

*Boston University Academy Model United Nations Conference VII*

*Saturday, February 2<sup>nd</sup> to Sunday, February 3<sup>rd</sup>, 2019*

*Boston University Academy*

*Boston, MA*



***SPECPOL***

Hello Delegates!

My name is Sudarshan Ramanan, I am a sophomore this year at Boston University Academy, and I will be your chairperson for BUAMUN VIII. Kourosh Ghaffari '19 will be my vice chair. We will be simulating the Special Political and Decolonization Committee (SPECPOL), which was established in 1993 after combining the Decolonization Committee and the Special Political Committee.

I hope you are all ready and excited to learn the ins and outs of parliamentary procedure, position papers, research, and debate. I know I was when I joined Model UN in middle school. I still remember my first conference; it was confusing, exciting, but most of all, more fun than I could have imagined. It inspired me to continue Model UN to date, so get ready to enter a world of politics, diplomacy, negotiation, compromise, and most importantly, collaboration.

My advice as far as preparation is to know as much as you can about the situation, your country, and your allies, and to be prepared: Model UN is nothing if not unpredictable. I'm looking forward to see how you all will try to solve one of the biggest crises that we face in our world.

Sincerely,

Sudarshan Ramanan  
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## **Committee Information**

The General Assembly (GA) hosts the largest gatherings of world leaders and personnel at the United Nations. The General Assembly was the first UN committee to be assembled which happened in 1945. The General Assembly consist of six different operative committees, Disarmament & International Security Committee (DISEC), Economic and Financial Committee (ECOSOC), Social, Humanitarian and Cultural Committee (SOCHUM), Special Political and Decolonization Committee (SPECPOL), Administrative & Budgetary, and Legal Committee.

One of the GA's most important committees, the Special Political and Decolonization Committee (SPECPOL) is one of the six main committees of the United Nations General Assembly. The United Nations General Assembly Fourth Committee otherwise known as SPECPOL deals considers a range of topics from atomic radiation to peacekeeping operations.<sup>1</sup>

In our committee, you will be discussing the the role of private militaries and the UN along with the right to privacy. Both of these topics are inspired by their relevance in today's world.

## **Position Paper Guidelines**

This committee requires *two* position papers. One on the topic of right to internet privacy, and one on the topic of private military companies. The absence of at least one of these papers will disqualify you from awards. The quality and depth of these papers will influence award decisions. Each of these position papers should be 1-2 pages in length and double-spaced including citations (no particular format). They should follow a general outline with three paragraphs: 1) introduction to the topic as a whole, 2) the delegation's opinions on the topic, and 3) proposed solutions. Paper headings should follow this outline:

**Delegate(s):** Sudarshan Ramanan and Koursh Ghaffari

**School:** Boston University Academy

**Committee:** SPECPOL

**Position:** Brazil

**Topic:** Right to Internet Privacy

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<sup>1</sup> <https://www.un.org/en/ga/fourth/index.shtml>

## **Topic 1: Protecting Individual's Right to Privacy in The Digital Age**

### **General Overview**

In the digital era, the usage of technology has risen drastically. Advances in discovering and inventing new forms of more sophisticated technology has skyrocketed within the past decade. This increase in the usage of technology can be attributed to the increased accessibility of certain forms of technology. There are an estimated 3.2 billion people using the internet for either personal or public purposes.<sup>2</sup>As a result of this, personal information, such as those on sites like Google, Facebook, Twitter, or Apple, can become vulnerable online.

### **Edward Snowden and the NSA**

A classic example of the breach in personal information traces back about five years when former National Security Agency (NSA) employee, Edward Snowden, leaked classified information to the media in 2013. While some hailed him as a hero and others labelled him a traitor, it gave the world a glimpse of the susceptibility of online sources and the vulnerability of our personal data. This event was only the start of large number of scandals in which citizens found out that the government had taken unauthorized information from them. Seeing that technology has become a more integral part of culture and society, the problem we now face is how to keep an individual's right to privacy intact.

