# CONTENTS

INTRODUCTORY LETTERS ........................................................................................................... 3

The United Nations Office on Drugs and Crime (UNODC) .......................................................... 4

Topic A: Legal Status of Recreational Drugs ............................................................................. 5
   Introduction ................................................................................................................................. 5
   History of the problem ............................................................................................................... 6
   Statement of the problem ......................................................................................................... 8
   Bloc Positions ......................................................................................................................... 10
   Questions a resolution must answer ....................................................................................... 11
   Conclusion ............................................................................................................................... 12
   Suggestions for further research ......................................................................................... 13
   BIBLIOGRAPHY and useful links for research ............................................................... 13

TOPIC B: Improvements to the International Arrest Warrant system ................................. 16
   Introduction ............................................................................................................................... 16
   History of the Problem ........................................................................................................... 17
   INTERPOL ............................................................................................................................... 19
   The European Arrest Warrant .............................................................................................. 20
   Other International Perspectives .......................................................................................... 20
   Statement of the Problem .................................................................................................... 21
   Bloc Positions ....................................................................................................................... 24
   Questions a Resolution Must Answer .................................................................................. 27
   Conclusion and Suggestions for Further Research ......................................................... 28
   Bibliography ........................................................................................................................... 28

CONFERENCE INFORMATION .................................................................................................. 31

POSITION PAPERS .................................................................................................................. 32

CONTACT DETAILS .................................................................................................................. 33
INTRODUCTORY LETTERS

Dear Delegates,

My fellow chair and I decided to propose two interesting topics of much importance to all UNODC member states. They will require your thorough research and full participation. Keeping in mind that our collaboration’s main goals are the opportunities to the future leaders of the world, it is a great honour for me to participate as Director in our sessions. I am delighted to share this experience with Alexia and Octavian. It is my privilege to welcome you all, to the United Nations Office on Drugs and Crime (UNODC) committee.

I look forward to meeting you all soon,

Jose Antonio Villena

jvillena@usal.es

Distinguished Delegates,

Welcome to UNODC. A complex committee which intends to lure you into effective discussions. You are requested to use the following document as a guide to your research, but you are more than welcome to extend your information sources. Do not hesitate to contact me for any questions.

Alexia Sideris

alexandrasideris@gmail.com
The United Nations Office on Drugs and Crime (UNODC)

The United Nations Office on Drugs and Crime (UNODC) is an agency of the United Nations that has as main objective the fight against drugs and the transnational organised crime. The UN decided to create this specialised office in 1997 with the purpose of fighting the increase of drug trafficking and drug production, and for the rise of developed sophisticated crime organisations.

With headquarters in Vienna, Austria the UNODC tries to respond to the UN and the international community on the issues of “the interrelated issues of illicit trafficking in and abuse of drugs, crime prevention and criminal justice, international terrorism and political corruption.”

The UNODC branches and main strategies to combat drug and crime are to support the governments in implementation of diverse legislations, international treaties and laws against drugs, crime, terrorism and corruption. UNODC fosters research, guidance, and support to the countries in the adoption of those legislations and international documents. Additionally, the Office gives technical and financial assistance to the governments to face their respective situations and challenges in those fields.

---

1 Text taken from the Document of Creation of the UNODC (1997)
Topic A: Legal Status of Recreational Drugs

Introduction

The first topic to be discussed, the legal status of recreational drugs, has different points to be analysed. What is a recreational drug? What are the main problems to face when the international community wants to create universal criterion determining some drugs as recreational?

According to medical dictionaries, the usage of recreational drugs tends to enhance sociability and liberate inhibitions, allowing the user to experience feelings of euphoria. A recreational drug (such as cocaine, marijuana, or methamphetamine) is considered to be one, which is used without medical justification for its psychoactive effects often in the belief that occasional use of such substance is not habit-forming or addictive. Every country has a different list of recreational drugs, but the main ones are: opiates, psychedelics, anaesthetics, cannabis, and stimulants.

Before presenting further details some clarifications on the UNODC structure are in order. Consisted of four commissions (namely: Commission on Narcotic Drugs, Commission on Crime Prevention and Criminal Justice, Governance and Finance WG, Secretariat to the Governing Bodies) and a wide range of priorities ranking from the general prevention of crime to illicit drug trafficking.

