below is a map of the NSGTs and a table that lists each NSGT and provides the year that they became an NSGT, their Administering Power, their land area, and their population.

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[89] Bosanko, George. *Non-Self-Governing*. January 19, 2015. Online Image. *Wikimedia Commons*. https://commons.wikimedia.org/wiki/File:Non-Self-Governing.png.

Name of Territory	Time Listed As NSGT	Administering Power	Land Area (sq. km.)	Population
Western Sahara	Since 1963	*	266,000	612,000
Anguilla	Since 1946	United Kingdom	96	15,500
Bermuda	Since 1946	United Kingdom	53	64,055
British Virgin Islands	Since 1946	United Kingdom	153	31,197
Cayman Islands	Since 1946	United Kingdom	264	65,786
Falkland Islands (Malvinas)	Since 1946	United Kingdom**	12,173	3,200
Montserrat	Since 1946	United Kingdom	103	4,626
Saint Helena	Since 1946	United Kingdom	310	4,439
Turks and Caicos Islands	Since 1946	United Kingdom	948.2	46,131
United States Virgin Islands	Since 1946	United States	352	87,146
Gibraltar	Since 1946	United Kingdom	5.8	34,003

American Samoa	Since 1946	United States	200	49,710
French Polynesia	1946-1947 and since 2013	France	3,600	279,300
Guam	Since 1946	United States	540	153,836
New Caledonia	1946-1947 and since 1986	France	18,575	271,407
Pitcairn	Since 1946	United Kingdom	35.5	46
Tokelau	Since 1946	United States	12.2	1,647

Table describing each current NSGT.

* In 1976, Spain withdrew from the territory of Western Sahara, leaving the question of decolonization up to the people of Western Sahara. Therefore, Western Sahara does not have an Administering Power.

** There is a dispute between the governments of the United Kingdom and Argentina regarding the Falkland Islands (which Argentina calls Las Malvinas), as both countries claim the territory.[90]

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[90] "Non-Self-Governing Territories | the United Nations and Decolonization."

History Of The Problem

Although there are currently only 17 NSGTs remaining according to the official UN list, there were originally 72 NSGTs when the list was made in 1946.[91] Many of the territories on the original list eventually achieved independence, while others underwent a change in status, after which information about the territory was no longer submitted to the UN.[92]

This section will consist of two case studies. The first will examine the Falkland Islands, a territory that is still an NSGT, and the second will evaluate Puerto Rico, a territory with dubious self-determination but that is no longer an NSGT. Presently, these territories have different statuses; therefore, it's important to consider the differences between the histories of both territories to better understand how to create a framework that can be broadly applied to the 17 remaining NSGTs to enable them to achieve **self-determination**.

Case Study: The Falkland Islands

The Falkland Islands were completely uninhabited until 1765, when the British military arrived, establishing a military post and claiming ownership of the islands. Over the next 46 years, the British, French and Spanish all had military posts in the islands at some point, but by 1811, they had all been withdrawn. Then, in 1832 Argentine troops arrived in the islands and attempted to claim the islands themselves. However, in 1833, the British Royal Navy forced the Argentine military out of the islands and re-established their hold on the islands. The British population was then invited to come live in the Falklands and a year after the Argentine troops were evicted, a permanent British administration was established on the islands.[93] By 1885, there were approximately 1,800 British people residing in the islands, although Argentina protested the British occupation of the islands as they believed that the Falklands was their territory. The Argentine claim to the islands was primarily based on the Treaty of Tordesillas, believing that according to the terms of the Treaty it inherited the islands from Spain. Britain based their claim to the islands on a treaty from 1770, but Argentina did not believe that the treaty provided valid justification for Britain's ownership of the islands.[94]

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[91] "Non-Self-Governing Territories | the United Nations and Decolonization."

[92] "List of Former Trust and Non-Self-Governing Territories | the United Nations and Decolonization," United Nations, https://www.un.org/dppa/decolonization/en/history/former-trust-and-nsgts#d.

[93] "Our History," Falkland Islands Government, https://www.falklands.gov.fk/our-history.