When an investigation was launched into the NSA, it was noted that the NSA used a data collection software known as PRISM.<sup>3</sup> This program could collect and recall various telecommunication data from companies and citizens. It was found out, however, that citizens were not the only targets, but also those in neighboring islands and areas. This system is part of a much larger program by the name MYSTIC which has now branched into countries such as Mexico, Philippines, and Kenya.<sup>4</sup>

### **China's Stance on this Issue**

The internet is heavily policed in China. The communist state does this through a system known as "Great Firewall."<sup>5</sup> Certain blocked content include inappropriate material to major social media sites such as Facebook and Twitter. The motivation behind this is simple: to make sure Chinese government is not scrutinized (controversial).

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<sup>2</sup> <http://time.com/money/3896219/internet-users-worldwide/>

<sup>3</sup> [https://www.washingtonpost.com/news/wonk/wp/2013/06/12/heres-everything-we-know-about-prism-to-date/?utm\\_term=.0f48c8c21f1f](https://www.washingtonpost.com/news/wonk/wp/2013/06/12/heres-everything-we-know-about-prism-to-date/?utm_term=.0f48c8c21f1f)

<sup>4</sup> [https://www.washingtonpost.com/world/national-security/nsa-surveillance-program-reaches-into-the-past-to-retrieve-replay-phone-calls/2014/03/18/226d2646-ade9-11e3-a49e-76adc9210f19\\_story.html?utm\\_term=.3deef34130a7](https://www.washingtonpost.com/world/national-security/nsa-surveillance-program-reaches-into-the-past-to-retrieve-replay-phone-calls/2014/03/18/226d2646-ade9-11e3-a49e-76adc9210f19_story.html?utm_term=.3deef34130a7)

<sup>5</sup> <https://www.cloudwards.net/censorship-in-china/>

## **Surveillance Industry**

The spying of citizens is a common practice within the surveillance industry. American and British allied intelligence agencies are soon to embark on a million dollar global surveillance system.<sup>6</sup> This system will allow agencies to monitor communication between citizens and potentially intercept them. In the United Kingdom, there is already a similar program in place titled Project 415. This project can tap into billions of phone calls each year.<sup>7</sup> Because of its wide ranged success, many teams inside the project have trained other computer centers to carry out similar interceptions, making world-wide hacking more predominant.

Some countries such as Russia, have already established a preventative measure from other countries spying into their systems. Current president Vladimir Putin has signed a law “that obliges Internet companies to store Russian citizens' personal data inside the country”.<sup>8</sup> This law is changing the the processing of personal data and information in the digital world.

## **Public Awareness**

The scandals regarding the government taking unauthorized information from citizens, has led to the general awareness about the rights to privacy. Because of the government has lost the people’s trust, citizens are demanding more transparency on this issue. Now, many people feel that their private information cannot be trusted on digital sites.

## **The United Nations and Its Involvement**

The United Nations involvement on this issue, has only begun in the past few years. The Office of the High Commissioner for Human Rights (OHCHR) looks over major programs in protecting human rights internationally. Following the concerns of the UN General Assembly, a report was created and then presented in September 2014 and further discussed in December of that same year<sup>9</sup>. Listed below are relevant resolutions, treaties, and events on this topic:

- *Universal Declaration of Human Rights, 10 December 1948*
  - Proclaimed in Paris in 1948, this document presents a common standard of achievements for all peoples and all nations
- *Reform of the EU’s 1995 data protection rules to strengthen online privacy rights, 25 January 2012*
  - A comprehensive reform on data protection rules to increase users' control of their data and to cut costs for businesses

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<sup>6</sup> <https://www.inc.com/dan-scalco/why-home-security-systems-are-on-track-to-be-a-multi-billion-dollar-market.html>