For the purpose of this guide only the following are necessary: The Single Convention on Narcotic Drugs of 1961 (as amended in 1972), the Convention on Psychotropic Substances of 1971, and the United Nations Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances of 1988, which include insight and detailed view of the provisions on illicit drug trafficking and drug abuse.
Many sub commissions get actively involved in this topic. Our interest is primarily concerned with the activities of the main ones. These are: The Commission on Narcotic Drugs. Created by the Resolution 9(I) of 1946 to assist, one of the main UN pillars, the ECOSOC. Despite alternative initiatives, its main interest remains in the money related activities. It is expected that this year’s review will offer an opportunity for an in-depth discussion of the issue.

Along with the CCPCJ it serves as advisory body both to the Member States and the Office in general. Let it be noted that their agenda is also discussed in the 3rd and 5th GA committees. The other one is the International Narcotics Control Board, a monitoring body responsible for the implementation of the United Nations international drug control conventions. Both of them refer through their report to the Economic and Social Council.

It is evident that with the development of technology and with the production of sophisticated techniques and tools, the production of drugs (legal and illegal) also was developed. Several governments suggest that with the control of their agencies, the recreational drugs can be used without risks.

**History of the problem**

The impulsive need for recreation for humans and animals originates back in time. Not only tobacco but pills as well, have offered unlimited pleasure to all social classes.

Evolution has inevitably shown the humanity many negative aspects of what used to be a panacea. Alcohol was discovered and drunk during the Stone Age with miraculous health effects. In our days, scientific reports have highlighted the widely known side effects.
Many plants and their respective products containing psychoactive chemicals have been consumed in all possible ways by people all over the world. Opium was known in ancient Mesopotamia. Chinese physicians used to prescribe marijuana for malaria. Homer’s Greece was familiar with cannabis and the Scythian warriors medicated themselves on its leaves before going into battle. In a surprising turn of events, American soldiers did the same during the Vietnam War.

Among indigenous tribes, it is common knowledge that the hallucinogenic experiences were incorporated in an original and difficult to understand manner into the social life. Tobacco leaves were smoked during a period of contemplation and meditation that preceded all important tribal decisions, meetings, religious ceremonies and rituals and tobacco pipe smoking commonly marked the end of hostilities between tribes.

Early attempts to regulate many of these drugs date back to 2200 B.C. Many cultures have historical records of codes or laws enacted to control the use of a wide variety of drugs within their societies.

It has to be taken into consideration that drug use can serve as an indication of social cohesion and political welfare. For example, during 1600-1800 AD, the governments tried to remain focused on wider national health concerns for communicable diseases. Stepping into the time of insufficient public infrastructure elements, but updated pharmaceutical industry newly developed drugs became highly available allowing the interference with productivity and one’s individual progress. Thus, a change in the public’s attitude toward drug use was generated and created some of the first contemporary legal documents. These social events gave rise to several temperance movements between 1820 and 1850 and what could be ironically called the first War on Drugs. In the late 1800s a growing number of institutions were formed to treat alcoholic and drug addicts but with limited practical success.

On an international scale though, no restrictions on or drug availability existed until the 1911 Hague Opium Conference. The goal of this conference was to
have each country establish legislation to help control the worldwide narcotics trade. Until the late 1980s the public’s tolerant opinion with the pick of the hippie’s period presented recreation as a possible mean of opening inner vista that could lead to the ending of high importance problems such as war, violence and alcoholism. From the beginning of the 1990s since today the debate continues.

Until today different cultures use recreational drugs in different ceremonies and rituals. The drugs used there are not always those known in western cultures, so there is indeed a difficult problem in governments to determine which drugs are legal, which may be considered recreational and which illegal in all the aspects. In some countries, regions or towns that conserve and protect the life of ancestral communities and indigenous cultures respect the traditions and consume of recreational drugs inside the borders of those regions or towns, and respecting the rules and ancestral legislation of those communities.

Statement of the problem

Before us lies a very difficult debate with the concealed question of the limits of individual’s liberty.

What are the moral rights of a drugs user in our time? Is a constitutional violation taking place when an adult simply exercises his or her right to take a drug?

Another unclear problem is the definition of criminalisation. To criminalise means that a certain act is a criminal offence. In addition, sometimes criminalisation is used to include a reduction in the severity of criminal punishments. Which are the necessary criterions for a recreational drug in order to become criminalised or legal? A possible punishment of the user equals to the illegality of the essence? Is a restricted and in terms reviewed legalisation in order?
Estimating the radical changes that the economic crisis brought, the renewed rise of some political beliefs such as liberalism and the widely divided public opinion will try to present the main arguments for both sides. The effects on health are notable and widely understood therefore not further discussed.

