



SPECIAL POLITICAL
AND
DECOLONIZATION
COMMITTEE
TOPIC BULLETIN

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CHAIRS

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Dear Delegates,

Welcome to AMUN 2020! My name is Laetitia Park and I am so excited to be your chair for SPECPOL. I am a junior in the Academy of Culinary Arts and Hospitality Administration, became interested in Model UN when I joined the club in my freshman year, and have attended every conference I could, since. Being that one of those conferences was last year's AMUN, I am thrilled to be returning as a chair. This year's topics for SPECPOL are two geographically diverse, yet pressing issues in the international community. They are designed to challenge every delegate to come up with solutions far more creative than just stricter global security and local education- although those are just as important. If you have any questions regarding the background guide, the scope of the committee, or what to expect during the conference, feel free to reach out to me at any time. Attending conferences is easily the highlight of my time in MUN, and I hope that AMUN leaves every delegate with valuable lessons, memories, and a sense of responsibility to grow more aware of global issues. I am looking forward to the lively debate and creative solutions that will stem from our topics, and I can't wait to see you all in committee!

Best,
Laetitia Park, Co-Chair, SPECPOL
laepar21@bergen.org

Dear Delegates,

I am so excited to welcome you to AMUN 2020! My name is Jiwon Son and I will be your chair for SPECPOL. I am a junior in the Academy of Business and Finance here at BCA, and I've been a part of MUN since the start of my sophomore year. Since then, I've grown to love the club through numerous conferences, one of them being AMUN. The two topics for SPECPOL this year are incredibly consequential and prevalent within the international community. With these two topics, delegates will have to apply their knowledge, research, and skill to reach a coherent solution in an efficient and cooperative way. If there are any questions or points of concern surrounding the background guide, the scope of the committee, or what to expect during the conference, please don't hesitate to email me. AMUN was my very first conference and win as a part of the MUN club at my school. Through AMUN I made numerous meaningful friendships and memories, and realized the importance of being cognizant and involved with the current events in our global community. Hopefully, AMUN will leave you with an expanded horizon regarding the important topics you will be debating. I am looking forward to seeing you all in committee!

Regards,
Jiwon Son, Co-Chair, SPECPOL
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Topic A: Illicit Pharmaceutical Trade and the Fake Drug Crisis

Introduction

The Special Political & Decolonization Committee, or SPECPOL, is one of the main General Assembly committees, also known as GA4. As stated by the official United Nations website, SPECPOL deals with a variety of subjects which include those related to decolonization, Palestinian refugees and human rights, peacekeeping, mine action, outer space, public information, atomic radiation and University for Peace. This body of the UN will aid in promoting public information and the safety of the global community affected by illicit drug trade.

Over the course of the past two decades, the United Nations, more specifically the United Nations Office on Drugs and Crime has been focusing much of its resources on researching certain complex areas of the multifaceted issue of illicit drug marketing and trade. Because the range of illicit pharmaceuticals is extremely broad and complicated, counterfeit drugs are organized into categories



designated by the WHO: Falsified medical products, substandard medical products, and unregistered or unlicensed medical products. In almost all developing countries, falsified and substandard medical products are the illicit drugs that take the heaviest life and economic toll.

In current day, because of increased accessibility made possible by innovations in technology and e-commerce, fake pharmaceuticals circulate the market at alarming rates. Despite the enormity of the health and monetary threat that illicit drugs have on a global scale, many countries turn a blind eye to the issue and have failed to set up adequate policies and regulations to work towards a complete halt of the illicit pharmaceutical market. The prominent lack of global initiative can be credited to the immense difficulty that accompanies tracking and regulating e-commerce. With the internet free for all to use, and the need for cheap medicine constantly growing, illicit pharmaceutical trade continues to flourish.

In many countries--both developed and developing, policies exist that outlaw the trafficking of women and children, counterfeit money, firearms, and other forms of illicit trade. However, for those same countries, there is an absence of regulatory measures in regards to the counterfeit pharmaceutical market.

