



## 10th MUNLawS Model United Nations Conference

11 – 13 November 2022, Faculty of Law, University of Ljubljana

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The 10th MUNLawS Model United Nations Conference, held between 11 and 13 November 2022 at the Faculty of Law, University of Ljubljana, was organised by the students and under the mentorship of Professor dr. Vasilka Sancin, Head of the Department of International Law at the Faculty of Law, University of Ljubljana. The conference was financially sponsored by the North Atlantic Council's Public Diplomacy Division and the Faculty of Law, University of Ljubljana. 190 participants took part at this year's MUNLawS Conference. Among several individual applications, 4 university and 6 high school delegations applied.

The conference started with an Opening Ceremony, where the participants were addressed by H.E. Mr Borut Pahor, the President of the Republic of Slovenia (video address), H.E. Mr Juraj Chmiel, Ambassador of the Czech Republic to Slovenia, dr. Marko Rakovec, Director-General of the Department of International Law and Protection of Interests at the Ministry of Foreign Affairs of the Republic of Slovenia, and Ms Christa Allot, Executive Officer at the Court of Conciliation and Arbitration within the Organization for Security and Co-Operation in Europe. The Opening Ceremony was also attended by H.E. Ms Natalie Kauther, Ambassador of the Federal Republic of Germany to Slovenia, and H.E. Mr Johan O. Verboom, Ambassador of the Kingdom of the Netherlands to Slovenia. The Ceremony was also attended by several other diplomatic representatives at the embassies and other diplomatic representations in Slovenia.

The simulations in 8 committees, 2 of them on high-school level, were held at the conference; Security Council (both on university and high-school level) (*Topics: Addressing the Situation in Ukraine, Reform of the UN Security Council*), North Atlantic Council (both on university and high-school level) (*Topics: The Security Situation in the Baltic and Nordic States, Usage of Artificial Intelligence and Autonomous Weapons*), Human Rights Council (*Topics: Prevention of Migrant Smuggling, Human Rights Implications of Mass Surveillance*), European Council (*Topics: Future Generations and Financially Stable Environmental Regulation, EU's Approach to Nuclear Energy*), INTERPOL (*Topics: The Situation in Ukraine: Preventing Crime Proliferation and Weapons Trafficking, Addressing Red Notice Enforceability and Misuse Issues*), and Court of Conciliation and Arbitration within the Organization for Security and Co-operation in Europe (*A*

*fictional case concerning space activities and artificial intelligence between the Republic of Antlia and the Kingdom of Ruchbah).*

The debate of the first topic (*Addressing the Situation in Ukraine*) in the university-level **Security Council** revolved around the establishment of humanitarian corridors in Ukraine enabling the evacuation of civilians from the warzones and the provision of humanitarian aid. The delegates proposed working with Doctors Without Borders and *inter alia* discussed whether their engagement in war-torn regions is plausible. The delegates also proposed the reestablishment of the Black Sea Grain Initiative to enable the export of food to other parts of the world. The adoption of resolution ultimately failed due to a veto. Concerning the topic of the Security Council reform, the delegates proposed an increase in the number of permanent and non-permanent members. Many advocated for a composition of the Council that would ensure balanced representation of different regions of the world. Propositions have also been made for permanent membership of several countries, most notably Germany, Japan, India, and Pakistan. The delegates furthermore proposed a limitation to the right of veto in cases concerning acts of aggression. Due to a lack of consensus, no resolution was passed despite several drafts.

In the first series of the **High School Security Council's** sessions, the delegates explored each others' countries' views on the situation in Ukraine, where they discussed the questions of sovereignty, peace, legality and possible democratic moves forward. After many heated debates, and mediation between the delegations of Ukraine and the Russian Federation, the Council managed to adopt a resolution unanimously. It called for peace, accountability and continual international support for the affected civilian population. The Council, *inter alia*, expressed concern for the violations of human rights, war crimes in particular, for which it concluded, a rightful trial must be held. The Council explicitly shone light on the questions regarding the Wagner Group, the Azov Battalion and the numerous allegations of various internationally recognised war crimes, committed by the soldiers of both countries engaged in the conflict. The second agenda item presented to be a more divisive topic, since two resolutions were presented and ultimately failed. The delegates discussed and debated the issues of fairness and equal representation when it comes to the constitution of the Security Council. But all they could agree on, was that the reform is long overdue.