Over the last years criminalising recreational drug use has not worked very well in many cases. Instead, statistics show that the only ones to benefit from the situation are the members of the “industry” which provides those drugs. It needs to be stressed out that our modern world is full of potentially harmful things. Personal will and accountability are ultimately unavoidable. If a person does not wish to receive any form of treatment, this must be accepted by the society.

Labelling an action as illegal does not bring the immediate end of it. The same can be stated for alcohol, smoking and even obesity. Further on, there is a lack of universal indication and it is an economic fact that producer countries are better off after legalising drugs. In this way the maximum reduction in “drug money” and underground violence could be achieved.

Fortuitously, legalisation is the right policy for a slew of other reasons. Prohibition of drugs leads to corrupted politicians and law enforcement by putting police, prosecutors, judges and politicians in the position threatening the profits of an illicit trade. Law-enforcement costs connected to drug crimes would fall significantly. Would drug-related crime increase?

Legal and imprisonment costs would fall with fewer cases and fewer prisoners. In this way, a higher level of social security is to be expected.

Currently governments such as Uruguay in South America, or some States in the USA are debating possible legal frameworks that may admit the legality of recreational drugs. Many others respect the legislation of indigenous communities in special or determined regions that conserve the uses of some drugs as part of the culture.
Bloc Positions

It is important to acknowledge that in the UNODC the role of the United States is relevant. The USA as a country does not admit or support a legal status of the consuming, production or trade of recreational drugs (even currently there are some states in the USA that support the idea of a legal status or already took the decision). The USA supports the idea that it is better and cheaper to combat all kinds of drugs than to invest huge amounts of money in health programs to organise the recreational consume of drugs, or even worst to attend the rehabilitation or medical attention of the consumers in hospitals, centres or society in general.

The European Union usually supports the position of the USA, but scientific research and analysis for the topic that can change the EU position. Other countries of Europe (non-European Union members) prefer to support the policies of the Russian Federation that is radically against a legal status. In this case, the view of the PR China is similar the Russian, but with a stronger policy.

The Latin American countries, started to support the idea that is better to debate inside their societies, keeping in mind that the past and current effort to stop the consume of drugs, their traffic and production is having negative results. Bolivia, Guatemala, Brazil, Argentina and other left-wing governments in Latin America are starting to admit that it is better to give a legal status to recreational drugs. Uruguay already adopted the legal status of these drugs. The main allies of the USA in the region (Mexico, Colombia, Panama, and most part of Central America and Caribbean countries) prefer to support the position of the USA without an independent perspective. Cuba has a similar position in the topic as the Russian one. Analyse the meetings of the UNASUR and Cepal.

The South Asian countries and India prefer to keep the things as they are today, tolerating only the traditional “drugs” used in their cultural traditions. The analysis done by the ASEAN should be important to research.
Australia and New Zealand are undergoing similar debates as in South America, with a possible support to the Uruguayan position (“progressive” political parties).

Canada and Israel are thinking of having a stronger resemblance with the Uruguayan experience.

Questions a resolution must answer

There are several questions that a resolution on our topic should answer. Some of them are:

• Is there a real difference between heavy drugs, illegal drugs and recreational drugs?
• What are the recreational drugs?
• Do we have to make a new list of what are considered to be recreational drugs?
• Are sales, production and consuming of recreational drugs different from others?
• Do the same policies to combat heavy drugs should be taken for recreational drugs?
• Is the legal status of recreational drugs a solution for the violence and criminality?
• Is there any necessity to give a legal status to recreational drugs?
• How are the interests of drug dealing business involved in this topic decisions?
• Was the “Legal status of recreational drugs” established by economical interests, social affairs, health or security?
As in other topics, the previous mistake was to only analyse the perspective and interests of the western and developed countries and not to analyse the opinion of other regions of the world?

Do the ancestral traditions and customs have to be studied in this topic for a final decision?

How important is the health of our societies in the adoption of a legal status of recreational drugs?

**Conclusion**

The levels of drug consumption the difficult global social assistance and rehabilitation, the economy involved and the raising violence and criminality make urgent a debate about recreational drugs and their probable legal status.

Once we establish this question, we have to debate if the legal status is a question of international law, criminal law, security, health, philosophy, cooperation, solidarity, moral, ethics, religion or economy. Believe it or not, all these subjects are included in the intense debates inside national parliaments.

The fact is that criminalising recreational drug use has not worked. The consumption and the violence were increased after the strong criminalisation. Day by day, year-by-year the percentage of production and traffic of drugs grow in national and international economy. The plans developed by the USA in Colombia or Afghanistan to stop drug production of recreational drugs (and the heavy ones) spent billions of dollars and have contradictory results.