Topic History

Although the issue has been existent for as long as medicine was seen as profitable, the problem of illicit pharmaceuticals has only been considered a crisis in recent times. Discussion of the issue first surfaced on the international stage in May of 1998 at the World Health Assembly. As a result of its political and economic sensitivity in the transnational scale, talk of the illicit drug market was avoided and often covered up. However, by 2006, the United Nations initiated the International Medical Products Anti-Counterfeiting Task Force (more commonly known as IMPACT). Reword



Since the creation of IMPACT, the organization has been working to investigate and uncover criminal counterfeit activity in the pharmaceutical market. However, with the rise in the popularity of e-commerce in the late 1990s and early 2000s, it became exponentially harder for IMPACT and international and domestic health organizations to counteract the fake drug crisis. Regardless, IMPACT continued to embark on seizing operations to attempt that reducing and preventing the circulation of counterfeit medication on a global scale.

In one of IMPACT's successful operations, "Operation Storm 2" which took place, according to NCBI, "...in Asia in 2009, the counterfeits seized ranged from antibiotics to birth-control medicines, anti-tetanus serums, antimalarials and drugs treating erectile dysfunction."

In a Pfizer-sponsored study, one of the largest investigations conducted in 14 European countries, estimated that western Europeans spend more than US \$14 billion a

year on illicitly-sourced drugs, many of them counterfeit. A big share of the market constitutes the so-called "lifestyle" drugs. The study found that almost half the counterfeit drugs sold on the Internet were for weight loss, followed by influenza medicines. Another key market for counterfeits in Europe, as in Asia, is erectile dysfunction, nourished by the growth in online pharmacies that offer access to prescription-only medicines without the embarrassment of consulting a doctor. A Dutch study cited by the International Journal of Clinical Practice found that, of 370 seized Viagra samples, only 10 were genuine.

However, because the crisis of fake pharmaceuticals is a relatively new issue within the world of illicit commerce, there are limitations to the research of its history. Despite its lack of substantial historic data, the counterfeit drug market still stands as a problem of great enormity, with an exigent need for a solution.



Current Situation

In current day, one in every ten products of pharmaceutical nature are illicit and unfit to be sold in the legal market. In most developing countries, the most common and lethal illnesses are malaria and pneumonia. As a result of the commonality of counterfeit medication, the WHO estimates that upwards of 250,000 children die annually because the treatment that is offered to them is either fake or substandard.

During the 2015 meningitis outbreak in Niger, pharmacies unknowingly purchased expired vaccines, leading to countless deaths that could have been preventable with the use of adequate and safe medication. Additionally, in 2017, it was found that an estimated 72,000 children die of pneumonia and 69,000 people die of malaria each year as a result of falsified or substandard treatments.

Illicit pharmaceuticals are most commonly evident in countries with lower incomes. To be specific, the

pharmaceuticals that are most prevalent are poor-quality antimicrobials that not only fail to treat infection, but ultimately lead to the evolution of bacterial resistance to medications that are similar to the counterfeit, but are actually legitimate. As a result of this, the WHO estimates that over 10 million individuals will die annually by the year 2050. Furthermore, according to Stat, “In countries with poor pharmaceutical control systems, such drugs can be made in illicit facilities inside or outside the country and enter the supply stream because no FDA-like system exists for inspection or approval. Expensive analytic equipment generally isn’t available, while simple, accurate, and inexpensive testing systems for use in the field, at pharmacies, and at the point of care remain out of reach in virtually all poor countries.” Since 2013, the WHO has started to collect substantial data regarding the illicit pharmaceutical market, encouraging and gathering reports from countries and entities that experience or purchase illicit medical goods.



Possible Solutions

According to Stat, “To help all countries stop the movement and use of counterfeit or substandard drugs, one clear objective should be that 90% or more of all drugs on a country’s list of Essential Medicines meet international standards for potency and bioavailability by 2030. This 90% goal would be greatly reinforced by creating a quantifiable international Sustainable Development Goal that addresses preventive and curative medicines, including diagnostics and vaccines.” By allowing for a unanimous percentage to be assigned, the basis of what is deemed safe and what is not becomes universal, and every country has a shared criteria for the safety of the medications that are produced, imported and exported out of their borders.

There is no common ground in global protocol when dealing with counterfeit drug dealers. Stat continues by stating, “In some countries, it is barely illegal to manufacture or distribute poor-quality medicines. In other

countries, existing laws inadequately punish those who intentionally deal in falsified or substandard medicine. The Model Law on Medicine Crime, introduced by the University of Ottawa’s Amir Attaran, offers a template for strengthening national laws. This model is comprehensive in providing guidance on criminalization against manufacturing, trafficking, or selling falsified or substandard medicines in person or online; establishing principles for punishing perpetrators; creating tools to encourage whistle-blowers to cooperate with law enforcement; and providing incentives for governments to strengthen drug regulatory capacity.”

