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DIRECTORS' WELCOME LETTER

Dear Delegates and Faculty Advisors,

On behalf of the organizers, the Advisory Board, and the Executive Board of AUSMUN 2019, it is my greatest pleasure to welcome you to the 12th annual AUSMUN Conference. With over 900 delegates registered from more than 40 national and international educational institutions, this conference will be the biggest one yet!

This year's background guide was diligently written to provide delegates with enough guidance for their research. It will act as a great starting point for delegates to familiarize themselves with the topics of their respective committee. After a short letter that gives the chairs a chance to welcome their delegates, a summary, a brief history, a discourse on the issue, and the latest developments of the issue will be presented. In the summary, delegates will have their first quick briefing on the issue were concerns will be defined. Followed by that, the guide delves into the root causes of the issue by identifying its history. Then, a discourse section will look into the issue with further scrutiny by presenting both sides of the topic's debate and examining some of its challenges and influences. Finally, it will aim to provide delegates with the latest activities in regards to the matter and any progressions in its respect. At the very end of the guide, delegates will find questions that will guide their thinking, some suggestions that will guide their research, and references that they can use for further relevant information. However, it is important to point out that depending solely on the guide will not be sufficient enough to prepare delegates for the conference. It is highly encouraged for delegates to look at the Delegate Handbook on the AUSMUN website and to view the "How to Research" video created by AUSMUN.

The theme of this year's conference is youth empowerment. This is very important as we are the children of tomorrow. Even if delegates are not necessarily planning on pursuing an occupation in the field of law or politics, MUN is an enriching experience to all. MUN is supposed to teach more than just details on a certain crisis, it educates them to work harder, to think on their feet, to learn from others and from themselves, to fall and to fail, and to break free from their fears. It dares them to be without hesitation. It dares them to add to the world. To Speak. To act. To know. We all understand how difficult it is to be a delegate. It requires a suspicious load of work and consumes most of one's energy. But we want delegates to give it their all and to get what they came here for.

Finally, I would like to conclude this letter by extending my gratitude to everyone who has contributed to this background guide in any way or form. It is the collaborative work of the chairs, the AUSMUN Research Team, and the AUSMUN Media Team. On behalf of them all, we truly hope that you find this background guide of great help and use.

All the best with the conference and if you have any questions or concerns, please do not hesitate to contact me at research@ausmun.com.

Nada Nassereddin
Director of Research
AUSMUN 2019

UNITED NATIONS
HUMAN RIGHTS COUNCIL

Jana Aljamal

Karan Monesh Mehta

Fatima Almheiri

MODERATOR'S

WELCOME LETTER

Dear Delegates,

We are excited to commence the twelfth annual AUSMUN and we wish that it would be a memorable experience for you all. We hope that this conference enhances your debate skills, research skills, and your knowledge, all while it being a fun experience. The topics we will discuss are of crucial importance that has various effects upon the international community.

The United Nations Human Rights Council (UNHRC) is a United Nations (UN) body whose goal is to protect and to promote human rights globally. The UNHRC has 47 members. The seats are distributed among the UN's regional groups with 13 seats for Africa, 13 seats for Asia, six seats for Eastern Europe, eight seats for Latin America and the Caribbean, and seven seats for the Western European and Others Group. The UNHRC investigates charges of breaches of human rights in the UN member states. Furthermore, it addresses important human rights issues such as freedom of expression, women's rights, the rights of racial and ethnic minorities, and the freedom of religion and belief. The objectives of the committee for this conference are to discuss and effectively decide on the rights to internet access and the digital divide and also to find ways to reinforce the responsibility of businesses to safeguard human rights. Additionally, each of the topics are concluded with a list of questions that a resolution must answer. You should use these questions as a guide for your research and policy recommendations. Finally, this committee will require a simple majority to pass a resolution.

As the conference approaches, we would like to congratulate all delegates, novice or accomplished, for choosing to be here. You chose to make a difference within the world, but more importantly you chose to enlighten yourself and fuel the fire of compassion for humanity within yourselves. We truly hope that this conference will not only help you in understanding complex issues from a global perspective, but also encourage you to discover your own interests and causes to fight for. We look forward to meeting you all and if you have any questions, please do not hesitate to contact us at AUSMUNUNHRC@gmail.com.

Sincerely,
The UNHRC Chairs

Right to Internet Access and the Digital Divide

SUMMARY

"Information and communication technologies (ICT) have reached into every walk of life. They have sparked innovation and entrepreneurship. They have created new forms of public engagement and economic activity that would have been unimaginable just a few years ago" (Ban Ki Moon, 2015). In terms of the digital divide, it is the gap between the people who have access to the internet and those who do not. The socio-economic benefits of the information society are rising rapidly as essential information and services, both in the public and private sectors, continue to move online. At the same time, as this trend accelerates, those excluded from the digital economy are increasingly at a disadvantage. Close to half of the world's population, around 47 per cent of the world, have access to the internet (Taylor, 2016). According to the UN Agenda 2030 for Sustainable Development, the focus must lie on bridging the digital divide to facilitate inclusive internet access for all. Developing countries across the world have been doing a credible job at increasing the availability of the ICT. However, there is now a necessity to move beyond providing basic access to enhancing levels of education and skills in information and communication technologies in order to make the best use of digital channels.