As we explained before, statistics show that the only ones highly benefited from the situation are the members of the “industry” who provides these drugs.

Is maybe the moment to decide about the maximum reduction in “drug money” and underground violence that shakes the international community?
Suggestions for further research

For a complete research into this topic it is important to analyse (as we previously suggested) the perspective of different governments and countries positions, different from the western and developed countries that manage the UN. It is also important not to limit our vision to the European analysis.

The delegate should research different areas such as: health policies, social background, national position of different countries, questions of security and intelligence, economy, finances and evidently, politics.

It is important to find the perspective of the different political parties of Uruguay, Brazil, India, China, Russia, Israel, Cuba and the USA. The delegate will be surprised to find different doctrines and claims among countries that usually have a “non-flexible” perspective.

BIBLIOGRAPHY and useful links for research


7. Cambridge University Press, Drugs and Rights, The Legalization of Drugs, Douglas N. Husak, Peter de Marneffe, p 100-120

8. Legalize This!: The Case for Decriminalizing Drugs


www.un.org

www.unodc.org

www.asean.org

www.unasursg.org

www.oas.org

www.cepal.org


http://www.bbc.co.uk/schools/gcsebitesize/science/aqa_pre_2011/human/drugsandhealthrev5.shtml

http://www.huffingtonpost.com/2013/07/01/marijuana-legalization_n_3529986.html

TOPIC B: Improvements to the International Arrest Warrant system

Introduction

After the creation of the United Nations in 1945, international methods of solving the problems of peace and security began to be shared amongst different countries and regions. Visions of empire and dominant nations in the world system began to decrease. The main reason, a basic staple of international cooperation in the solution to global problems, cooperation.

With cooperation between diverse countries and regions of the world, different solutions were reached under the framework of international law in an improved environment of peace and security. Many international institutions, organs and agencies were created by the United Nations and multiple agreements were celebrated on behalf of international peace and stability. With cooperation over different problems, nations found a way to work together while retaining their individual sovereignty.

After a few decades, nations developed an alternative method for solving, both post- and pre-emptively, problems that plagued their regions: integration. To this end however, nations were forced to relinquish a portion of their sovereignty.

Currently, with respect to several programs and goals the international community has multiple methods to approach their problems: nationally, globally and through cooperation and/or integration. With regard to the UNODC topic of “Improvements to the International Arrest Warrant System”, we have to analyse it from the international cooperation perspective, the view of international integration of systems. International cooperation, lead by UN international agreements and resolutions, has the challenge of improving, yet in keeping with the goals and steps that have been taken by the General Assembly and specialised agencies.

On the other hand, regional processes of integration, such as the European Union (the most relevant example), produce cooperative regional systems, such as the new and now implemented European Arrest Warrant system (EAW). The EAW is
a process that allows European countries to share information between national intelligence or national security agencies to promote and strengthen their common security both externally and internally to the European continent. The system facilitates the capture of criminals and combats delinquency and criminality across the region.

With the improvement in technology within global security plus the development of the International Criminal Police Organization (INTERPOL) that works cooperatively with almost all police and security agencies in the world, in addition to numerous new international agreements and resolutions to combat international crime and transnational crime networks, is it not time to adopt a new level of international cooperation? A new Arrest Warrant system common to the globe as a whole?

**History of the Problem**

Since the beginning of humanity, crime has existed. Legends exist around crime, criminal organisations, people who have been prosecuted, fugitives, prison sentences and punishments. In tandem with this, government have attempted to capture these fugitives and bring them to trial for their crimes.

Before the creation of the United Nations, different nations all had their own legislation and procedures to arrest and charge criminals. This occasionally made it easy for a fugitive to hide from his own laws, by merely crossing an international border. To combat this, institutions were created, agreements forged and legal conventions ratified between nations. Perhaps the most important of all these principles was that of extradition.

In few words, extradition is “the transfer of an accused from one state or country to another state or country that seeks to place the accused on trial (to warrant the arrest). The Extradition comes into play when a person charged with a crime under state statutes flees the state”.

Before extradition however, there still existed intention to arrest beyond
national borders. However, each of these attempts was an isolated effort, without institutional backing, without a living basis to set precedent for future cases. Armies collaborated on specific projects under certain alliances just as empires, confederations or kingdoms cooperated together to combat, protect or capture mutual friends or enemies. The goal was still the same however, to achieve peace and security.