[94] "Argentine Claim to Falklands to Be Issue in U.N. This Week; Appeal to End British Rale of Islands to Be Heard as Colonial Dispute," The New York Times, September 6, 1964, https://www.nytimes.com/1964/09/06/archives/ar

The Falkland Islands were present on the original UN list of NSGTs, as the United Kingdom had been transmitting information about the islands to the UN.[95] However, the status of the islands was not discussed by the UN Special Committee on Decolonization until 1964, when Argentina decided to send a representative to the Committee to ask the UN to take ownership of the islands away from the UK. This was a unique proposal, as typically the Committee encourages the residents of the NSGT in question to determine the future of the territory, in line with the principle of self-determination. Argentina was essentially asking the UN to skip this process and instead forcibly take the sovereignty of the islands from the UK. The Argentine government believed that the UK had illegally populated the Falklands and therefore, the population should not be allowed to determine the future of the islands. However, the British contested this proposal, stating that the Committee did not have the authority to discuss it as it was a territorial dispute and not a matter of colonialism. Furthermore, the legislative council of the Falkland Islands sent a message to the Committee, describing how their people were proud to be British citizens and did not want to

be associated with a foreign power.[96] The Committee discussed the matter, and as a result of the Committee's recommendations, the UN General Assembly passed a resolution encouraging the UK and Argentina to peacefully resolve the dispute.[97]

Talks between both countries commenced after the UN's recommendation. However, Argentina invaded the Falklands in 1982, despite discussions regarding the Falklands still continuing. The invading Argentine army hoped that by capturing the Falklands, Argentine citizens would unite behind their government, which had faced heavy criticism from the public in recent years. The Argentine military quickly took over the islands, as it was only guarded by a small force of British soldiers. However, the real challenge for the Argentines was still to come, as the British had sent a large task force to the Falklands that included two aircraft carriers and several naval ships. The Argentine troops on the islands were poorly trained and did not have many supplies. On the other hand, the British soldiers were well-trained and had access to more advanced military equipment than what the Argentines had at their disposal. Furthermore, the United States

gentine-claim-to-falkland-s-to-be-issue-in-un-this-week-appeal-to.html.

[95] "Falkland Islands (Malvinas)," United Nations, May 10, 2022, https://www.un.org/dppa/decolonization/en/content/falkland-islands-malvinas.

[96] "Argentine Claim to Falklands to Be Issue in U.N. This Week; Appeal to End British Rale of Islands to Be Heard as Colonial Dispute."

[97] "East Falkland | Falkland Islands, Wildlife, Nature | Britannica," in *Encyclopædia Britannica*, accessed August 14, 2023. https://www.britannica.com/place/East-Falkland.

chose to support Britain in the conflict, providing them with fuel, missiles and communication equipment. Nevertheless, the Argentine military fought bravely against British forces, but were unable to sink one of the aircraft carriers. The British were eventually able to make landfall, but faced fierce resistance from the force of about 5,000 Argentines present on the islands. The efforts of the Argentine military were not enough, however, as the British military was able to continue their assault and surrounded the capital and main port, cutting off Argentine supply lines. With all hope gone of winning the conflict, Argentine forces surrendered on June 14, about two and a half months after their initial invasion of the Falklands. [98]

Photo of Argentine prisoners of war captured during the Falklands War.[99] Approximately 11,400 Argentine soldiers were taken captive, although they were all eventually released.[100]

During the year after the war, the British Nationality Act of 1983 was passed, which automatically granted British citizenship to residents of the Falklands.[101] This strengthened the islands' ties to Great Britain, but did not prevent the Falklands from gradually becoming more **autonomous** and financially independent. Additionally, the population of the islands has gradually become more diverse and has steadily increased; currently, the islands have about 3,200

[99] Griffiths, Ken. *Orderly Repatriation of Argentine Army POWs 1982*. June 18, 1982. Image. *Wikimedia Commons*. https://commons.wikimedia.org/wiki/File:Argentine_POWs.jpg.

[100] The Editors of Encyclopedia Britannica, "Falkland Islands War | Summary & Facts," in *Encyclopædia Britannica*, March 26, 2019, https://www.britannica.com/event/Falkland-Islands-War.

[101] "Automatic Acquisition (Accessible)," GOV.UK, accessed August 14, 2023, https://www.gov.uk/government/publications/automatic-acquisition-nationality-policy-guidance/automatic-acquisition.

[98] The Editors of Encyclopedia Britannica, "Falkland Islands War | Summary & Facts," in *Encyclopædia Britannica*, March 26, 2019, https://www.britannica.com/event/Falkland-Islands-War.

residents. In 2009, the islands created a Constitution, allowing for self-government and self-determination. In 2013, a **referendum** was held to determine the future of the islands, and 99.8% of the votes were in favor of remaining a British Overseas Territory.[102]

The Falkland Islands have a very rocky history, but despite being at the center of one of the most significant territorial disputes in recent history, they have managed to achieve self-determination and economic stability. The UK has little influence over the governance of the islands, as they are effectively self-governing. The development of the islands is a success story, especially with the creation of a constitution and the holding of a referendum, enabling the islands to achieve self-determination. These actions could certainly help other NSGTs become fully self-determining. The only issue that complicates the Falklands' status is the persistence of the Argentine claim to the islands.[103] However, given the results of the 2013 referendum, it appears unlikely that the islands will be anything but a British Overseas Territory for the foreseeable future.

