



FORUM: UN Security Council (UNSC)

AGENDA: “Ensuring accountability for war crimes and civilian targeting in densely populated war zones.”

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Esteemed Delegates and Honorable Advisors,

It is my utmost honor and immense pleasure to welcome every single one of you to TTMUN'26.

Ever since its first session in 2015, TTMUN Conferences have been an undeniable portrayal of unity, collaboration, and resilience by the fellow members of the TTMUN Club. As the executive team of TTMUN'26, we have dedicated countless hours to organize the 11th annual session of TTMUN; while doing so, we have maintained the same passion and dedication with every step we have taken to sustain the quality of TTMUN. That being said, as the Secretary-General of TTMUN'26, I would like to thank my fellow executive team members and our remarkable advisor, Vesile Acar, whose support made it possible to organize this conference and host you here at our school on the 27th, 28th, and 29th of April. Yet, beyond its tradition, TTMUN'26 is shaped by its purpose.

Our mission in TTMUN Club is to foster mutual growth in a collaborative environment where we are not only discussing real-world issues but also work towards solutions. Therefore, in correlation with our mission, we have chosen the theme of TTMUN'26 to be "Bridging Divides in Human Rights". The significance of the theme lies in the unfortunate irony of the persistence of human rights violations. Today, our world is witnessing and turning a blind eye to human rights violations that the United Nations was initially established to ensure that the world would never witness and do so again. Acknowledging this, we, the youth shall not only wait for our turn to come tomorrow but shape it today. Hence, as the executive team, we hope for a fruitful conference where everyone, regardless of their role, contributes to the debates, lobbying, and discussions, bearing the urgency of our global reality in mind.

As we embark on this journey, this mission will be in action over the course of three days as the delegates will have the opportunity to be active in one of nine committees of TTMUN'26 with fifteen diverse agenda items that seek to solve the serious issues that our world is facing. While doing so, let's embrace the unparalleled value of collaboration, respect, and empathy for a better future. Finally, I hope that you have an incomparable MUN experience and once again as the Secretary General, I wholeheartedly welcome everyone to the TTMUN'26.

“All my hope is in youth!”

—Mustafa Kemal Atatürk.

Yours sincerely,

Derin Halatçı - Secretary General

INTRODUCTION

Wars are a harsh reality. No war can be positive, but its existence remains. The duty to regulate those wars, and to ensure that all involved civilians can practice their right to live has been bestowed upon us, the United Nations, the Security Council and its members. It is reality that wars do not only target the directly involved parties (e.g. national armies, etc.) and



that in certain instances it has been observed that the unarmed and uninvolved parties of the nations in battle have taken harm from the ongoing wars. For instance, in the Israeli-Palestinian Clash, it is estimated that around 63 thousand casualties, %83 percent of them being civilians residing in Gaza, were caused in the first year of the war. Furthermore, it'd only be right to state that the actual numbers tend to be higher as the said conflict is still ongoing and not every death can be recorded or documented properly in times of war; even still it is undeniable that civilians have suffered from the wrath of war.

KEY TERMS

The International Criminal Court (ICC):

“The International Criminal Court (‘the Court’) is hereby established. It shall be a permanent institution and shall have the power to exercise its jurisdiction over persons for the most serious crimes of international concern, as referred to in this (The Rome Statute) Statute, and shall be complementary to national criminal jurisdictions.” (OHCHR)

[Rome Statute of the International Criminal Court](#)

Characteristics of the ICC:

- The ICC is the first permanent international criminal court, created by the 1998 Rome Statute and has been in force since 2002.
- The ICC has jurisdiction over individuals, distancing the ICC from the International Court of Justice (ICJ) which has jurisdiction over states, for crimes against humanity.

- The ICC compliments the already existing National Courts (definition can be found below), assists the proper prosecution of criminal-individuals.
- The ICC does not gain its jurisdiction from the UN itself, the “Rome Statute” gives the ICC its proper rights.
- The ICC is not a UN Organ, it is an independent international body which works in accordance with the UN system.
- The court sits in The Hague, Netherlands.
(Oude Waalsdorperweg 10, 2597 AK The Hague)
- The ICC has 6 official languages: English, French, Arabic, Russian and Spanish.
- The ICC holds approximately 900 staff members
- The ICC holds many “Liaison Offices” and “Country Offices” in various states such as: 1 ICC Liaison Office to the United Nations in New York, 6 ICC Country Offices and Field Presences in Kinshasa and Bunia (Democratic Republic of the Congo, “DRC”); Kampala (Uganda); Bangui (Central African Republic, “CAR”); Abidjan (Côte d’Ivoire); Bamako (Mali); and Kyiv (Ukraine).
- The ICC holds 196,852,900 Euros in its budget as of 2026.
- The ICC has issued 61 arrest warrants in total, causing a total number of 22 arrests in assistance with the member states relevant to the cases.