Extradition is a legal measure created to warrant and aid in the arrest of specific criminals outside of a judiciaries territorial borders. The first extradition treaty recorded in history is that of Ramses II of Egypt and the Hittites in the year 1258AD, in the Treaty of Kadesh. This warranted the repatriation of criminals and political fugitives from one territory from the other.

After this agreement was struck, there were more examples of not only repatriation but also of arrest. One of the older examples of this stems from an extradition and arrest warrant agreed between the United States of America and the United Kingdom in 1794. While it was not a treaty as it consisted of just one article that purposefully espoused the benefits of maintaining security and peace after American Independence, it did set a legal precedent. Then in 1872 the first modern extradition treatise between the USA, Ecuador, Venezuela and Cuba were born to combat homicide, criminals, pirates, rebellions, destruction of public property and the falsification of legal documentation.

At this point, extradition moved beyond merely being an international arrest warrant system and took on a life of its own. In the 20th Century, the creation of national police or security services in most nations of the world hailed the beginning of a new wave of cooperation. However all attempts to formulate agreements over international arrests failed until the Monaco Congress of 1914, that was the first International Criminal Police Congress.

Later, in 1923, the International Criminal Police Commission (ICPC) was successfully founded in Vienna and became the forerunner of the modern INTERPOL. However, after the onset of the Second World War (WWII), the conflicts in Europe and western Asia damaged the functioning of the ICPC, and its powers were suspended or modified. However, it had demonstrated that the world wanted
an international cooperation police agency, and the basis for INTERPOL was born.

For the purposes of this topic, INTERPOL represents the most important organisation at the world’s disposal. A unique global institution in charge of international cooperation on arrest warrants and seizure. It only received its current name in 1956 and moved its headquarters to Lyon in France.

**INTERPOL**

According to UN data, INTERPOL represents the largest number of cooperating states and subsequently the second largest intergovernmental organisation after the United Nations itself. Its work “focuses primarily on public safety, terrorism, organised crime, crimes against humanity, environmental crime, genocide, war crimes, piracy, illicit traffic in works of art, illicit drug production, drug trafficking, weapons smuggling, human trafficking, money laundering, child pornography, white-collar crime, computer crime, intellectual property crime and corruption”.

INTERPOL itself functions around the clock although is not responsible for making arrests itself, has no jails or prisons and holds no independent jurisdiction. Rather, it functions purely as an organisation that shares information collaborating actions to make arrests. It works with law-enforcement agencies from all its member states and provides communication and database assistance for fighting international crime.

INTERPOL’s databases help law enforcement to pinpoint international crime rings and syndicates. In its constitution is enshrined the task of logging and tracking criminals and crime trends from around the world via a secure worldwide communications system. This network allows INTERPOL agents and member states to contact each other securely, at any time. It has no aspirations to create an international arrest warrant system, rather to improve existing cooperation and utilize technological innovations and new data sharing and compilation methods to enhance its work with member states.
While it has no jurisdiction, INTERPOL does have Incident Response Teams (IRT) that “offer a range of expertise and database access to assist with victim identification, suspect identification and the dissemination of information to other nations’ law enforcement agencies”. To this end, INTERPOL “maintains collections of fingerprints and mug shots, lists of wanted persons, DNA samples and travel documents” that it can analyse and distribute to the relevant nations.

The European Arrest Warrant

With increased regional cooperation, integration between nations has become a more common method for achieving common objectives. The EAW plays a role as the instrument of collectively combating crime in the region, achieving or moving towards one axis of the EU: the creation of a European common space of security. The EU, in 2002, created the EAW as an easy way of achieving this collective security, a fast-track system for surrendering people from one European country to another to face trial or serve a prison sentence.

The EAW has a primary objective, real police cooperation. In addition, it strives to create common institutions with unique data integration, not merely sharing, to combat transnational crime in Europe. For many experts the EAW provides the foundation for a future unique global international arrest warrant system. Yet leading institutions such as the Criminal Law department at the University of Oxford considers the EAW to be merely an improvement on current extradition practices.

Other International Perspectives

From the view of International Criminal Law, the United Nations needs to urgently adopt practices and suggestions from the world as a whole. It is evident that the United Nations’ perspective on an international arrest warrant system lies solely in the hands of ‘The West’. Despite this being suggested decades ago, this is a problem that continues to play a large role in international politics, even playing a
more pressing role each year.

Today, emerging nations are the protagonists of contemporary development, building their economies and engaging in international politics. Power wielded by Russia, Brazil, India and specifically China, demonstrate an increasing ability to influence and affect international decision making. As a consequence, most agreements and speeches on the topic now include perspectives and initiatives from countries outside the West. As has been demonstrated, crises in the Europe and the US have sparked development in these nations, allowing them a greater allowance and influence over their own legislative and judicial bodies and for a greater participation in international debates and reform processes.

