

Position Paper for the General Assembly Plenary

The topics before the General Assembly Plenary are: New Approaches to Nuclear Non-Proliferation, Advancing United Nations Reform, and the Impact of Migration on Development. Gambia is committed to its to multilateral cooperation that will lead to peace and security in the international community.

I. The Impact of Migration on Development

The delegation of The Gambia believes that while population growth due to migration is ostensibly beneficial to development, the fundamental changes in the livelihoods and social services requirements resulting from migration are ultimately unhealthy to the country receiving the immigrants. Therefore, The Gambia supports the implementation of policies geared towards curbing international migration, especially in developing countries such as those in Africa.

The Gambia's situation represents the pinnacle of the problem of migration facing a number of undeveloped countries. The Gambia has seen an unprecedented population growth rate of 4.2 percent per annum, judged to be among the highest rates in the world. Approximately 14% of the population growth is due to net immigration of foreign-born persons. Even more troubling is the statistic showing that net migration accounts for nearly two-thirds of urban growth. While net immigration includes both internal and external migration, we are confident that decreasing foreign migration will help decrease urban growth. As our economy is still developing and thus strongest as an agrarian economy, it is important to try and curb urban growth. We do, however, recognize that migration can be beneficial to individuals coming from countries whose general economic situation is worse than that of the receiving country. Moreover, the demographics of the majority of migrants may seem fitting for the economy of the receiving country. In the case of The Gambia, most migrants are unskilled workers between the ages of 15 to 20 years of age, a workforce needed in developing countries that may serve as an attractive basis for more investment.

Despite these ostensible beneficial outcomes, the empirical reality reflects a different side of migration. The growth and diversification in global population patterns have negatively impacted the ability of developing countries to provide adequate and sustainable services, education, and employment facilities. The influx of immigrants has stifled the ability of both public and private institutions to provide for individuals outside the demographic of young unskilled workers. These institutions must be able to meet the needs and demands of young and elderly populations for health, employment, and education. Moreover, we find that the influx of immigrants has contributed significantly to the increase in fertility rate and teenage pregnancies. The Gambia asks not only for help in addressing migration as an abstract issue, but also specific support for institutions (carried out in collaboration with non-governmental agencies) that seek to alleviate the problems arising from migration, including the National Population Policy and Program, the Environment Action Program, and the strategy for Poverty Alleviation.

II. Advancing United Nations Reform

The Gambia firmly believes in every member states' obligation to abide by their pledge to undertake the Millennium Development Goals, the provisions of the Monterrey Consensus and the Paris Declaration on Aid Effectiveness. The Gambia has worked tirelessly to prove its commitment

through government policies that include tackling poverty and development issues despite our limited resources and lack of foreign aid. Furthermore, Gambia strongly supports former British Prime Minister Mr. Tony Blair's efforts to monitor country pledges at G8 Summits with the panel of eminent personalities. Important issues that the international community must address include aid policies and development strategies for the African continent.

This is not just a regional issue for Gambia, but a global issue as Africa represents a huge trading partner in the international markets. As an international community we must unite against conflict and secure peace and diplomacy in the world. Ongoing disputes like the instability in Somalia, the victims of Darfur, and the tension in the DR and Iraq and Afghanistan must take precedence on the UN agenda. The Israel-Palestine issue must be resolved with a two-state solution, where both parties can live harmoniously. Another major problem is the threat posed by the increased militarization of the Taiwan Straits. The UN has an obligation to the Taiwanese people to defend their rights considering that they have been refused full membership despite their legitimate requests to be recognized.

The UN must also undergo internal reform because its role and function has changed since its inception in 1945. Changes in the Security Council must occur, as this body plays a crucial role in addressing international issues and yet does not represent all the major and relevant parties of the international community. It is completely unacceptable that the UN Security Council makes decisions that affect the lives of thousands of Africans and yet no African is ever consulted or allowed to partake in the decision-making process as a permanent Security Council country.

It is for these reasons that The Gambia strongly endorses the Ezulwini Consensus, which serves as the African position for the reforms necessary to occur in the Security Council. The Gambia sincerely hopes that countries will work in collaboration with these proposed reforms to achieve a fruitful environment for development within the UN, especially for underrepresented African nations.

III. New Approaches to Nuclear Non-Proliferation

The Gambia signed and ratified the Nuclear Non-Proliferation Treaty on 12 May 1975. Additionally, we have also signed the Comprehensive Nuclear-Test-Ban Treaty (CTBT) on 9 April 2003. The Gambia encourages other nations to ratify these international agreements and fully adhere to their stipulations. Furthermore, Gambia believes that it is imperative for a new treaty to be developed that is specific to the dual-use loophole in previous agreements.