While a variety of international treaties currently serve several different causes, there does not yet exist one to solve this problem. It will soon be time for the international community to consider an international treaty to combat illicit pharmaceutical trading as another effective initiative at resolving the looming issue.



Country Policy

Asia

Overall, Asia is moderately involved in illicit drug conventions and remains in the middle of the pack for law enforcement rankings. The Asia-Pacific area has emphasized education of younger generations on the illicit market, and the reinforcement of surveillance and investigation of IP-infringing goods. Delegates should research the domestic environment of their nations as well as labor market regulations to pinpoint what encourages illicit trade in their respective member state.

Middle East/Africa

The economies of Middle Eastern and African regions have been significantly more affected by illicit trade because of higher government corruption rates in those areas. Many of these countries are yet to ratify illicit-trade related treaties, and their cyber security readiness is behind globally, meaning it is difficult to track illicit drug trade online. Furthermore, underdeveloped regions may find it difficult to halt illicit trade due to

the lack of security and the labyrinthine web of small companies and individuals involved in production. Delegates should review their country's policies on illicit drug trade and the economic impact of producing and selling these counterfeit items.

Europe

According to the official illicit trade index, Europe as a region outperforms the Middle East, Asia, and Africa, from their involvement in UN based treaties and law enforcement techniques. Finland has ratified all fourteen treaties proposed by the UN, including the UN Convention Against Illicit Traffic in Narcotic Substances and Psychotropic Substances, and most countries in Europe have ratified at least twelve. Delegates of European countries should thoroughly review their country's policy regarding border security, pharmaceutical production, and trends in counterfeit crime to help the progression of the rest of the global community.



Questions to Consider

Does the issue with illicit trade lie in its production or the methods of distribution?

What policies or initiatives regarding illicit pharmaceutical/drug trade (if any) already exist within your country? Have these policies and initiatives proven to be effective? If your country hasn't made substantial effort, why not?

Is your country heavily involved in the illicit market, and if so, in what ways?

How does your country benefit or lose from illicit pharmaceutical and drug commerce?

How can developing countries without adequate funding for the elimination of the illicit market work with nations that have already strengthened their border security?

As the illicit market runs on a global scale, to what extent can international regulations be held superior to federal laws?



Topic B: Forced Relocation of Indigenous People in Southeast Asia

Introduction

The Special Political & Decolonization Committee, or SPECPOL, is one of the main General Assembly committees, also known as GA4. As stated by the official United Nations website, SPECPOL deals with a variety of subjects which include those related to decolonization, Palestinian refugees and human rights, peacekeeping, mine action, outer space, public information, atomic radiation and University for Peace. This body of the UN will aid in promoting human rights for discriminated groups, such as indigenous people.

As secure land ownership is not possible for indigenous people in developing countries such as Vietnam and Thailand, where transnational land projects take place, the forced relocation of indigenous people has resulted in the destruction of homes and livelihoods. Conventions held for the establishment of land ownership rights for indigenous people have produced better



policies, but are yet to be ratified by South-East Asian (SEA) nations.

The International Labour Organization (ILO) has played a prominent role in producing important political tools binding SEA countries, but the Convention Concerning Indigenous and Tribal People in Independent Countries stands as the only legal document dedicated solely with interest to indigenous people. International instruments discussing land ownership of indigenous people have only been produced more recently, for example, the Convention on Biological Diversity adopted at the 1992 UN Conference on Environment and Development in Brazil. While there remains a concentration of indigenous people in South-East Asia, these member states are the least vocal during international indigenous rights forums.

As of today, many countries, especially those in South-East Asia, are lacking both concern and support for the land rights of indigenous people. Their land rights, interpreted differently by

each SEA member state's government, can be taken away for various reasons including lack of citizenship, government projects, and the expansion of plantations. On a global scale, however, the deliberate destruction against group conditions of life could fall under the Convention on the Prevention and Punishment of the Crime of Genocide's definition of genocide, leading to greater conflict within the UN.