Thus, what should the United Nations say about real representation in global policies on behalf of international justice, criminality and prevention? Do the measures and actions that we take in the West mirror the objectives and methodological practices of other developing nations? Or does it merely reflect “Western Structures of Justice”? Do these policies and methods have enough flexibility built in to adapt to different regions on the planet? Do we have to improve these structures to cope with changing circumstance? Or perhaps, do we have to formulate a new international system for arrest warrants and extradition?

Statement of the Problem

Under current circumstances, a new 'Cold War’ is being experienced. Extradition requests are usually ignored or delayed as political tactics or for national gains. For international peace and security, the subject of arrest warrants is a difficult puzzle to solve. Although we live in a time of heightened global cooperation, global institutions and regional agreements for integration, in many cases, criminal organisations work more efficiently than the justice system. Delays and bureaucratic inefficiency leaves the system crippled. Asylum concessions and authorizations are also used to block extradition requests, adding to the tension. Often, those being extradited are wanted for political crimes, and as such, host
nations feel a stronger political necessity to protect that individual from being extradited; for example the cases of Julian Assange or Edward Snowden. Evident wielding of political power against the judicial system.

More importantly, the difficulties in arresting crime lords, terrorists or even a common criminal, are increasing. As more technology is used to assist in the committal of acts in violation of national laws, enforcement agencies have a harder time at keeping track of suspects. Crime is now transnational, cross-border and fast; three distinctive enemies of the international arrest warrant system.

In all these cases, it is clear that INTERPOL wields little individual power. Its job is harder than ever before to execute, with political blocks from every corner. Additionally, as technology arrives to assist in cooperation between agencies, it is increasingly used to subvert these systems and allows nations to gather information independent of one another.

It is extremely important at this point to understand the conditions under which extradition becomes possible. Firstly, the extradition is exercised under judicial procedures where a criminal accused or a condemned person is arrested in a state that is different from the one where the crime was committed, and returned to the first to face trial or a prison sentence.

Even if there is a high level of cooperation between states with regard to international arrest warrants and crime repression, there is the legal precedent that no nation is required in any faculty to extradite a foreign national, criminal or otherwise unless a treaty to that effect has already been ratified. When there is no such treaty or international convention, the state in question retains the right to withhold this foreign national indefinitely. This is additionally the case when a host country grants the suspect in question the right to asylum.

To apprehend criminals, INTERPOL uses a system called the 'INTERPOL Red Notice'. It is considered to be the “closest instrument to an international arrest warrant in use today”. The procedure takes place as follows:

1. INTERPOL circulates notices to member countries listing persons who are wanted...
for extradition. All the names of the people listed in the notices are placed on the “lookout lists”;

2. After the notices circulated, when a person whose name is listed comes to the attention of the police abroad, the country that sought the listing is notified through Interpol and can request either his provisional arrest (if there is urgency) or can file a formal request for extradition;

3. The Red Notice is issued;

4. When the Red Notice is issued, the prosecutor's office is obligated to do whatever work is required to produce the necessary extradition document, within the time limits prescribed by the controlling extradition treaty whenever and wherever the fugitive is arrested.

5. The prosecutor's office is obliged to pay the expenses pursuant to the controlling treaty. The expenses will include: a) the costs of translating the extradition documents and, b) the costs of hiring local counsel to represent the nation who requested.

6. Further, these obligations, which remain until the fugitive is arrested or the Red Notice is withdrawn, may result in prosecutors who have succeeded the Assistant National Attorney who originally requested the Red Notice having to prepare the documents and arrange for payment of hefty fees years after the fugitive originally fled from the country who requests.

Despite the existence of INTERPOL's Red Notice, criminality continues to rise. The European Union created the EAW as a response to this alarming trend in an effort to assist INTERPOL in making arrests and smooth the process of extradition. Subsequently, the EAW can treat the EU as one continuous territory over which its influence can be exercised, an extension of the EU’s policy over common security.

However the EAW has many critics. Even today, there is no way of verifying that the claim held against you qualifies as a 'criminal offense'. There is a consistent lack of coherence in legislation and the role that national institutions are to play. This is not assisted either by the tendency of European institutions to impose rules
Another critique from the Oxford Faculty of Law Journal cites the inefficiencies in dis-united bureaucracies. “Many courts interpret “trial” to include “investigation”, and many persons are extradited under the EAW procedure, not for trial, but so that the police and prosecutors in the requesting country can question the suspect before deciding which charge they should bring. It was never intended that persons should be sent to another state where there was no charge in place for which a trial would not soon follow their arrival”.