HISTORY

The term digital divide was introduced in the mid-1990s and remains an important public policy debate that encompasses social, economic, and political issues (Chalita & Erik, 2011). Given the socio-economic concerns of the developing and underdeveloped countries in the 1990s, the internet was a luxury. The average person in those states could rarely afford it and this started the gap of digital division. The reason why some countries were progressing quickly was because they had the power of the internet that other countries lacked.

Access to computer technology and the internet provides opportunities for vast information exchange, allowing people to exercise their rights in speech and enriching their insight. Given that, Resolution A/HRC/32/L.20 by the General Assembly claimed that unrestricted internet access is a human right. Unfortunately, many do not yet have unlimited access to the internet due to the state of their developing nation, the state of their social and economic class, and due to government restrictions.

To begin with, many individuals do not have access to computer technology and the internet because their country cannot afford such investments. Moreover, access to the internet is disproportional in that a selective population is granted access within a nation. Furthermore, many minority groups are disadvantaged due to their social categorization. With that, they are not typically part of the societies upper economic class and therefore, cannot afford access to the internet. Lastly, several nation-states do not agree in that internet access is a human right. They believe that unrestricted internet access infringes upon a state's sovereignty. Therefore, they would feel the need to filter a citizen's access to certain content. After all, many could agree that the internet and popular culture are a form of cultural imperialism. Additionally, groups within the internet have the capabilities of starting terrorist organizations and rebel groups. Lastly, the question remains, how important is the provision of internet access? Should governments focus first on more pressing matters such as poverty and education? Furthermore, is internet access an inherent human right?

PAST IO ACTIONS AND THE LATEST DEVELOPMENTS

The World Summit on the Information Society (WSIS) was a dual-stage UN supported summit on data and correspondence that included the information society. It took place in 2003 in Geneva and in 2005 in Tunis. Since 2005, following Para 109 and Para 110 of the Tunis Agenda for the Information Society, WSIS-related events occurred on an annual basis in Geneva. One of the WSIS's main points was to bridge the global digital divide, separating rich countries from poor countries by spreading access to the internet in the developing world ("World Summit on the Information Society (WSIS): Sustainable Development Knowledge Platform," n.d.). Furthermore, the WSIS Forum is a global UN platform that facilitates the implementation of the WSIS Action Lines for the advancement of Sustainable Development Goals (SDGs). It is co-organized by the UNESCO, the ITU, the UNCTAD, and the UNDP, in cooperation with all the WSIS Action Line co-facilitators and the other UN organizations. Moreover, it gives an opportunity for data trading, learning creation, and the yielding of best practices while

distinguishing developing patterns and cultivating associations ("8-12 April-WSIS Forum 2019," n.d.). Other international organizations involved in decreasing the digital divide include the Human Rights Council and the OHCHR. To ensure the" promotion, protection, and enjoyment of human rights on the Internet," the Human Rights Council requested the preparation of a report on ways to "bridge the gender digital divide from a human rights perspective. This works in consultation with states, the special procedures of the Human Rights Council, international organizations, national human rights institutions, civil society, industry, technical community and academia and other stakeholders. The OHCHR also issued a report on the ways to bridge the gender digital divide from a human rights perspective. The report is titles as followed: Promotion, Protection and Enjoyment of Human Rights on the Internet: Ways to Bridge the Gender Digital Divide from a Human Rights Rerspective ("OHCHR | Report on ways to bridge the gender digital divide from a human rights," n.d.).

QUESTIONS THE DISCUSSIONS AND THE RESOLUTIONS SHOULD ADDRESS

- How could nations preserve the right of individuals to internet access?
- How can the international community guarantee the people their rights to internet access?
- How can we approach the right to internet access and digital divide from a human rights-based approach?
- How can we minimize the number of victims who are being deprived from this right?
- Does net neutrality affect freedom of speech?

SUGGESTIONS FOR FURTHER RESEARCH

- Propose ways that can either better the formal sector to incorporate more positions with the youth in mind.
- Ways in which the informal sector can remain informal but start contributing to the country's GDP.

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Reinforcing the Responsibility of Businesses to Safeguard Human Rights

SUMMARY

Throughout history, we have seen plenty examples of corporations who exploited human rights through unethical practices for personal gain. Year after year, businesses continue to violate human rights, therefore, measures must be taken to reinforce their responsibilities. In 2011, guiding principles on the relationship between businesses and human rights were developed by the special representatives of the Secretary General. These guiding principles were endorsed in the United Nations Human Rights Council and they recognized the states' existing obligations to respect, protect, and fulfil human rights and fundamental freedoms. Furthermore, it emphasized the role of business enterprises as specialized organs of society that perform specialized functions and are required to comply with all applicable laws and to respect human rights (UNHCR, 2011).