Specific instances where the ICC has acted:

Omar Hassan Ahmad Al Bashir:

President of the Republic of Sudan since 16 October 1993 at time of warrants.

Charges: five counts of crimes against humanity: murder, extermination, forcible transfer, torture, and rape; two counts of war crimes: intentionally directing attacks against a civilian population as such or against individual civilians not taking part in hostilities, and pillaging; three counts of genocide: by killing, by causing serious bodily or mental harm, and by deliberately inflicting on each target group conditions of life calculated to bring about the group's physical destruction, allegedly committed at least between 2003 and 2008 in Darfur, Sudan

The first warrant for Omar Hassan Ahmad Al Bashir was issued on 4 March, 2009; the second on 12 July, 2010. Omar Hassan Ahmad Al Bashir is still at large.

Thomas Lubanga Dyilo:

Former President of the Union des Patriotes Congolais/Forces Patriotiques pour la Libération du Congo (UPC/FPLC).

Charges: Found guilty, on 14 March 2012, of the war crimes of enlisting and conscripting children under the age of 15 years and using them to participate actively in hostilities (child soldiers). Sentenced, on 10 July 2012, to a total of 14 years of imprisonment. Verdict and sentence confirmed by Appeals Chamber on 1 December 2014. On 19 December 2015, Mr

Lubanga was transferred to a prison facility in the DRC to serve his sentence of imprisonment. On 15 March 2020, Thomas Lubanga was released after having served 14 years of imprisonment. The reparations proceedings for victims started on 7 August 2012.

The first and only arrest warrant for Thomas Lubanga Dyilo was filed on February 10, 2006; was unsealed on 17 March 2006.

War Crimes

“Grave breaches of the Geneva Conventions of 12 August 1949, namely, any of the following acts against persons or property protected under the provisions of the relevant Geneva Convention.”(ICC)

(Article 8(2)(a), Rome Statute of the International Criminal Court)

List of War Crimes recognized by the ICC:

Wilful killing, torture, inhuman treatment, biological experiments, wilfully causing great suffering, destruction and appropriation of property, compelling service in hostile forces, denying a fair trial, unlawful deportation and transfer, unlawful confinement, taking hostages, attacking civilians, attacking civilian objects, attacking personnel or objects involved in humanitarian assistance or peacekeeping missions, excessive incidental death, injury, or damage, attacking undefended places, killing or wounding a person hors de combat, improper use of a flag of truce, improper use of a flag, insignia, or uniform of the hostile party, improper use of a flag, insignia, or uniform of the United Nations, improper use of the distinctive emblems of the Geneva Conventions, transfer by the occupying power of parts of its own civilian population into occupied territory, or deportation or transfer of the occupied population, attacking protected objects, mutilation, medical or scientific experiments, treacherously killing or wounding, denying quarter, destroying or seizing the enemy’s property, depriving nationals of the hostile power of rights or actions, compelling participation in military operations against their own country, pillaging, employing poison or poisoned weapons, employing prohibited gases, liquids, materials, or devices, employing prohibited bullets, employing prohibited weapons, projectiles, materials, or methods of warfare, outrages upon personal dignity, rape, sexual slavery, enforced prostitution, forced pregnancy, enforced sterilization, sexual violence, using protected persons as shields, attacking persons or objects using the Geneva Convention emblems, starvation as a method of warfare, using, conscripting, or enlisting children in hostilities, murder, cruel treatment, sentencing or execution without due process, displacing civilians.

Civilian Targeting

“The intentional directing of attacks against civilians (non-combatants) or civilian objects (non-military targets). It is a war crime requiring that the primary target was the civilian population, not merely incidental damage from attacking a legitimate military objective.”(ICC)

Rome Statute of the International Criminal Court, Article 8(2)(b)(i)

National Courts

“A national court is a judicial body established by a country's government to interpret and apply domestic laws, including civil, criminal, and constitutional matters, within its jurisdiction. These courts act as ordinary courts of law, ensuring compliance with both national legislation and, in some contexts, supranational laws like EU law.”