Another problem being posed against the EAW arises from the US political hegemony over NATO. Allowing INTERPOL to act only in reference to 'small criminals' coming from or between nations. Their response to catch criminals associated with larger operations or of a higher risk, is to utilize the military power of the North Atlantic Treaty Organisation (NATO). Regardless of confirmation of their crimes, it appears as if suspicion and tentative evidence is summary enough to provide seizure warrants being executed by NATO. Evidence of this lies in the recent capture and killing of Osama Bin Laden in Pakistan. Rather than utilizing proper channels for extradition, the United States intervened militarily without international consent.

Although, it is not only the United States who is responsible for violations of international agreed upon protocols and procedures. Mossad, the intelligence agency of Israel has been known to arbitrarily arrest criminals on foreign soil. The French used military force to capture a militant in Sudan. All these examples serve to show the increasing use of military power for high value targets, and the subsequent subduction of judicial bodies and national police forces to common crime.

**Bloc Positions**

By dividing the world into geographical and political groups, it is easier to assess how each region of the world views the problem at hand, and their potential solutions to it.
European Union

Different reports about EU extradition and failures in the cooperation between the countries developed the idea of the European Arrest Warrant system (EAW). However the critics of the system, the jurisdiction of different courts, diverse procedure codes, and policies stopped the fast development of the EAW. For the majority of experts however, it is urgent to have a revision of extradition in Europe. The majority of the EU members have the same perspective; however the United Kingdom has their own analysis. “The UK government wants to claw back some EU powers over justice and policing, but is likely to remain in the European Arrest Warrant (EAW) system. The EAW is widely seen to have speeded up extradition proceedings in the EU, but there is also pressure to fix shortcomings in the system.”1 The members of the EU (except the UK and Denmark), support the work of the EAW in collaborating with Interpol. However, there is no consensus about the role of NATO in security and the analysis of cases that let NATO forces to make incursions into third world countries with the objective to arrest criminals or terrorists.

An analysis by the University of Leuven said this: “A national judicial authority, such as a court, can issue an EAW to get a suspect extradited. For an EAW to be valid, the suspect must be accused of an offence incurring a maximum penalty of at least a year in prison, or must have been already sentenced to at least four months in prison. The EAW means faster and simpler surrender procedures for suspects. EU states can no longer refuse to extradite one of their citizens on grounds of nationality. Extradition no longer requires a political decision for a suspect to be handed over. The EAW means mutual recognition of criminal justice systems in the EU.” But again, there is no common European position on this topic.

Russian Federation

The Russian Federation provides strong support to INTERPOL and a remains a critic
of NATO. The Russian perspective keeps the action of their intelligence and
influences in several countries such as Serbia, Montenegro, Bosnia, Ukraine, Belarus,
Azerbaijan, Armenia, Moldova, Syria and Turkey.

Concerning extradition, Russia showed their role in the 'new Cold War' by
challenging the USA over the case of Edward Snowden.

**China**

Often not an active supporter of international extradition, China does occasionally
attempt to utilize a more traditional extradition mechanism. However, it opposes
the provision for and creation of both the EAW and INTERPOL and remains highly
critical of NATO's actions.

**United States of America**

The USA supports the traditional functions of INTERPOL. However, the United States
has been known to utilize military support to capture criminals on foreign soil, often
without the permission from the nation in question.

**Latin America**

Since the end of the 20th century, Latin America has been, by far, the strongest
supporter of extradition treaties, asylum systems and in their support of INTERPOL.
It is evident that certain parts of the Caribbean with the cooperation of Nicaragua,
Haiti and Cuba support the broad position of the USA. However, much of the rest of
South America prefers traditional extradition methods. Indeed, political asylum is
treated favorably and often obstructs extradition requests in favor of political gains.
There are draft projects in place however to formulate a South American security
blanket where national agencies would work in close cooperation with one another.
to combat crime across the region.

Asia

While there are a portion of direct USA allies that support the actions and initiatives by the USA, namely those countries in South East Asia, much of the rest of the continent are supporters of tradition extradition methods. Led by Japan, Turkey and Iran, they support INTERPOL and their actions across the globe.

Middle East

The majority of the Middle East cooperates with INTERPOL on the majority of its projects. Additionally, broad support for the actions of NATO are felt throughout the region. The exception however is Syria, who actively condemns the actions of the USA.