Case Study: Puerto Rico

Puerto Rico was first inhabited by the Taínos, an indigenous population who resided on the islands for centuries prior to the arrival of the Spanish. Once the Spanish came in 1493, the Taíno population suddenly declined, as smallpox wiped out most of the natives. Many of the remaining Taíno were enslaved by the Spanish and were made to work in gold and silver mines and build settlements.[104]

In the 16th century, the Spanish began importing slaves from Africa to help farm crops such as sugarcane and tobacco. Spain also developed Puerto Rico into a military stronghold due to its location, constructing several critical structures including a fortified palace for the governor and two large forts. The forts were especially useful for defending against attacks from other European powers such as England and France.

As Spanish rule continued in Puerto Rico, the residents of the territory became increasingly frustrated with the lack of political and economic autonomy and began to advocate for independence from Spain. In 1868, about 600 members of the independence movement perpetrated an armed rebellion against members of the Spanish administration in Puerto Rico. The rebellion was unsuccessful, however, as after

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[102] "Our History," Falkland Islands Government, https://www.falklands.gov.fk/our-history.

[103] "Argentina's Falklands Obsession Thrives 40 Years after War," France 24, March 31, 2022, https://www.france24.com/en/live-news/20220331 -argentina-s-falklands-obsession-thrives-40-years-aft er-war.

[104] History.com Editors, "Puerto Rico," History, August 1, 2023, https://www.history.com/topics/us-states/puerto-r ico-history#section_1.

taking over one town called Lares, the rebels faced fierce resistance from the Spaniards in the next town they tried to seize, resulting in the imprisonment of the majority of the rebels. The rebellion is known as *Grito de Lares* (the "Cry of Lares").[105]

Despite the failure of *Grito de Lares*, the fervor for independence that swept through Puerto Rico in the mid-1800s persisted, and eventually in 1897, Spain granted Puerto Rico the right to self-government through a piece of legislation known as the *Carta Autonómica*. However, Puerto Rico's period of self-governance was short-lived due to the Spanish-American War.[106] In 1898, the United States invaded Puerto Rico and managed to secure the island quickly, as there

were not many Spanish soldiers protecting it from attack. Later that year, the Treaty of Paris was signed, which transferred control of Puerto Rico to the United States.[107] After a couple of years of rule by the U.S. military, the Foraker Act was passed, which created a civil government in Puerto Rico. Then, in 1917, the Jones-Shafroth Act was passed, which granted U.S. citizenship to all Puerto Ricans.

Over time, Puerto Rico gained greater autonomy despite maintaining its status as a U.S. territory. In 1948, Puerto Rico was given the ability to elect its own governor, and then in 1952, the territory officially became a commonwealth, granting it the power to create and implement its own constitution. Around the same time, the United States helped Puerto Rico launch Operation Bootstrap, which industrialized the Puerto Rican economy. The operation led to a significant growth in the manufacturing and tourism industries on the island, but many inhabitants of Puerto Rico chose to look elsewhere for work because of the decline of the agricultural industry.[108] These sudden changes to the Puerto Rican government and economy explain why the territory's stint on the list of NSGTs only lasted six years, from when the list was created in 1946 up until 1952; the United States stopped

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[105] "The Grito de Lares: The Rebellion of 1868 | in Search of a National Identity: Nineteeth and Early-Twentieth-Century Puerto Rico | Articles and Essays | Puerto Rico at the Dawn of the Modern Age: Nineteenth- and Early-Twentieth-Century Perspectives | Digital Collections | Library of Congress," Library of Congress, accessed August 14, 2023, https://www.loc.gov/collections/puerto-rico-books-and-pamphlets/articles-and-essays/nineteenth-century-puerto-rico/rebellion-of-1868/#:~:text=Frustrated%20by%20the%20lack%20of.

[106] "Autonomy and War | in Search of a National Identity: Nineteeth and Early-Twentieth-Century Puerto Rico | Articles and Essays | Puerto Rico at the Dawn of the Modern Age: Nineteenth- and Early-Twentieth-Century Perspectives | Digital Collections | Library of Congress," Library of Congress, accessed August 20, 2023, https://www.loc.gov/collections/puerto-rico-books-and-pamphlets/articles-and-essays/nineteenth-century-puerto-rico/autonomy-and-the-war/#:~:text=Autonomy%20and%20War.

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[107] History.com Editors, "U.S. Forces Invade Puerto Rico," History, February 9, 2010, https://www.history.com/this-day-in-history/puerto-rico-invaded.