It is crucial that countries dismantle their pre-existing nuclear weapons in order to facilitate a peaceful and secure society without the eminent threat of nuclear war. Peace and security is an issue of great importance to The Gambia. The African continent has been plagued by wars and conflict. Nuclear weapons pose a grave threat to global stability and diplomacy, and we must ensure that nations renew their commitments to eliminating nuclear weapons so that we can operate as a nuclear-free society.

Position Paper for General Assembly First Committee

The General Assembly First Committee is presented with the topics of: Upholding the Status of Prisoners of War According to the Third Geneva Convention; Fighting Illicit Trade and Trafficking of Nuclear Material; and Preventing an Arms Race in Space. These are some of the most critical issues facing the world today and The Republic of The Gambia is dedicated to working collaboratively with other nations to create meaningful and acceptable solutions to the issues at hand.

I. Upholding the Status of Prisoners of War According to the Third Geneva Convention

Although The Gambia has direct involvement with few conflicts that result in prisoners of war, in addition to ratifying the Third Geneva Convention, the military and government are taking substantial steps to educate the members of the armed forces on the correct treatment of prisoners of war. Gambia has recently pledged five hundred troops for a peacekeeping mission in Darfur, in conjunction with the United Nations and the African Union (AU). In preparation, the soldiers who will be joining the effort are receiving special training regarding the proper treatment of prisoners of war from the British Military and Advising Training Team (BMATT).

The Gambia recognizes that the Third Geneva Convention was written directly following World War II and was adopted in August of 1949, thereby severely limiting its practical application in today's political climate. Due to the rise in unconventional warfare (defined as warfare that is conducted through guerrilla tactics or subversion) since WWII, many people engaged in warfare fall under the inadequately defined category of 'unlawful combatants,' as they may not be officially or legally connected with a specific State. This has resulted in the harsh and inhumane treatment of many prisoners of war who are not protected under the Third Geneva Convention.

To promote the proper treatment of prisoners of war, The Gambia first urges all remaining Member States to ratify the Third Geneva Convention. Only after this initial step and pledge has been taken can effective measures truly be put into place to uphold the status of prisoners of war. Similarly, The Gambia urges all States to implement military training and update military handbooks with accurate information regarding the humane treatment of prisoners of war. The Gambia also urges for a revised definition of the term 'unlawful combatant,' and an expansion of the Third Geneva Convention to include protection for these 'unlawful combatants.' The Gambia also requests a definition of the term 'competent tribunal,' in order to further regulate the means by which the prisoners of war are tried and to ensure a fair legal process.

II. Fighting Illicit Trade and Trafficking of Nuclear Material

Although The Gambia is a nation with little means or use for nuclear material, the government is supportive of the International Atomic Energy Agency (IAEA) and, while not a member, has supported IAEA efforts by signing on to the Small Quantities Protocol. Additionally, The Gambia has supported nuclear non-proliferation by becoming a member of the African Nuclear

Weapons Free Zone (ANWFZ). The Gambia supports all sentiments put forth in resolutions such as A/RES/63/60 (Measures to prevent terrorists from acquiring weapons of mass destruction) and A/RES/63/67 (Preventing and combating illicit brokering activities).

The Gambia urges all States to cooperate with the IAEA in order to promote regulation and safety for all nations. The Gambia also recommends eligible States to join their regional Nuclear Weapons Free Zone and to support those proposed in resolutions such as A/RES/63/38 (Establishment of a nuclear-weapon-free zone in the region of the Middle East) and A/RES/63/63 (Establishment of a nuclear-weapon-free zone in Central Asia).

III. Preventing an Arms Race in Space

The Gambia currently has little stake in the potential arms race in space, but is concerned for its own citizens and for the citizens of other nations. Smaller nations like The Gambia may not be able to adequately defend themselves in the event of a war involving the use of outer space, due to lack of monetary resources and established space programs.

The Gambia recalls the 1972 Anti-Ballistic Missile (ABM) Treaty between the United States and the Former Soviet Union and is concerned with the breakdown of the treaty and the United States' withdrawal from it. The Gambia supports the sentiments put forth in A/RES/63/40 (Prevention of an arms race in outer space), particularly the request that States continue to keep the Conference on Disarmament aware and informed of negotiations relating to the use of arms in space. The Gambia similarly supports the call in A/RES/63/69 (Transparency in armaments) for Member States to cooperate regionally to increase "openness and transparency in armaments."

