

## High School Model United Nations 2009

### Security Council – The Question of the Right to Self-Determination

The historical context of Self-determination as is pertinent to the scope of the United Nations, and the self determination of sovereign states, is defined broadly as ‘free choice of one’s own acts without external compulsion, and especially as the freedom of the people of a given territory to determine their own political status or independence from their current state (Merriam Webster Dictionary).’

The implication of this definition, in particular that of the nature of freedoms, is discussed at length by such philosophers as Aristotle, Plato, Locke, Rousseau, and Marx. Freedoms, and for our purposes those possessed and exercised by the entity of the State, conceptualize the extent of control a state body may exert over its populace, and the consolidation of these domestic powers by the collective judgments and acquiescence of the global community.

Self-determination, historically, can be traced to such social movements as the French and North-American colonial revolutions respectively. For the purposes of a modern context, these social movements were pivotal in defining and introducing the concept of Nation, and indeed the role of collective ideology and national identity in defining the state.

In 1941 Allies of World War II signed the Atlantic Charter and accepted the principle of self-determination. In January 1942 twenty-six nations signed the Declaration by United Nations, which accepted those principles. The ratification of the United Nations Charter in 1945 at the end of World War II placed the right of self-determination into the framework of international law and diplomacy. The collective body of the United Nations enshrined in its charter that its purpose was to “develop friendly relations among nations based on respect for the principle of equal rights and self-determination of peoples, and to take other appropriate measures to strengthen universal peace.”

Such an attitude towards the equal freedoms of the global populace is echoed in Article 1 in both the International Covenant on Civil and Political Rights (ICCPR) and the International Covenant on Economic, Social and Cultural Rights (ICESCR). Both read: “All peoples have the right of self-determination. By virtue of that right they freely determine their political status and freely pursue their economic, social and cultural development.”

The issue of self-determination continues to be important at the United Nations. While the United Nations believes that individuals should have the right to self-determination, it has struggled in dealing with groups that desire the same thing. As the United Nations is primarily concerned with states, so it is concerned with the idea of self-determination as it affects states. The dissolution of empires following World War I granted states to differing ethnic groups, and decolonization following World War II witnessed cultural



groups being granted independent states to fulfill the idea of self-determination. Current conflicts in Sri Lanka, Kashmir, Chechnya, among others, center on the same idea, that groups (whether they be cultural, ethnic or otherwise) deserve the right to self-determination in some form that affects the state. As members of the United Nations Security Council you will be working on legislation that can be applied to these different conflicts and can be a foundation to apply self-determination in the future whenever it should become an issue.

### **To develop successful legislation you must examine:**

Who: What groups will be considered relevant in this debate? In the past self-determination focused primarily on ethnic or cultural groups that formed the majority of the population in a specific area within a larger state. An example of this would be the Basque people in Spain or the Quebecois in Canada. To develop a resolution dealing with self-determination, one must examine which groups such a resolution would be dealing with.

When: When should the United Nations be concerned with giving these people self-determination? Is it required that these groups be oppressed by the state they are part of, or should a majority of them have to desire it? Will the UN be willing to facilitate the demands of groups like ETA (Basque Separatists) who use violence to express their desire for self-determination and have launched a violent struggle to obtain it?

How: How will self-determination be given to these groups? This is probably the most important question to this debate. In the past following World War I there are examples of referendums in regions where popular support lead to them becoming independent states, or joining new states. Today advocates of self-determination often argue for self-determination through integration. They advocate that special measures be taken to ensure that these groups are represented within the state. They can even go so far as to grant them special status. Examples of this can be seen in Scotland, Wales and Quebec. Determining what form of self-determination your nation supports will be vital to determining any UN resolution dealing with self-determination

On top of the questions above, it is important to consider how involved your country wants the UN to be in securing self-determination. Will this involve interventions, or sanctions? Or is a UN body needed to define and apply the principal of determination? When entering into the debate it is vital that delegates develop of an idea of what there country's views are on the questions above. Answers to this can be found in how they have dealt with self-determination in their own territory, or how they have viewed it being applied elsewhere.

### **Links**

*While it is relatively easy to find articles on case studies and ongoing situations regarding issues of self-determination at sites like The International Crisis Group*



([www.crisisgroup.org](http://www.crisisgroup.org)) or within the United Nations website itself ([www.un.org](http://www.un.org)). Students who wish to obtain a broader overview are strongly advised to skim through any of the numerous books on the topic which may be found in school, public or University libraries. Titles of interest may include Globalization and self determination: is the nation state under siege?, On the way to statehood: secession and globalisation, and Self-determination of peoples and plural-ethnic states in contemporary international law: failed states, nation-building and the alternative, federal option but there are, of course, a plethora of books available which will be useful as well as numerous academic sources. As this topic is broad and relatively complex using non-internet resources for research will likely be required.

*The following are links which may be useful:*

A website created by Nadesan Satyendra which collates and sequences various issues, sources, case studies and views on the Right to Self-Determination over the last century - <http://www.tamilnation.org/selfdetermination/>. Although it is a website that supports the right of Tamils to secede from Sri Lanka, it nonetheless provides valuable insight and sources into the debate, albeit from an openly biased view point.

Transcript of a presentation on 'Understanding Self-Determination: The Basics' - <http://130.94.183.89/parker/selfdet.html>

Responding to Claims for Ethnic Discrimination from *Foreign Affairs* - <http://www.foreignaffairs.org/19980301facomment1371/hurst-hannum/the-specter-of-secession-responding-to-claims-for-ethnic-self-determination.html>

Andrei Kreptul, "The Constitutional Right of Secession in Political Theory and History," *Journal of Libertarian Studies*, Volume 17, no. 4 (Fall 2003), pp. 39–100, [http://mises.org/journals/jls/17\\_4/17\\_4\\_3.pdf](http://mises.org/journals/jls/17_4/17_4_3.pdf).