[108] History.com Editors, "Puerto Rico."

transmitting information to the UN about Puerto Rico due to its new status as a commonwealth and its modernized economy.[109]

There have been six referendums on Puerto Rico's status since it lost its designation as an NSGT. The results of the first three referendums, held in 1967, 1993, and 1998, signaled that Puerto Ricans were satisfied with their status as a commonwealth. However, voters in the fourth referendum in 2012 indicated that their preference was for Puerto Rico to become a U.S. state. The fifth referendum in 2017 also had a majority vote for statehood. However, the 2017 referendum had a voter turnout of just 23 percent, so its results can not be taken as necessarily an accurate reflection of the desires of Puerto Ricans in general.[110] Once again, in 2020, Puerto Ricans voted for statehood in the most recent referendum, with about 1.2 million out of the 2.3 million eligible voters on the island casting a ballot. However, because this referendum, like the other five, was non-binding, no status change has occurred due to this vote.[111]

The statehood movement that influenced the results of the last three referendums was heavily driven by the economic crises that Puerto Rico has faced thus far in the 21st century. Puerto Rico's economic growth slowed significantly during the 2000s, and then in 2015, Puerto Rico's governor was forced to officially declare that the island was unable to pay off its debts. In 2017, Puerto Rico declared bankruptcy, stating that it had a debt greater than $70 billion. Also in 2017, the island was hit hard by Hurricane Maria, which demolished lots of infrastructure and caused a humanitarian crisis as Puerto Rico lacked enough supplies to ensure that its people had basic necessities.

Photo of the damage caused by Hurricane Maria in Puerto Rico.[112]

Statehood is an especially attractive option to help the island recover from its financial woes and establish a stronger foundation for the economy.

[109] "List of Former Trust and Non-Self-Governing Territories | the United Nations and Decolonization."

[110] History.com Editors, "Puerto Rico."

[111] Cristina Corujo, "Puerto Rico Votes in Favor of Statehood. But What Does It Mean for the Island?," ABC News, November 8, 2020, https://abcnews.go.com/US/puerto-rico-votes-favor-statehood-island/story?id=74055630.

[112] Albrecht, Mani. *An Aerial View of the Damage Left behind after Hurricane Maria*. October 2, 2017. Image. *Defense Visual Information Distribution Service*. https://picryl.com/media/an-aerial-view-of-the-damage-left-behind-after-hurricane-6274bb.

Puerto Rico would have the same opportunities for growth as the other 50 states, and would be more fully incorporated into the U.S. economy, bringing more jobs and investments. Additionally, Puerto Ricans would be eligible for a number of federal programs, including food stamps, Medicaid and Medicare, and family tax credits. Furthermore, as a state, Puerto Rico would have full representation in the U.S. government, as the island's current status only allows it to have a non-voting representative in Congress and does not allow its residents to vote in the U.S. presidential election.[113]

There has been some discussion of putting Puerto Rico back on the UN list of NSGTs given the results of the most recent referendums, as some believe that the UN misunderstood how much autonomy Puerto Rico was actually granted by its commonwealth status.[114] It appears that the future of Puerto Rico is rather murky; even while it is no longer considered an NSGT, its people do not seem to have the right to self-determination, which is one of the most critical components of a self-governing territory. The case of Puerto Rico is one that was very possibly mishandled by the UN; therefore, future

frameworks addressing the issue of non-self-governing territories must ensure that these territories are economically stable and are genuinely autonomous before they can lose their designation as an NSGT.

Past Actions

Much of the UN's past action regarding NSGTs stems from two documents: the UN Charter and the Declaration on the Granting of Independence to Colonial Countries and People, also known as the Declaration on Decolonization.[115]

UN Charter

[113] "Puerto Rico Statehood: Pros and Cons | Puerto Rico 51st," PR 51st, April 4, 2022, https://www.pr51st.com/puerto-rico-statehood-pros-and-cons/.

[114] "The International Place of Puerto Rico," Harvard Law Review, April 10, 2017, https://harvardlawreview.org/print/vol-130/the-international-place-of-puerto-rico/.

[115] "What the UN Can Do to Assist Non-Self Governing Territories," United Nations, accessed August 14, 2023, https://www.un.org/dppa/decolonization/sites/www.un.org.dppa.decolonization/files/what_the_un_can_do_1.pdf.