The Gambia further supports the proposed treaty on Preventing an Arms Race in Outer Space (PAROS), and urges other States, even those without a national stake in the issue, to support this proposition. The Gambia believes that this treaty should go above and beyond the former ABM Treaty and clearly define terms such as 'outer space,' 'peaceful purpose,' 'space weapons,' and 'space objects,' which are all terms used in previous treaties and resolutions (such as the Outer Space Treaty (OST) of 1967) and leave dangerous room for interpretation. With these improvements, The Gambia believes that prevention of an arms race in space is a much more attainable goal.

Position Paper for General Assembly Second Committee

The topics facing the General Assembly Second Committee during this session are: Climate Change Economics, Economic and Trade Policies to Address Food Price Volatility, and External Trade and Microfinancial Assistance. The Republic of The Gambia recognizes the importance of addressing these three issues in order to achieve the Millennium Development Goals (MDGs) and sees this session as an opportunity to share resources and proposals to enhance global quality of life. The Gambia is concerned about all these issues and is willing to engage in diplomatic means to resolve these problems.

I. Climate Change Economics

The Gambia is aware of the serious problem that global climate change will have on the worldwide economy. Currently, the highest producers of carbon dioxide emissions are the member countries of the Organization for Economic Cooperation and Development (OECD), which account for fifteen percent of the world's population and half of the greenhouse gas (GHG) emissions.

At the current climate change rates, the mean temperature of The Gambia will increase between three and four degrees Celsius by 2075. As a country with a low elevation, the capital city of Banjul and much of our coastline would be inundated by the rise in sea levels that would occur. Also, because our economy relies largely on agriculture, with 75 percent of the labor force agrarian, any changes in the climate of The Gambia would be catastrophic. Studies that have been commissioned by The Gambia have shown that agricultural production will be greatly affected by even slight climate change. Nitrogen levels in soil would rise, dramatically disturbing fertilizer use and maize output. This in turn would lower the amount of maize exported and the amount of money that flows into our economy, which would be disastrous for a developing country such as The Gambia.

Therefore, The Gambia is willing to take whatever action necessary to help curb climate change and global warming; however, as a developing nation it is not economically feasible to do so. With aid from the United Nations or other developed countries, The Gambia would be able to implement programs that have already been mapped out in The First National Communication of The Gambia to the United Nations Framework Convention on Climate Change (UNFCCC), such as cleaner sources of fuel for cook stoves. The Gambia also recognizes the significant role that forests have on absorption of carbon dioxide and have begun programs of reforestation to combat forest fires, the main cause of deforestation within The Gambia. However, it is important to stress that The Gambia produces a negligible amount of GHG emissions, and to be the most effective, any resolution passed will have to guarantee the cooperation of the OECD countries.

II. Economic and Trade Policies to Address Food Price Volatility

Food price volatility is of huge concern to The Gambia. Fifty-nine percent of Gambians live on less than one dollar per day, and 29 percent are malnourished. The World Food Program (WFP) has ranked The Gambia as one of the countries most impacted by the rise of food prices, especially since 82 percent of the food consumed in The Gambia is imported. However, The Gambia has not been the only country to feel the consequences of the upsurge in food prices over the last few years. Actions must be taken to decrease the cost of food and maintain lower, more affordable prices in order for all countries to meet the MDG of extricating extreme poverty by 2015.

In order to address food price volatility and develop policies that will not only help the world's current predicament, but also prevent the risk of future price spikes, it is important to understand the origins of this problem. There has been a huge increase in demand for food due to an increasing world population, a change in diet as more people are alleviated from poverty, and an expansion of biofuel production. Also, the increased cost of inputs for farming, such as fertilizers, fuel, and seeds, has forced farmers to raise food prices to meet these costs. As the situation has unfolded, restricted international trade through export bans and import subsidies are now contributing to this worldwide crisis.

The Gambia has continued and extended efforts to address high food prices and poverty by implementing programs such as the Poverty Reduction Project (PRP) and the Strategy for Poverty Alleviation (SPA II). These programs would help to address such issues as poor farming practices, inadequate irrigation systems, unsatisfactory infrastructure between farmers and markets, and the lack of basic social services for the poor. While the African Development Bank (ADB), the World Bank, and many others have donated substantial amounts of money and resources to The Gambia and other Least Developed Countries (LDCs), more needs to be done on a global scale to tackle the issue of poverty.

While The Gambia recognizes the importance of addressing the impact of biofuel production and potentially creating a cap on the amount of food used for the production of biofuel, we also realize that grain-based biofuels are not the sole contributor to high food prices. The UN must have policy responses that deal with all factors of price volatility beginning with the encouragement of more open international trade. Policies need to be implemented that eliminate or reduce export bans and import tariffs. States should fund and help facilitate programs that enable poor farmers to increase production with better farming methods and irrigation systems. Funding needs to be placed towards better infrastructure in LDCs to help farmers receive necessities such as fertilizer and seeds and also to help them move crops more easily to markets. In order to address the immediate need of food, however, states should increase food assistance programs and safety nets while being careful not to destroy local markets.