In other words, it states that both states and businesses themselves are responsible for safeguarding human rights. States must protect against human rights abuse within their territory and by third parties, including business enterprises. This requires taking appropriate steps to prevent, investigate, punish, and redress such abuse through effective policies, legislation, regulations, and adjudication. Thus, business enterprises should respect internationally recognized human rights. This means that they should avoid infringing on the human rights of others and should address adverse human rights impacts with which they are involved. If adversity has occurred, the corporation and state must both provide remediation through legitimate procedures.

HISTORY

In the 1990s, an indigenous community in Nigeria called the Ogoni tribe had the misfortune of living on land that the Shell Oil Company wanted to mine for oil. Over decades, they have watched their lands be destroyed and seen all attempts at peaceful protest brutally put down by the Nigerian military. Thousands of the Ogoni were slaughtered and thus, Ogoni academics have labeled this as genocide. In 2009, a lawsuit was brought against Shell because allegations stated that Shell had frequently paid the Nigerian military to brutally quash protests and even helped organize raids on villages opposed to the

opposed to the drilling. This is a clear example of how the business and the state both facilitated the violence against human rights for monetary benefits. As new industries and organizations emerge every now and then, it is more crucial now than ever for businesses to safeguard human rights. Business needs must be granted keeping three objectives in mind: profit, people, and planet. Only when all three are safeguarded equally would it be called responsible leadership.

DISCOURSE ON THE ISSUE

Public authorities must grant employees their full legal rights in their workplace. Yet, until this day, employers and businesses violate their employees' human rights on a daily basis through many different forms, such as minimum wage violation, unpaid wages, physical exploitation, etc., which makes this issue a vital one that should be tackled. Stressing on businesses' part in human rights protection and promotion stems from the increasing awareness of the power that multinational corporations wield. Big multi-national corporations now have evident global presence, and when joint with their necessity to protect their reputation, this generates powerful incentives to guarantee that their operations do not contribute to human rights violations. Additionally, there are increasing chances for companies to expand into nations which have a bad antiquity of human rights guarding. They are also distinctively positioned to watch the human rights position on the ground as the conditions of the people are in hand of those corporations; they can put Human Rights Preserving Laws and the Human Rights Declaration in practice. According to The Guiding Principles, it endorses that firms complete "Human Rights due diligence," (2011) which includes the documentation of actual and possible human rights violations during operations. Consequently, they can monitor their human rights influence at a localized level, leading to much more effective human rights safeguarding. Moreover, augmented awareness on the part that businesses can play in the preservation of human rights has the potential to assist their implementation significantly. This is predominantly so in countries where human rights protection is feeblest; the safety offered by operating businesses in these particular areas may be the main or the only means of perpetuating the peoples' rights.

INTERNATIONAL ORGANIZATIONS' PAST ACTIONS AND RECENT DEVELOPMENTS

States have the legal obligation to fulfill and to protect human rights. However, international human rights treaties generally do not impose direct legal obligations on business enterprises. Legal liability and enforcement for violations of international human rights standards by businesses are therefore clarified largely by national laws, making it the duty of states to translate the international human rights

obligations into domestic law and providing for their enforcement. Evidently, the laws of all states incorporate different securities against human rights maltreatment by business, including work laws, non-segregation laws, wellbeing laws, and ecological laws. These laws have gained substantial support from civil societies, businesses, and states ("Corporate Responsibility to Respect Human Rights," 2012). International organizations have made efforts to address the issue of the Responsibility of Businesses to Safeguard Human Rights. The United Nations Office of the High Commissioner for Human Rights, for example, has addressed it. A pillar of the United Nations High Commissioner for Human Rights Framework of the "Protect, Respect and Remedy" is the corporate responsibility to respect human rights. As previously mentioned, in many cases, the responsibility of businesses to respect human rights is reflected in part of domestic law or regulations relative to international human rights standards. Furthermore, in the sphere of worker's human rights, "the International Labour Organization's Declaration on Fundamental Principles and Rights at Work commits all its member States to four categories of principles and rights: freedom of association and the right to collective bargaining; the elimination of compulsory labour; the abolition of child labor; and the elimination of discrimination in respect of employment and occupation"("UN Guiding Principles on Business and Human Rights : UN Guiding Principles Reporting Framework," n.d.) The International Bill of Human Rights and the ILO conventions are used as reference points for businesses in understanding human rights, how it may affect them, and how to guarantee that they avoid or relieve the dangers of adverse effect. Also, companies might need to consider supplementary human rights standards to guarantee that they protect the human rights of individuals who might be impeded, marginalized, or excluded from society and, therefore, particularly vulnerable to impacts on their human rights. Such people include indigenous groups, women, children, people with disabilities, and individuals of ethnic or racial minorities ("UN Guiding Principles on Business and Human Rights: UN Guiding Principles Reporting Framework," n.d.).

QUESTIONS THE DISCUSSIONS AND RESOLUTIONS SHOULD ADDRESS

- What are some policies or laws that can be implemented by the government in order to reinforce the responsibility of businesses to safeguard rights?
- What human rights can businesses preserve and protect?
- In what mechanisms can businesses preserve human rights?
- How can we minimize the number of human rights violations through businesses?
- How should the conditions that foster and perpetuate the exploitation of workers be dealt with?

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