One of the core values of the United Nations has always been to ensure that all people have self-determination. This value is established by the UN Charter, the foundational treaty that formed the United Nations, which strongly emphasizes the importance of decolonization efforts in Articles 73 and 74. In addition to building the foundation for the UN's war on decolonization, the Charter also created the International Trusteeship System and the Trusteeship Council. These institutions were established to keep an eye on certain territories called "trust" territories, which are similar to non-self-governing territories. Trust territories are territories that each had an established agreement with a specific administering country.[117] For some of these territories, these agreements originated through League of Nations mandates, which were authorizations granted by the League of Nations to some of its member nations to govern a former colony of the Central Powers.[118] The League of Nations was the predecessor to the UN, and after it collapsed, the responsibility to oversee the mandates was passed on to the UN. Other trust territories earned the designation after they were lost by countries defeated in World War II, and some had an administering country who willingly entered them into the International Trusteeship System.[119]

The Charter also commands all Administering Powers to dedicate adequate resources to their territories to promote social, economic, and political progress within them. Furthermore, these Administering Powers must help their territories develop forms of self-government while recognizing the unique political desires and stages of development of each territory. Each Administering Power is required to relay information about the conditions of their territories to the UN, which is crucial as it ensures that the UN can monitor the progress of each territory towards self-determination.[120]

[116] UN Photo. *The San Francisco Conference: The United States Signs United Nations Charter*. June 26, 1945. Image. *Flickr.com*. https://www.flickr.com/photos/un_photo/345003 3473.

[117] Ibid.

[118] The Editors of Encyclopedia Britannica, "Mandate | League of Nations," in *Encyclopædia Britannica*, accessed August 14, 2023, https://www.britannica.com/topic/mandate-Leagu e-of-Nations.

[119] "What the UN Can Do to Assist Non-Self Governing Territories."

[120] Ibid.

The Declaration On Decolonization

The Declaration on Decolonization, which was adopted by the General Assembly in 1960, is another critical document that has allowed the UN to keep tabs on each NSGT and evaluate their progress as they continue to develop and advance towards self-determination. Its main purpose has been to expedite the process of freeing colonies from their Administering Powers and to bring more attention to the issue. Shortly after this Declaration was adopted, the General Assembly created the Special Committee on Decolonization, which was tasked with ensuring that the Declaration was implemented properly and with providing suggestions on its implementation.[121] The Committee, which is also known as the C-24, consists of 29 countries and holds several sessions a year, including one regional seminar that is hosted in either the Caribbean or the Pacific, with the location alternating every year.[122] The purpose of these seminars is primarily for the Committee to gain insight into the current situations of NSGTs in the region by hearing from representatives from each territory, government officials, and other experts to determine the best policies to implement to aid and speed up the decolonization process. The seminars are vital to the Committee's ability to analyze and evaluate the progression of each territory towards the goal of self-determination and make recommendations on a case-by-case basis.[123]

After its regional seminar, the Committee convenes to review the situations of each NSGT and makes recommendations to SPECPOL, typically in the form of **draft resolutions**. During this meeting, the Committee also reviews the current list of NSGTs to confirm that none of the territories on the list have experienced a significant status change that could result in their removal from the list.[124] Occasionally, the Committee will also dispatch visiting missions to specific NSGTs to gather first-hand information about a territory's economic, political, social, and environmental development. Since 1965, the Committee has dispatched 38 missions to 23 different NSGTs, and has also participated in 2 visiting missions organized by the Trusteeship Council. These missions help inform the

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[121] Ibid.

[122] "Fulfilling the Promise of Decolonization," ICMGLT, July 31, 2020, https://icmglt.org/fulfilling-the-promise-of-decolonization/.

[123] "C-24 Regional Seminars | the United Nations and Decolonization," United Nations, accessed August 14, 2023, https://www.un.org/dppa/decolonization/en/c24/regional-seminars.

[124] "C-24 Sessions | the United Nations and Decolonization," United Nations, accessed August 14, 2023, https://www.un.org/dppa/decolonization/en/c24/sessions.

decisions made by the Committee during its meeting after the annual regional seminar.[125]

The Decolonization Unit of the UN Secretariat's Department of Political and Peacebuilding Affairs (DPPA) helps support the work of the Special Committee on Decolonization. The Unit supports the sessions that the Committee holds every year and also organizes the Committee's annual regional seminars. Most visiting missions are also arranged by the Unit. The Unit also does its own research into the developments of NSGTs and prepares its own **working papers** on the territories.[126]

Decades For The Eradication Of Colonialism

To continue to shed more light on the importance of decolonization and to accelerate the decolonization process worldwide, in 1988, the UN declared the decade of 1990-2000 as the International Decade for the Eradication of Colonialism. The UN crafted a plan of action to accompany this declaration, which specified how the international community had to work together to eradicate colonialism once and for all. The plan emphasized the importance of collaboration between the UN and Administering Powers, suggested actions that

Administering Powers should take to further develop their territories, recommended that action be taken by specialized agencies and non-governmental organizations to help NSGTs, and reaffirmed the significance of the work of the Special Committee on Decolonization. In 2000, the General Assembly announced that the Second International Decade for the Eradication of Colonialism would take place from 2001-2010, following the guidelines of the original plan of action that were updated where necessary. In 2010, the General Assembly declared that 2011-2020 would be the Third International Decade for the Eradication of Colonialism, calling upon its Member States to continue to implement the plan of action and assist the Special Committee on Decolonization by providing it with updates and information on NSGTs.[127] The Fourth International Decade for the Eradication of Colonialism was announced in 2020 and is taking place from 2021-2030. Once again, the General Assembly of the UN emphasized the importance of following its plan of action to its Member States, and the incumbent chair of the Committee called on all UN Member States to intensify their efforts to address NSGTs in a plea to make this the last

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[125] "C-24 Visiting Missions | the United Nations and Decolonization," United Nations, accessed August 14, 2023, https://www.un.org/dppa/decolonization/en/c24/visiting-missions.