Cooperation with national courts on State aid

War Zones

“A war zone is a designated area, either on land or at sea, where the rights of neutral nations are not upheld by countries engaged in conflict. This term is commonly used in discussions about international law and military operations. In these areas, the rules of engagement and conduct may differ significantly from those in peaceful regions, affecting how nations interact and the protections available to non-combatants.”

<https://legal-resources.uslegalforms.com/w/war-zone>

Defining Factors:

- Humanitarian law establishes different methods to define areas or zones within which special protection will be provided for populations in danger and in which no fighting may take place. The Geneva Conventions and the Protocols make a specific distinction between: non-defended localities, hospital zones and localities, hospital and safety zones and localities, neutralized zones, demilitarized zones.
- For a region to be a proper “safe zone”, must fulfil the conditions: all combatants, as well as mobile weapons and mobile military equipment, must have been evacuated, no hostile use may be made of fixed military installations or establishments, no acts of hostility may be committed by the authorities or by the population;no activities in support of military occupation may be undertaken.

MAJOR PARTIES INVOLVED

The International Criminal Court (ICC):

The agenda item at hand revolves around the fact that war criminals must be punished. One of the relevant organizations to the agenda item is ICC, and the ICC has issued 61 arrest warrants since its start-of-operation in 2002. From those 61 arrest warrants, 22 war criminal individuals have been detained; 32 individuals remain at large. 8 of those arrest warrants have been dropped by the ICC regarding the individual's death.

The International Criminal Tribunal for the former Yugoslavia (ICTY):

One of the other relevant bodies to this agenda is The International Criminal Tribunal for the (former) Yugoslavia. The body was established in May 1993 by the UN to respond to the mass atrocities and war crimes taking place in Croatia, Bosnia and Herzegovina. The ICTY stands to be the first international war crimes court created, and the first international war crimes tribunal since the Nuremberg and Tokyo tribunals. The ICTY has charged approximately 160 individuals with war crimes, regarding the crimes that took place between 1991-2001 in the said region. The ICTY's last trial took place on November 29, 2017; and was disbanded on December 31, 2017. Through its existence the ICTY has managed to charge over 90 of the said 160 charged individuals with war crimes.

Founding document (Res. 827 (1993)) can be found in relevant documents.

The International Criminal Tribunals for Rwanda (ICTR):

Another one of the relevant bodies is the International Criminal Tribunals for Rwanda (ICTR), which was established in 1995 by the UNSC to "prosecute persons responsible for genocide and other serious violations of international humanitarian law committed in the territory of Rwanda, including its neighbouring states, between 1 January 1994 and 31 December 1994. The ICTR is the first international tribunal to define genocide under the 1948 Geneva Convention, address and deliver verdicts on war crimes related to genocide. Furthermore, the ICTR was the first international judicial body to blame and convict members of the media to promote and generate content involving hate speech targeting to create chaos amongst the public. The ICTR has also pioneered considering the act of "rape" as a means of perpetrating genocide. Since its establishment and till its last trial judgement on 20 December 2012, the ICTR has indicted 93 individuals and has sentenced 62 of those individuals.

Founding document (Res. 955 (1994)) can be found in relevant documents.

The Nuremberg Trials:

Another relevant international judicial body related to the agenda, the Nuremberg Trials. The Nuremberg Trials is one of the most infamous trials to have been ever conducted, regarding the horrendous acts committed by the Nazi Germany Regime. The trials regarded approximately 100.000 soldiers as war criminals but only 177 major ranking officers were put on trial and 142 of them were convicted; 24 of them being executed, 20 of them put to prison for life, and 98 of them to long term prison punishment or similar punishments. The Nuremberg Trials could be considered one of the biggest international tribunals.

The International Military Tribunal for the Far East (IMFTE) (The Tokyo Trial):

The Tokyo Trial or the Tokyo War Crimes Tribunal is another one of the international judicial bodies, which was modeled after The Nuremberg Trials to prosecute the leaders of the Empire of Japan for their war crimes. The trial convened on April 26 1946, after WWII was over. The side being prosecuted consisted of 28 Japanese military officers and political leaders. The suspects were charged with 55 counts some of them being: waging wars of aggression, torture and forced labor against prisoners of war and the inhabitants of the

regions occupied by the Japanese, murder and much more. In the end, 45 of the 55 counts were found as righteous; following the trials being adjourned on November 12, 1948. Furthermore, domestic tribunals were held in Allied nations following the path of the Tokyo Trial, resulting in approximately 5700 Japanese military personnel being prosecuted, and 984 of the suspects being executed. The IMFTE could be considered of long nature as it lasted twice the length of the Nuremberg Trials.