Questions a Resolution Must Answer

Is it fair or acceptable to present an international global arrest warrant system, or is it more applicable and amenable to allow individual nations to improve their cooperation and collaboration within the framework of the existing system to combat criminal activity?

Are we utilizing and listening only to one limited opinion on these systems? Have we fully integrated international opinions and issues into the system at hand? Will it be subsequently applicable to all nations?

What parts of the current EAW need to be amended or updated?

Has the role of INTERPOL been diminished by the actions of NATO and countries acting independently outside the boundaries of currently established international cooperation?
Conclusion and Suggestions for Further Research

Perhaps the most interesting part of this topic is that it remains a current event. There is quite evidently a division between the role of INTERPOL and the role of national or regional institutions.

Current extradition requests are on the decline, whether this can be associated to their increased refusal or circumvention by other methods remains to be seen. This might be seen as compelling evidence for the necessity to reevaluate currently existing treaties and maybe even for the establishment of a global framework.

As studies from Johns Hopkin's University said: “we should be working towards a new 'extradition lite' system for cross-border cases. This is a much more open and transparent system where instead of going ahead with the proceedings, attempts should be made by agreement to avoid them altogether...”.

While the EAW exists, its mandate and cooperative sphere of influence remains firmly bound within Europe itself. If the advice of the International Law Department from the University of Leuven is to be considered, then if Europe really wants to create a workable system, it might double the amount of work INTERPOL currently experiences.

Bibliography

UN Charter
UN Convention against Transnational Organized Crime and the Protocols Thereto
UN Geneve Convention


www.un.org
www.europa.eu
http://www.amnesty.org/
www.anj.sagepub.com
http://bizzy.co.uk/uk/02148778/hagen-cycom
www.bjc.oxfordjournals.org
www.cahiersdelasecurite.fr
http://www.cellmark.co.uk/
www.crimesymposium.org
www.csus.edu
http://digital.library.unt.edu/ark:/67531/metadc4883/
http://www.economist.com/node/2647493?story_id=2647493
http://www.interpol.int/
http://www.hrw.org
www.justice.gov
http://legal-dictionary.thefreedictionary.com/extradition
http://www.mastiff.co.uk/
http://www.mastec.co.nz/JST/JST.html
http://no-racism.net/print/582/
www.sagepublications.com
http://sas-space.sas.ac.uk/4677/1/1674-2138-1-SM.pdf
www.texaslawpublication.com
http://www.terredeshommes.org/
CONFFERENCE INFORMATION

When looking for information regarding LIMUN 2014 (and subsequent editions) your first step should be to visit our website: www.limun.org.uk

LIMUN in social media

Please follow updates from us through our social media channels:

Facebook

London International Model United Nations (LIMUN)

Twitter

@LondonMUN

When tweeting about this year’s conference (your preparations, journey to/from London or when live-tweeting the events during the conference itself) –

- please use hashtag #LIMUN2014

Agenda & Rules of Procedure

The agenda for the 2014 conference is available online at www.limun.org.uk/agenda

Since its 14th session last year, LIMUN has introduced changes to its Rules of Procedure. The revised Rules can be accessed here: http://limun.org.uk/rules
POSITION PAPERS

What is a position paper?
A position paper is a statement of policy, which is intended to communicate an overall position of a country on a particular topic debated in the committee. Position papers should be brief and outline the general policies rather than specific measures.

Each delegate should submit one position paper per topic to be debated by the committee (note: most of the committees have two proposed topics). Each paper should be approximately one page per topic.

LIMUN offers a short guide on how to write a position paper. It is available on our website: http://limun.org.uk/FCKfiles/File/Position_Paper_Guide.pdf

Deadlines
There are two deadlines for submission of delegates’ position papers:

   **February 11\(^{th}\) (Tuesday)** – position papers submitted before this deadline will be reviewed by the Directors and the delegates will receive feedback and will be given a chance to submit a corrected version of their policy papers (if necessary).

   **February 14\(^{th}\) (Friday)** – position papers submitted before this deadline will still receive feedback from the Directors, but their re-submission will not be permitted.

Submitted position papers will be circulated by the Directors among the committee members. Please note: LIMUN 2014 Awards Policy revision has introduced a Best Position Paper award.
CONTACT DETAILS

For any enquiries relating to your committee proceedings or if you want to get in touch with your committee’s Directors, or for submission of position papers -

- please e-mail: unodc@limun.org.uk

Other enquiries regarding the Conference should be made to enquiries@limun.org.uk

Before contacting LIMUN please make sure you have read FAQ section on our website: http://limun.org.uk/faq