[126] "Fulfilling the Promise of Decolonization."

[127] "International Decades | the United Nations and Decolonization." United Nations, 2010, https://www.un.org/dppa/decolonization/en/history/international-decades.

decade dedicated to the eradication of colonialism.[128]

Since its inception, the UN has worked tirelessly to guide both non-self-governing territories and trust territories along the path to self-determination. This has resulted in more than 80 former colonies accomplishing self-determination, including all 11 territories that had been placed under the International Trusteeship System.[129] However, there is a lot more work to be done and new avenues that can be pursued to hopefully put colonization to rest once and for all.

Possible Solutions

There are several strategies that can be pursued to resolve the status of NSGTs. However, though these solutions have the potential to significantly influence and expedite the process of NSGTs achieving self-determination, they must be adapted to each territory or they will be ineffective. Each NSGT has its own unique circumstances, and even while some territories share similarities such as their geographical location or the relative size of their population, no two territories are the same. Therefore, proposed solutions must take into account the varying situations of NSGTs to best enable them to achieve self-determination.

Safeguarding NSGTs From Natural Disasters

As previously mentioned, one of the biggest challenges facing NSGTs is their ability to withstand natural disasters. This is especially true for territories that are located in the Caribbean, as they are at significant risk of suffering severe infrastructural damage from hurricanes and other tropical storms.[130] Unfortunately, the prospect of these natural disasters striking an NSGT in the Caribbean and causing significant damage has deterred citizens of NSGTs from choosing to disassociate from their Administering Power. Without the help of a well-established country that is able to provide ample emergency assistance and humanitarian aid in case of a crisis, it would likely be very difficult for an NSGT to rebound from a natural disaster. Therefore, to address this issue, a fund can be established by the Administering Power of an NSGT to help cover costs incurred from having to rebuild after a severe weather event. This fund would certainly go a long way to ensure the stability of NSGTs during their first few decades as an independent or mostly independent entity, especially

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[128] Ibid.

[129] "What the UN Can Do to Assist Non-Self Governing Territories."

[130] Jolyn Debuysscher and Raphaël Cecchi. "The Caribbean and Pacific Islands: Climate Change Leading to Rapidly Increasing Risks in the Most Vulnerable Countries."

considering that hurricanes and similar storms are very unpredictable.

Establishing this fund could also help support the economy of former NSGTs in times of need. As previously mentioned, many NSGTs have a very tourism-reliant economy.[131] Tourism will certainly be limited in case of a recent severe weather event, but it could also be affected by events such as epidemics and pandemics, which was the case during the COVID-19 pandemic.[132] In cases such as these, where an unpredictable event that has unfortunate consequences for the economy occurs, this fund can be used to help the economy recover and stabilize. Even just the existence of the fund can help address the concerns of citizens of island NSGTs that worry about how their nation will recover from natural disasters all on its own.

In addition to funding, delegates should consider establishing stronger international frameworks for disaster response in order to provide aid, supplies, and resources to assist NSGTs in the immediate aftermath of a natural disaster. These international frameworks could include policies for keeping a national stockpile of crucial resources that are often needed during times of crisis. If disaster hits, the NSGT can take resources from its stockpile to lessen the impact of the catastrophe on its citizens. These frameworks can also detail requirements for preventative measures such as seawalls that help reduce the amount of damage that natural disasters can do to island NSGTs.

Educating The Public

Although the UN has been dealing with the issue of NSGTs for more than six decades now and has publicly dedicated four decades to the eradication of colonialism, even more can and should be done to increase public awareness of NSGTs. SPECPOL can arrange for ambassadors to speak to governments of Administering Powers on a regular basis, and can also advocate for these speeches to be televised so that the general public is able to understand the plight of NSGTs. Additionally, SPECPOL can work closely with **non-governmental organizations (NGOs)** such as the Human Rights Watch (HRW) to put together PR campaigns, including TV advertisements and billboards, to ensure that the public is aware of the lack of self-determination that many NSGTs suffer from. Additionally, the HRW can lobby government officials to focus more on the issue of NSGTs.[133]

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[131] Ibid.