The International, Impartial and Independent Mechanism (IIIM):

The IIIM was established by the UN General Assembly in 2016. The IIIM is considered to be a “justice facilitator” that works toward holding individuals accountable for core international crimes, particular war crimes such as crimes committed against humanity and genocide in the Syrian region from March 2011 and onwards. Unlike some of the examples given above, the IIIM does not hold prosecutorial power, nor is it a court of justice. It is merely an independent investigator, built to assist those who are leading investigations and prosecutions against suspected perpetrators of crime in the region. The IIIM works alongside already existing organs in the region such as the Commission of Inquiry for Syria along with other UN entities. Furthermore, the IIIM also conducts independent and targeted investigations through methods such as interviews, collecting documentation and forensic material. The independent investigations are held to a high standard that is being monitored. The IIIM reports are not publicly accessible, the body submits yearly reports to the General Assembly to maintain the confidentiality of their investigations. It is also worth noting that the IIIM only covers acts of crime after March 2011. The IIIM still stands active.

EARLY INSTANCES OF INTERNATIONAL JUDICIAL TRIBUNALS:

The 1474 Trial of Peter Von Hagenbach

The Trial of Peter von Hagenbach stands to be the earliest recognized international war crimes tribunal. A board of 28 judges from the allied Holy Roman Empire states convicted the suspect of charges such as rape, murder and disobeying direct superior orders; leading to him being guilty on all charges and being executed. The trial itself lasted around 4 years, from 1469 to 1474. It is also an undeniable fact that the trial is one of the main reasons for the current status of development the UN has achieved in international prosecution.

The Leipzig Trials:

The Leipzig Trials are one of the early-modern instances of international bodies of jurisdiction. The trial took place between the years 1921 to 1922, consisting of 12 total war crimes allegedly committed by the imperial German armed forces in the duration of the first world war based on the Treaty of Versailles. The Allied Powers planned to extradite over 900 German military officials, however the German government succeeded in averting the extraditions. On 7 May, 1920; the Allied Powers demanded a much shorter and focused list of extraditions which consisted of 45 suspected war criminals. After the German government not being able to avoid the shortened and focused extradition list, the first trials took place in Leipzig, on 10 January 1921. The suspects were charged with robbing a Belgian innkeeper towards the end of the war, one of the suspects ended up confessing to taking part in the

crime, incriminating the other two suspects which resulted in the suspects being sentenced to 5 years in jail. The trial ended with the two last cases taking place on 15 January 1922

CURRENT SITUATION

The first recorded instance of international jurisdiction stands to be the 1474 Trial of Peter Von Hagenbach. Since then, there have been many developments thanks to the UN and other international judicial bodies. Before the International Criminal Court was established by the drafting of the Rome Statute, there were temporary tribunals held in certain countries and regions that proposed a threat to humanity under the category of war crimes etc. For instance, one of the most famous trials ever conducted stands to be the Nuremberg Trials; the trial held after WWII for the punishment of high ranking Nazi SS Officers. *‘The trials regarded approximately 100.000 soldiers as war criminals but only 177 major ranking officers were put on trial and 142 of them were convicted; 24 of them being executed, 20 of them put to prison for life, and 98 of them to long term prison punishment or similar punishments.’*

After the WWII era, there were two more international tribunals held in Rwanda, the International Criminal Tribunal for Rwanda (ICTR), and Yugoslavia, the International Criminal Tribunal for Yugoslavia (ICTY). The tribunals totally indicted and prosecuted approximately 260 individuals for war crimes and crimes against humanity.

RELEVANT INTERNATIONAL DOCUMENTS

The Rome Statute

<https://www.icc-cpi.int/publications/core-legal-texts/rome-statute-international-criminal-court>

The Rome statute is an internationally recognized document that was drafted in 1998 by the International Law Commission (ILC), resulting in the creation of the International Court of Crime (ICC). The Rome Statute consists of 13 main parts, excluding the preambulatory parts. The main parts being: Establishment of the court; Jurisdiction, Admissibility and Applicable Law; General Principles of Criminal Law, Composition and Administration of the Court, Investigation and Prosecution, The Trial, Penalties, Appeal and Revision, International Cooperation and Judicial Assistance, Enforcement, Assembly of States Parties, Financing, Final Clauses. It is highly recommended that the delegates familiarize themselves with the statute as it carries much significance in the agenda, along with the by far most vital international body (the ICC) regarding the issue being directly connected to the document.