Topic History

Countries have evaded the issue of indigenous land rights by giving them access to the land for their own use without allowing them to claim it, labelling their communities as "national parks" to remain under the state's control. The history of discrimination against indigenous people traces back heavily to Europe and North America, where governments believed that indigenous people were incompetent in adapting to modern society. Forced relocation was not only a geographic solution in terms of using indigenous land, but compelled indigenous people to



lead an urban lifestyle. Their “unsophisticated” nature would benefit from the educational systems in their new communities, their health would improve from the sewage and water systems, and their opportunities to make money would improve with jobs and training facilities. Although the interest of indigenous people seem to be at the forefront of relocation, the government would ultimately use their land for urban settlements and extract natural resources-such as minerals, trees, and rivers-, and their artificial concern for indigenous settlements would justify the destruction of communities and lives.

In Canada, starting from the early 1900’s, relocation decisions were made on short notice without the consultation of indigenous people, separating families and destroying their ability to be economically self-sufficient. Canada had identified two main types of relocation as administrative and development. Administrative reasons include centralizing indigenous people into one region for the convenience of the government, and development

reasons included land needed for agriculture and development. The movement of the Mi’kmaq of Nova Scotia in the 1940’s to cut administrative costs of government services and the 1911 relocation of the Songhees reserve in Victoria to move reserves blocking urban development are two prime examples of forced relocation. Canada’s reasons for relocation are applicable to many countries’ histories with relocating indigenous people.

The United Nations has made several attempts to extend the very limited possessory laws established by countries like Cambodia and the Philippines. During the ninth session of the Permanent Forum on Indigenous Issues, James Anaya, Special Rapporteur on the topic, stated the two points concerning the socioeconomic disadvantages of indigenous people. First, he addressed “mega-projects”-land development projects meant to develop the nation as a whole-, and the government’s blind-eye to the negative effect these projects bring to indigenous people. His second point emphasized the importance



of increasing indigenous self determination, which would require educating citizens living in close proximity to indigenous lands, about the culture, language, and traditions of indigenous people. Anaya, believing that indigenous people should control all the same aspects of their lives as other citizens, encouraged them to pursue their own land development projects; overall supporting their involvement in the government.

Current Situation

Although each SEA country's involvement with indigenous relocation varies, Laos encompasses many of the governments' ideas shared by neighboring countries. In 2000, the Laotian government implemented an Agricultural Development Master Plan, with multiple policies implying the reconfiguration of indigenous communities. As land cultivators shifted towards the land of indigenous people, the ecosystem deteriorated and the poverty rate skyrocketed. An additional policy requiring the consolidation of indigenous villages conflicted with

the limit of 50 families per village, forcing many indigenous communities to separate and move into foreign villages that threatened the cultural and physical survival of families.

In contrast, the High Court of Malaysia has granted indigenous people the right to continue living on the land that their forefathers had lived, through the landmark case *Adong bin Kuwau v Kerajaan Negeri Johor*. The ruling required the government of Malaysia to offer the same protection to indigenous people that was afforded to all other Malaysian citizens by the common law. Following Malaysia's Aboriginal Peoples Act 1954, indigenous peoples of Sabah and Sarawak were given native customary rights over land they were currently occupying, which, although is not equivalent to complete land ownership, are flexible laws that can set an example of progress for the South-East Asian community.

Outside of SEA countries, voices from Australia, New Zealand, and North America have been



prominent in the past decade. Western nations have supported The Commission on Human Rights' Draft Declaration on the Rights of Indigenous People, which states, in Article 1 Part 10, that "Indigenous peoples shall not be forcibly removed from their lands or territories. No relocation shall take place without the free and informed consent of the indigenous peoples concerned and after agreement on just and fair compensation".

On March 13th of 2019, the High Court of Australia granted the Ngaliwurru and the Nungali people 1.78 million USD in compensation for the loss of land near Timber Creek. This was the first Native American case brought to attention by the High Court, and this verdict became a landmark decision and victory for the indigenous people. The High Court recognized the loss of land, but also the communities broken by the government, calling it a "spiritual loss".