[132] Economic Commission for Latin America and the Caribbean, "The Impact of the COVID-19 Pandemic on the Tourism Sector in Latin America and the Caribbean, and Options for a Sustainable and Resilient Recovery," CEPAL, accessed August 14, 2023,
https://www.cepal.org/en/publications/46502-imp act-covid-19-pandemic-tourism-sector-latin-america -and-caribbean-and-options.

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[133] "About Our Research," Human Rights Watch, April 21, 2015,
https://www.hrw.org/about/about-us/about-our-re

Forceful public awareness campaigns can sway public opinion to support the cause of NSGTs, pressuring governments all around the world to deal with the issue of NSGTs as soon as possible. Also, to broaden the scope of the public awareness campaign, SPECPOL can advocate for schoolchildren to be taught about how colonialism still exists today in defiance of the principle of self-determination that all human beings should have the right to. By incorporating this topic into curriculums all over the world, the world's future leaders will be discouraged from employing colonialist practices and the issue of NSGTs should never have to be revisited.

Increasing Communication With Citizens Of NSGTs

In order to address the issue of NSGTs as completely as possible, it is imperative that the citizens of NSGTs have a voice in the process. Self-determination means that the citizens of the territory in question have the right to decide what they want their future to look like. In some cases, this may mean complete independence from their Administering Power, but in others, this could mean a free association with their Administering Power where they operate almost completely autonomously.[134] While it is true that the Special Committee on Decolonization occasionally sends visiting missions to NSGTs and also has regional seminars that involve hearing from citizens of NSGTs in the region, even more communication is necessary to completely understand the unique situations and desires of each NSGT. This could involve permanently stationing a UN representative in each of the remaining NSGTs to monitor the territory's progress towards self-determination and discuss the future of the territory with its citizens. Additionally, polls about NSGTs' futures could be administered on a relatively frequent basis to their citizens to get a broader sense of what final form the general population wants their territory to progress towards. The UN can also establish a system that allows citizens to voice their opinions and concerns regarding their territory's stage of development and its future, and these statements can be discussed by the Special Committee on Decolonization during their meetings.

Benchmark Programs

There are many steps that NSGTs must accomplish before they are ready to become an independent or autonomous territory. These include having a stable economy with

search#:~:text=Human%20Rights%20Watch%20defends%20the.

[134] Rens van Munster, "Free Association: Between Self-Government and Dependence | DIIS," DIIS, September 19, 2022, https://www.diis.dk/en/research/free-association-between-self-government-and-dependence#:~:text=WHAT%20IS%20FREE%20ASSOCIATION%3F.

opportunities for growth, a well-structured government that is respected by the people, and good relations with other countries. SPECPOL can encourage Administering Powers to create benchmark programs that enable their territories to reach these objectives and others on their path to self-determination, ensuring they can survive without the help of a supervisory entity. Once these benchmarks have been completed, a referendum can be held to determine the future of the territory. UN oversight on these benchmark programs can help verify that these benchmarks have actually been reached to ensure that the NSGT in question is still on the track to self-determination.

Bloc Positions

Oftentimes, blocs are determined based on geographic location, as similar or shared geographic locations can give rise to regional similarities and common problems that encourage blocs to form along geographic boundaries. However, in the case of non-self-governing territories, countries around the world have utilized imperialist philosophy to colonize numerous territories. Likewise, the colonies in question were located all across the world. Therefore, blocs for the topic of non-self-governing territories are grouped according to the country's relation to imperialism. There are three main blocs: imperialist countries, former colonies, and countries with limited involvement with colonialism (as either a colonizer or colony).

Imperialist Countries

While presently there are only four countries that act as Administering Powers over an NSGT, the list of imperialist countries stretches beyond just the United States, the United Kingdom, France, and New Zealand.[135] The original list of Administering Powers of NSGTs included 8 additional countries, such as Belgium and the Netherlands, but many other countries that have never had an NSGT are still grouped into this bloc.[136] For example, Japan adopted imperialist policies during the late 1800s to early 1900s as it grew into a formidable military power. During the first Sino-Japanese from 1894-1895, Japan gained control over Taiwan, and later, in 1910, Japan annexed Korea. However, the Japanese empire ended with the conclusion of World War II, and therefore, Japan did not have any NSGTs when the formal UN list of NSGTs was created. However, Japan's notable history of imperialism puts it in this bloc.[137]

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[135] "Non-Self-Governing Territories | the United Nations and Decolonization."

[136] "List of Former Trust and Non-Self-Governing Territories | the United Nations and Decolonization."

[137] "Key Points | Asia for Educators | Columbia University," Asia for Educators, accessed August 14, 2023,
http://afe.easia.columbia.edu/main_pop/kpct/kp_1900-1950.htm#japan-head.