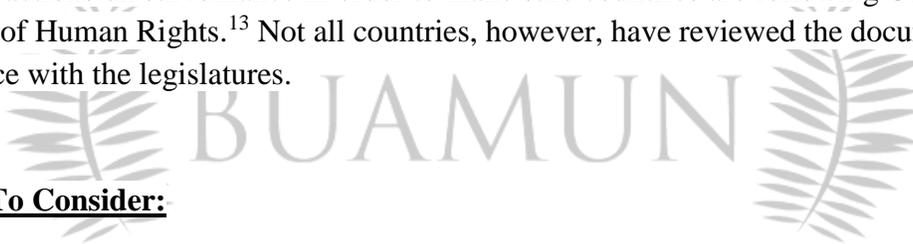
<sup>7</sup> <https://www.zdnet.com/article/echelon-how-it-works/>

<sup>8</sup> <http://www.latimes.com/business/technology/la-fi-tn-facebook-russia-20170926-story.html>

<sup>9</sup> <https://www.cfr.org/blog/un-committee-adopts-resolution-right-privacy-digital-age>

- *Developments in the field of information and telecommunications in the context of international security, 9 January 2014*
  - Promotes a common understanding, existing and potential threats in the sphere of information security and possible cooperative measures to address them, and how international law applies to the use of information and communications technologies by states<sup>10</sup>
- *Special Rapporteur on The Right to Privacy, April 2015*
  - The resolution directed the Special Rapporteur, amongst other responsibilities, to report on alleged violations of the right to privacy including in connection with the challenges arising from new technologies<sup>11</sup>
- *The Right to Privacy in the Digital Age, 18 December 2014*
  - The General Assembly affirmed that the rights held by people offline must also be protected online, and it called upon all States to respect and protect the right to privacy in digital communication<sup>12</sup>

Following the resolutions presented by the General Assembly in 2014, there has been minimal action taken. One of the first things on their agenda was for member countries to review their policies and actions on surveillance in order to make sure countries are following Universal Declaration of Human Rights.<sup>13</sup> Not all countries, however, have reviewed the document and are in accordance with the legislatures.



### **Questions To Consider:**

- What responsibility do corporate companies have on privacy when people voluntarily give their information?
- How can citizens protect themselves from privacy invasion even if their countries are against taking it from them?
- Where will this issue be ten or fifteen years down the road?
- Should there be damages for privacy violations?
- Should internet (Virtual Private Networks) VPNs be allowed by the government for the usage by citizens?
- As a corporate company, is it wrong to protect the data of customers from law enforcement officer (Apple in the case of the San Bernardino terror attack)?

<sup>10</sup> <https://www.giplatform.org/events/un-group-governmental-experts-developments-field-information-and-telecommunications-context-0>

<sup>11</sup> <https://www.ohchr.org/en/issues/digitalage/pages/digitalageindex.aspx>

<sup>12</sup> <https://www.ohchr.org/en/issues/digitalage/pages/digitalageindex.aspx>

<sup>13</sup> <https://www.hrw.org/news/2015/03/26/un-major-step-internet-privacy>

## **Topic 2: The Role of Private Military**

### **General Overview**

There has been a drastic increase with the involvement of private militaries and security companies in the United Nations' efforts in recent years. Their participation influences the planning and logistics of the United Nations peacekeeping operations, by performing tasks ranging from security and peacekeeping training to intelligence briefings. This not only scatters authority over peacekeeping in commercial markets, but it often happens with very little transparency. This occurs because the private militaries are not liable to reporting their progress to any organization or state, hence the name "private" military companies.

The United Nations too remains unclear about this issue. At a press conference in 1997 to discuss the war in Sierra Leone, Secretary General Kofi Annan disagreed with the claim that the United Nations would consider working together with "respectable" mercenary organizations, arguing that there is "no distinction between respectable mercenaries and non-respectable mercenaries".<sup>14</sup> To the contrary, in 2000, the Report of the Panel on United Nations Peace Operations, which listed several ways in which U.N. forces could work together more effectively, one being that military contractors could train them with greater flexibility and capacity.

The diverse views with the United Nations has given rise to the serious concerns regarding the Private Military Companies (PMC) being involved in peacekeeping operations. The discrepancies between the United Nations and different states has led to serious challenges for Non-Governmental Organizations (NGOs) on whether or not to utilize PMCs in achieving their humanitarian missions, delivering aid and assistance to communities.