Article 8(2)(b) is also considered to be a vital part in the statute, distincting war crimes. Advising delegates to be familiar.

THE AFOREMENTIONED INTERNATIONAL JUDICIAL BODIES/TRIBUNALS:

The International Criminal Tribunals for Rwanda (ICTR) Official Page:

<https://unictr.irmct.org/en/tribunal>

The ICRT carries much significance in international jurisdiction and its history. Whilst yes, the ICTR itself isn't a document; the international tribunal provides detailed information on the processing of war criminals (specifically the war criminals in Rwanda).

The International Criminal Tribunal for the former Yugoslavia (ICTY):

<https://www.icty.org/>

Once again this tribunal carries significance regarding the agenda. Advising all the delegates to take a look.

The Nuremberg Trials Archives:

<https://icj-web.lemn.un-icc.cloud/sites/default/files/documents/library-of-the-court-en.pdf>

A document that has had an undeniable effect on the current international judicial system, could be considered the tribunal that has had the most range in regards to the amount of individuals prosecuted. Directly connected to WWII Nazi Germany.

The Founding Documents of The International, Impartial and Independent Mechanism (IIIM) along with its Web Page:

<https://iiim.un.org/>

Link(s) & Description(s):

UN General Assembly Resolution A/71/248: <https://docs.un.org/A/RES/71/248>

Resolution adopted by the General Assembly on 21 December 2016 to establish the International, Impartial and Independent Mechanism to Assist in the Investigation and Prosecution of Persons Responsible for the Most Serious Crimes under International Law Committed in the Syrian Arab Republic since March 2011.

Report of the UN Secretary-General A/71/755: <https://docs.un.org/A/71/755>

Implementation of the resolution establishing the IIIM. Outlined are the terms of reference of the IIIM including its mandate, methodology, legal framework, protection of victims and witnesses, composition and funding. Also set out are the steps envisaged to ensure the speedy establishment and full functioning of the IIIM.

Report of the Secretary-General A/71/755/Add.1: <https://docs.un.org/A/71/755/Add.1>

Additional report on the implementation of the resolution and on the setting up of the IIIM. Outlines progress made in the operationalisation of the IIIM, notably in terms of administrative set-up and fundraising. The IIIM is now becoming operational and ready to

collect, consolidate, preserve and analyse information and evidence of the most serious crimes under international law.

UN General Assembly Resolution A/RES/74/262: <https://docs.un.org/en/A/RES/74/262>

Resolution adopted by the General Assembly on 27 December 2019 to include the IIIM in the regular budget of the United Nations, implementing a request made when the IIIM was established.

Relevant UN Resolutions:

RES 827 (1993) | Founding document of the ICTY.

<https://digitallibrary.un.org/record/166567?v=pdf>

RES 955 (1994) | Founding document of the ICTR.

<https://digitallibrary.un.org/record/198038?v=pdf>

RES 1593 (2005) | Referred the Darfur situation to the ICC.

<https://www.icc-cpi.int/sites/default/files/N0529273.pdf>

RES 1970 (2011) | Addressed the Libya situation and referred it to the ICC.

[https://docs.un.org/S/RES/1970%20\(2011\)](https://docs.un.org/S/RES/1970%20(2011))

RES 1265 (1999) | First Security Council resolution on the protection of civilians in armed conflict.

<https://documents.un.org/doc/undoc/gen/n99/267/94/pdf/n9926794.pdf>

RES 1674 (2006) | Reaffirmed protection of civilians in armed conflict.

<https://digitallibrary.un.org/record/573969>

A/RES/71/248 (2016) | Established the IIIM for Syria.

<https://documents.un.org/doc/undoc/gen/n16/462/01/pdf/n1646201.pdf>

A/RES/52/134 (1998) | Enhancement of international cooperation in the field of human rights.

<https://documents.un.org/doc/undoc/gen/n98/770/29/pdf/n9877029.pdf>

SOLUTION ALTERNATIVES

- To enforce already existing judicial bodies' (e.g. the ICC, already existing tribunals, etc.) integrity to ensure proper compensation.
- To provide aid to local authorities to support the apprehension of fleeing criminals and to bring them to justice.

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