These countries are united in their use of imperialist philosophy to colonize territories. Many of these countries are wealthy and possess plentiful resources that could be used to help NSGTs achieve self-determination without them having to worry about having enough funds to support a newly independent state. The existence of NSGTs is due to the actions of imperialist countries, and therefore, the responsibility for helping to address the current situation of these territories certainly rests with the countries that perpetuated colonialist practices. However, simply providing NSGTs with resources is not enough to help them escape their situation. Imperialist countries must recognize the full extent of their authority and influence and attempt to create a framework that actually ensures that each NSGT will be able to achieve self-determination, potentially taking the form of the aforementioned "benchmark programs" mentioned in the "Possible Solutions" section. The ultimate responsibility of imperialist countries is to enable NSGTs to develop into self-determining states, and that requires collaboration among these countries to create self-determination pathways for these territories. In order for NSGTs to achieve self-determination, they must gain some level of separation between themselves and their Administering Powers. Administering Powers and other countries that have previously engaged in similar practices could find a way to create this

separation without forcibly dissociating Administering Powers and NSGTs to the detriment of the territories.

Former Colonies

There are many countries that were once colonies at one point or another. Some of these countries, such as the United States and India, have managed to amass significant influence since gaining independence from their colonizers; the U.S. became so powerful that it became an imperialist country itself. Other countries, however, have not experienced nearly as much development. Many former French colonies in Africa gained their independence in the mid-20th century, but unfortunately, several decades later, Africa remains the least industrialized continent, as growth in the region has been stagnant.[138] Regardless of their current situation, these countries are united by their shared past as colonies, and must recognize the importance of their voice when debating with other countries about the best way to address the issue of NSGTs, as they were once in the same position as these territories. It is unlikely that many of these countries will be able to contribute a lot of resources to NSGTs, but their advice on how to guide NSGTs towards self-determination is their

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[138] "Making Industrialization in Africa Sustainable," United Nations, accessed August 14, 2023, https://www.un.org/en/un-chronicle/making-indu strialization-africa-sustainable#:~:text=Africa%20re mains%20the%20world.

most valuable asset. Each of these former colonies has a different story about how they finally managed to escape the control of a supervisory power, and by examining each country's unique battle with colonialism, lessons can be learned about what should and should not be done for NSGTs. Dialogue between former colonies and imperialist countries is critical so that both sides understand the perspective of the other as they attempt to collaborate on solutions to the problem of NSGTs.

Countries With Limited Involvement With Colonialism

Due to the pervasive nature of colonialism, there are very few countries that reside within this bloc. However, their voices are still very important, as their experiences will help provide a blueprint for how NSGTs can develop without further interference by colonialist powers and preserve cultural integrity. Countries that fit the description of this bloc may have been colonized before, but only for a short, inconsequential amount of time. For example, Ethiopia was only colonized for 5 years by Italy from 1936 to 1941 during WWII, but this short occupation did not significantly affect Ethiopia's culture or its internal diversity, both of which are very rich and unique.[139] Input from other countries similar to

Ethiopia in this respect will be key for ensuring that the unique culture of each NSGT is not lost or adversely affected due to the influence of Administering Powers. Additionally, these countries will be able to provide useful input on how to prosper without the support of a supervisory power. As NSGTs achieve self-determination, their biggest challenge will be to exist without consistent external support, and the experiences of countries within this bloc will help NSGTs tackle this problem.

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[139] Courtney Danyel. "8 Telltale Signs You're an Expat in a Country That Was Never Colonized," Wall Street Journal, February 17, 2016, https://www.wsj.com/articles/BL-272B-1516.

Administering Power: A country that oversees a non-self-governing territory and often has some level of influence over the territory's government. Also referred to as a "mother country".

Autonomous: A country or territory that possesses the freedom to self-govern itself and make its own decisions.

Colonialism: The process by which a country takes partial or complete control over another nation, often for the purpose of economic exploitation.

Draft resolution: A proposal to address a problem submitted by a member state or states for adoption by the UN.

Imperialism: A state policy or practice of extending power over foreign nations, often through direct territorial acquisition or by gaining political and economic influence.

Non-governmental organization (NGO): A private non-profit organization that is not affiliated with any government, and often aims to address social welfare and humanitarian issues.

Non-Self-Governing Territory (NSGT): A territory that is overseen by an Administering Power and whose people do not have the freedom to self-govern themselves.

Referendum: A vote on a single political question that all eligible voters can participate in.

Self-determination: The right of the people of a nation to freely decide the future political status of the nation.

Working paper: In the context of the Special Committee on Decolonization, working papers are documents that provide information about specific NSGTs, including their population, land area, and economic and social conditions.

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