### **Current Situation**

The act of states using PMCs has been existent for the past century. An example of this is the French and the British governments have enlisted foreign persons to fight as soldiers in regional and foreign conflicts.<sup>15</sup> The usage of such forces, has been increased in recent years.

PMC's do not only supply the United Nations with only security services; frequently they supply other specialized services such as training, intelligence briefing, and logistics. This, however, comes with a huge issue. PMCs are constantly linked to scandals and have been accused of human rights violations numerous times. The usage of abuse, torture, rape, and human

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<sup>14</sup> <https://foreignpolicy.com/1998/09/15/outsourcing-war/>

<sup>15</sup> <https://www.odu.edu/content/dam/odu/offices/mun/2015/ib-ga1-private-security.pdf>

trafficking in developing countries are only a few of the violations that have painted a negative picture of the PMCs.

Being a non-state actor, they are not liable to international law or United Nations resolutions. This is both advantageous and disadvantageous for these companies. While states are permitted to conduct specific operations that could otherwise not be done, many of the crimes they commit, go unpunished. Some countries view PMCs as a convenient approach to furthering their businesses. They know these PMCs act without strict oversight, and turn to them for work the state is legally incapable of, knowing they might violate human rights law and international humanitarian law. Other find it useful as their own state sponsored armies are too small, and are committed to privatization even if it means sacrificing state control.<sup>16</sup>

Private business are the biggest clients for PMCs, especially in regions where state securities are weak or non-existent. The oil industry, which often drills and pumps in regions beyond state authority, and other mineral extraction industries, are the some of the biggest clients of PMCs.

### **The Role of the United Nations**

The issue of whether or not the United Nations should utilizes the PMCs has been subject to extensive debate. The United Nations still view PMS's as mercenaries, independent soldiers of fortune, a scourge from the 1970s, when the issue was very different. The United Nations also relies on PMSs today for the security of many humanitarian activities, including disaster relief in conflict-prone regions.<sup>17</sup>

With these issues in mind, the United Nations established a working group on mercenaries to help governments recognize the need for a legally binding international agreement to regulate to use of and activities of private military and security companies in-conjunction to existing resolutions.

The costs and benefits of using PMCs by both the United Nations and private companies should be assessed critically. Given that United Nations has used some of these PMCs in the past for humanitartin related work, leaves the United Nations member states sharply divided on whether to get rid of them altogether, or to create a hard-fast standard to prevent issues arising in the future.

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<sup>16</sup> <https://www.odu.edu/content/dam/odu/offices/mun/2015/ib-ga1-private-security.pdf>

<sup>17</sup> <https://www.globalpolicy.org/pmscs.html>

## **Types of PMCs**

The type of private military companies are usually found in four types:

- Providers: their role is to provide logistics, intelligence, and maintenance to military forces of state.
- Consultants: they facilitate the state's military forces with training and strategic advice.
- Military assistants: they provide direct, organized military assistance, which could also mean fighting at the front line of a battlefield.
- Security assistants: being mostly armed, they protect individuals and organizations. Their duties vary from protecting politicians to convoys.

## **Questions to Consider**

- To what extent should countries and even companies use these PMCs?
- Because PMCs are private firms, should they be prosecuted or held responsible for human rights violations and other crimes?
- What might some of the motivations behind a country or private company using PMCs?
- Should there be a separate law or guidelines for PMCs stating what they can and cannot do?
- How might the perspectives of countries such as Syria and the United States differ on this issue based on their own political climate?
- Should there be a specialized committee to deal and respond to issue regarding PMCs?

## **Citations**

<https://www.un.org/en/ga/fourth/index.shtml>

<http://time.com/money/3896219/internet-users-worldwide/>

[https://www.washingtonpost.com/news/wonk/wp/2013/06/12/heres-everything-we-know-about-prism-to-date/?utm\\_term=.0f48cbc21f1f](https://www.washingtonpost.com/news/wonk/wp/2013/06/12/heres-everything-we-know-about-prism-to-date/?utm_term=.0f48cbc21f1f)

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