The **North Atlantic Council** discussed the topics of the security situation in the Baltic and Nordic states and Usage of Artificial Intelligence and Autonomous Weapons. The debate was opened by the first topic since security of Baltic and Nordic states is, after Russian attack on Ukraine, one of the most important topics for members of NATO. The delegates proposed re-establishment of the former US Naval Air Station in Keflavik, Iceland to bolster NATO's arctic and Nordic capabilities. The delegates also supported the establishment of a surveillance framework to enhance observation capabilities in the North Atlantic and to further extend the cooperation between the involved powers to reach common goals especially to secure GIUK gap. The delegates also agreed that the Republic of Türkiye should work with the Kingdom of Sweden and in return complete the accession bids by the Kingdom of Sweden and the Republic of Finland. The delegates also raised their voices in support of Indigenous Communities of the Arctic and the Alliances goals regarding the safety and well-being of the Indigenous People. The debate on this topic also touched the responsibility of

NATO members to fight climate change and the always elusive goal of 2% GDP defence spending. The Communiqué on the first topic was adopted as member states reached consensus. On the topic of Artificial Intelligence and Autonomous Weapons the debate revolved around banning or not fully autonomous weapons, with member states agreeing that such a banning would be premature. NATO delegates recognized the importance of future detailed categorization of weapons and stressed the importance of the Convention on Certain Conventional Weapons along with the rules and provisions it has established. Unfortunately, the time was scarce, so the delegates decided to vote on a Press Release which ultimately passed.

The **High School edition of the North Atlantic Council** held the discussions on the same topics as the University one. The discussions on the first topic were strongly infused by the ongoing Russian-Ukrainian crisis, as most delegations proposed the means of preventing the Russian military expansion to ensure security of the Baltic and Nordic states and requested an inclusion of both the Kingdom of Sweden as well as the Republic of Finland into the NATO alliance. However, the delegates, despite the magnitude of the ongoing Russian invasion in Ukraine, managed to pass a Communiqué, which included other factors and solutions to the countries' stability and hence greater security, such as the installation of renewable energy sources to reduce the melting of the arctic while also distancing the subject countries from “Russian“ energy and gas. For the second topic the delegations managed to coin and present their common definition of fully autonomous weapons in the final resolution, while acknowledging the importance of strategic competition for international security. In conclusion, the high-school delegates who were also predominately first-time Model United Nations attendees, managed to demonstrate virtue, perseverance and a high level of diplomatic maturity given their age, managing to pass communiqués on both topics with the required consensus.

The delegates in **Human Rights Council** addressed two topics: *Prevention of Migrant Smuggling* and *Human Rights Implications of Mass Surveillance*. Regarding the first topic, the delegates agreed that the main goal should be to adopt legislation that punishes smugglers instead of victims of smuggling. The debate revolved around the questions of how to increase the budget of International Organization for Migration (IOM) and the creation of the new department within the United Nations Office on Drugs and Crimes, strengthening the cooperation in the area of migrant smuggling. In the end, the delegates concluded that it is important to find new ways of tracking the migrant smuggling. Concerning the topic of Human Rights Implications of Mass Surveillance, the delegates agreed that it is of immense importance to adopt a common legal definition of what the mass surveillance is. Furthermore, they realized that the topic of the usage of mass surveillance cannot be looked upon as black and white. Some great examples of how the mass surveillance can be used for a good cause, were given. Most importantly, the delegates agreed that the surveillance tools cannot be used in any discriminatory way. One resolution for each topic was adopted in the Human Rights Council.

**INTERPOL's** General Assembly discussed the *Red Notice enforceability and misuse issues* as well as *the situation in Ukraine: crime proliferation and weapon trafficking*. Within the first topic, the Assembly addressed a wide spectrum of possible solutions, ranging from upgrading the Red Notice Database, enabling better evaluation of validity of certain crimes, establishing a specific Working Group to tackle the system abuses and cyber tracking, implementing a system of thresholds and consequences such as “red flag warning”

to tackle abuses and empowering individual subjects with more time efficient legal remedies. The delegates also wished to additionally empower the Commission for the Control of INTERPOL's files (CcF) and National Central Bureaus (NCBs). Concerning the second topic, the delegates established the FALCON Project (FireArms Location Control Operational Network) with specific new duties, as well as a Working Group to ensure the obedience of legislation. Additionally, the delegates called upon many actions to enable further cooperation between Member States. The committee adopted three resolutions.