Indigenous land rights cases are appearing in court, and there begins to be a great push for the implementation of legal rights for

indigenous peoples. The formation of organizations such as the International Work Group for Indigenous Affairs has brought greater awareness to the issue and encourages the global community to educate themselves on indigenous rights in their country. As stated by James Anaya, Special Rapporteur on the indigenous land dispute, acknowledging the cultures and traditions of indigenous people will dissolve the disadvantages that they face in social spheres.

Possible Solutions

The flexibility of the term "land ownership" has granted governments the right to give and take indigenous land. The UN is yet to develop an international instrument to establish land ownership rights as opposed to the unreliable and limited land possessory rights that countries have structured in the government's favor. It is recommended that SPECPOL draft and ratify a document with a universal definition of land ownership; solely dedicated to the human rights of indigenous people,



which should be an extension of the rights given in the UN Declaration of Human Rights. National policies should also be discussed as not to be conflicted with global policy being developed. Western countries should take the initiative to develop incentives for South-East Asian member states to ratify these documents, as they have been developed through many UN forums and left unapproved.

Communities and families who have already been relocated and further isolated from their native lands need compensation for the disruption of their livelihood. SPECPOL can look to nations who have already paid back indigenous communities, for example, Australia, for methods of compensation. In addition to monetary compensation, indigenous people should have some form of representation in the government, especially considering issues related to land developmental projects. Nations should discuss having government positions and job opportunities available to indigenous people as efforts to improve their standards

of living. However, to fully redress their grievances, land in relative proximity to indigenous grounds need education on indigenous culture and traditions, in order to prevent discrimination. This payment is intended to bring indigenous people out of their disadvantaged state in terms of social and economic spheres.

It is additionally recommended that SPECPOL develop a timeline for meeting certain goals, for example, an increased number of jobs offered to indigenous people living in (sub)urban areas. Nations should hold neighboring member states accountable for these goals. An annual conference should be held to allow countries to communicate their progress in reaching their goals, discuss different types of aid for countries falling behind, and monitor the progress of the international community.

Country Policy

South-East Asian (SEA) Bloc:

The governments of SEA member states not only overlook, but violate the indigenous peoples' rights to



enjoy all fundamental freedoms recognized in the Universal Declaration of Human Rights. With land possession policies evading the question of permanent land ownership, South-East Asian governments can temporarily allocate land to indigenous people while prioritizing their transnational land projects. These countries are least vocal during international forums and are yet to address the urgency of the issue. Member states should carefully evaluate

European/North American Bloc:
Bartolomé Clavero, forum member of Spain during the Permanent Forum on Indigenous Issues, highly encouraged lining up State's policies with those of the UN Declaration on the Rights of Indigenous People. The United States and Canada was also in support of creating new legislation during this forum. Member states from European and North American countries should thoroughly research their nation's policies as well as the UN Declaration to highlight key

differences between the various pieces of legislation.

African Bloc:

Due to the poor standards of living for many indigenous people, they must tackle the following issues: limited access to clean water, natural disasters, and environmental changes. Indigenous women and children are also in need of protection from rape and human trafficking. During international forums, the African Caucus has suggested appointing a Special Rapporteur to oversee territories at risk. African member states should focus on the humanitarian issues arising from this topic in addition to their land ownership policies.

Questions to Consider

What incentives must be used for South-East Asian countries to ratify documents establishing equal rights for indigenous people?



How will countries, specifically those who economically benefit from taking indigenous land, continue transnational projects?

<https://www.npr.org/sections/goatsandsoda/2017/11/29/567229552/bad-drugs-are-a-major-global-problem-who-reports>

To what extent can the federal government regulate activity related to way of life, such as educational requirements and health inspections, if cultural conflicts arise?

<https://www.reuters.com/article/us-pharmaceuticals-fakes/tens-of-thousands-dying-from-30-billion-fake-drugs-trade-who-says-idUSKBN1DS1XJ>

How will the government deliver administrative services to individual indigenous communities without consolidating villages?

https://www.unodc.org/wdr2017/field/Booklet_5_NEXUS.pdf

What are past efforts, if any, that your country has made to eliminate indigenous discrimination?

<https://www.who.int/bulletin/volumes/88/4/10-020410/en/>

Has your country been an active participant in UN forums regarding the rights of indigenous people? Why or why not?

<https://www.ncbi.nlm.nih.gov/pmc/articles/PMC1062889/>

<https://www.bayer.com/en/background-information-on-counterfeit-drugs.aspx>

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Topic B

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