The **European Council** discussed *EU's approach to nuclear energy*, as well as *Future generations and financially stable environmental regulation*. Because of its duality and controversial nature, the Council decided that the first topic to be discussed is the one concerning nuclear energy. The debates were fruitful, and the delegates tackled the questions of economics, external policy, the role of renewable sources of energy production and decommissioning of nuclear power plants. The Council reached the required consensus, which resulted in the adoption of two Conclusions. The two remaining sessions allotted to the second topic under which several subtopics were addressed, especially those concerning individual member states, i.e., taxation systems, subsidies, switching from fossil fuels to hydrogen and investments. The delegates concluded the discussions on the second topic by issuing a joint press release, which passed the vote without abstentions or votes against. The simulation of the European Council was organised as part of the Central European Professors' Network, coordinated by the University of Miskolc – Central European Academy.

The Case before the **Court of Conciliation and Arbitration within the Organization for Security and Co-operation within Europe** between the Republic of Antlia as the Applicant and the Kingdom of Ruchbah as the Respondent, concerned space activities and artificial intelligence. The Applicant and the Respondent concluded an agreement ("Ankaa Agreement") to develop a software for satellites together. The Applicant argued that the Respondent breached the Ankaa Agreement by launching the satellite without its explicit consent, while the Respondent claimed that the consent, pursuant to Article 3 of the Ankaa Agreement, does not need to be explicit, but the mere presence of the Head of the Applicant's Space Department suffices as an indication of the Applicant's consent of the launch. Moreover, the Respondent argued that it was the Applicant who breached the Ankaa Agreement by not performing its duty to provide an accurate database for the software, which consequently caused the accident in its opinion. The Court agreed with the Respondent regarding the consent, which is needed to make decisions pursuant to the Ankaa Agreement, such as launching the satellite. Thus, given that the Applicant did not object to the launch, although it could easily do so at any point and even continued to provide the data to the Respondent after the launch, the Court found that the silent consent was sufficient. Regarding the Applicant's duty to provide the database, the Court found that it would be impossible to always provide completely correct information about the space due to its nature. Thus, it found the Applicant had the obligation of means, not of the result. However, it agreed with the Respondent that the Applicant breached the Agreement by being negligent. In conclusion, the Court found that the Applicant breached the Ankaa Agreement, however it concluded that both states are the launching states of the satellite and thus share liability.

The Security Council at university level was presided by Metka Vodušek and Vid Lobnik. The Best Delegate in the committee was Rakhym Annabaye (Mexico), and Outstanding Delegate Emilien Mercenier (France). Anthony Makhovik (China) received an Honourable Mention. The Security Council at high school was presided by Neža Kejžar and Gal Gabrijel Vilfan. The Best Delegate in the committee was Štefan Grašič (Ukraine), and Outstanding Delegate Polina Kaspranova (the UK). Matteo Yang (the USA) received an Honourable Mention. The North Atlantic Council on the university level was presided by Xiomara Cusatti Delgado and David Ljube. The Best Delegate in the committee was Benjamin Nahtigal (Iceland), and Outstanding Delegate Anna Stypułkowska (Canada). Peter Pollak (Germany) received an Honourable Mention. The North Atlantic Council on the high school level was presided by Ana Mencin and Aiden Jurij Franko. The Best Delegate in the committee was Aleksandar Vuković (the UK), and Outstanding Delegate Lola Bonherbe (the USA). Athanasios Kristovas (Denmark) received an Honourable Mention. The chairpersons in Human Rights Council were Lea Zahrastnik and Rok Šarić. Thomas Besada (China) was titled the Best Delegate, Jules Catharina Marijke van Eldern (Ukraine) Outstanding Delegate, Honourable Mention was given to Evelyn Bayerlin (the USA). Marta Lipovec and Žan Gulič Nosan served as the chairpersons of the European Council. The Best Delegate was Lana Simončič (Germany), Outstanding Delegate Güneş Görpelioğlu (Romania), Mohammed Kerraz (Slovakia) received an Honourable Mention. INTERPOL was chaired by Maja Kalin and Eleni Radovits. The Best Delegate in the committee was Justus Augustin (Switzerland), and Outstanding Delegate Melissa Smovnik (France). Miodrag Popović (Poland) received an Honourable Mention. President of the OSCE Court of Conciliation and Arbitration was Žana Lapajne. Best Agent was Coco Haag, and the Best Arbitrator Lisette Melick. Gimnazija Kranj was awarded the title of Best High School Delegation, while the Poly Model United Nations Lausanne was titled the Best University Delegation.

The MUNLawS 2022 Organising Committee Consisted of:

- Professor dr. Vasilka Sancin as the President of the Organising Committee
- Gal Veber as Secretary General
- Mark Jeršič as Deputy Secretary General for Academics
- Jakob Mišič Jančar as Deputy Secretary General for Logistics
- Metka Vodušek as Director of Communications
- Žana Lapajne as Director of Administration
- Rok Kljajič, Conference Coordinator

Ljubljana, November 2022