III. External Trade and Microfinancial Assistance to Developing Countries

With the rise of food prices, there is a need for impoverished, small-scale farmers to receive means with which to increase their production, such as better farm equipment and seeds. However, these farmers, other small businesses, and women find it difficult to receive necessary loans because of the high risk they impose to lenders. The Gambia recognizes the helpful role that microfinance and microcredit can play in these situations.

Microfinance is a channel through which LDCs can increase entrepreneurship, and within undeveloped countries, it enhances competition of banking, which helps to reduce high interest rates. The Gambia's Entrepreneurship Promotion and Microfinance Development Project targets 60 percent of the economy, and the Gambian Microfinance Network (GAMFINET) and the Village Savings and Credit Associations (VISACAS) are also huge contributors within The Gambia to the development of entrepreneurship. However, The Gambia recognizes the limitations of formal lending, such as the inaccessibility of loans for women and the impoverished and the cumbersome application process. Therefore, the continuance of informal lending, which addresses these issues, is encouraged.

The Gambia acknowledges the role that the United Nations Capital Development Fund (UNCDF) has had in the promotion of microfinance institutions in other LDCs and believes states should support the efforts of UNCDF and other non-governmental organizations (NGOs). However, in order for microfinance institutions to become self-sufficient, they need to have more intimate knowledge of their borrowers and develop regulations that fit the needs of the borrowers within their region. Therefore, there needs to be a regionalization of these programs that are coming from global organizations.

The Gambia also recognizes the extensive connection between external trade and microfinance. Once entrepreneurs, small business owners, and farmers are provided with the loans necessary to start up or increase productivity, they will still need markets in which to sell their products or services. Therefore, states must liberalize trade on all levels: local, regional, bilateral, and most importantly, globally. States should support the efforts of the World Trade Organization (WTO) in deciding upon and then enforcing international trade regulations. The Doha Development Agenda (DDA), which the WTO is responsible for, would have benefited LDCs and alleviated poverty by cutting trade distorting subsidies, lowering tariffs, and protecting farmers. The failure of the DDA in July 2008 is a setback in trade liberalization that the world cannot afford. DDA talks must be continued so that LDCs can obtain the MDGs of eliminating extreme poverty, promoting gender equality & empowering women, and nurturing global partnership for development.

Position Paper of the General Assembly Third Committee

I. Examining the Uses and Implementation of Technology in Education and Social Development

The Gambia strongly understands the need for advancements in technology and has acted towards developing education strategies involving implementation and usage of various technologies. We have shown commitment to achieving the Millennium Development Goals (MDGs) through the use of technology in education, and look forward to progressing towards Goal 2: Achieving Universal Primary Education.

The Gambia is one of thirty-six out of fifty least developed countries (LDCs) that are on The World Bank Education for All (EFA) Fast Track Initiative (FTI). It is one out of only four African countries to be considered by the World Bank to be “on track” in moving towards universal primary education by 2015. For this reason we consider ourselves a model of evolving educational philosophies that include technological initiatives.

From 2000 to 2004 the percent of gross primary enrollment has increased by 1.5% from 79.9 to 81.4 percent; secondary enrollment has increased by 13.3% from 33.6 to 46.9 percent; and the ratio of girls to boys in primary and secondary schools has increased 17.2% from 80.5 to 97.7 percent, according to data provided in 2006 by infoDev, a global development financing program among international development agencies that is coordinated by the Global Information and Communication Technologies (ICTs) department of the World Bank. Such achievements have been obtained with the support of government education policies and programs in accordance with the Vision 2020 goals of Gambia, and with the endless support of the international community. “Vision 2020: The Gambia Incorporated” is the document articulating Gambia’s development strategy, formally launched in 1996. Vision 2020 clearly maps out a strategy to transform the Gambia into a middle income country in 25 years with focus in nine areas: Agriculture and Natural resources, Industry and Infrastructure, Services, Human Resource Development, Population, Housing, Environment, The Private Sector and Public Sector Institutions.

The difficulties of improving infrastructure in the development of Information ICTs provide a challenge to Gambia. Statistics from 2006 show that Gambia has computer labs with high-speed Internet connection provided by the Government of Taiwan at the tertiary level and there exist two networked labs connected to the Internet at the Gambia Technical Training Institute (GTTI). At the secondary level, the Ministry of Education with the support of the World Bank have managed to provide sixteen state schools out of thirty-one with ICT labs. At the primary level, there has been little ICT development.

The Gambia has been an active participant in actions toward achieving MDGs and development with through the use of ICTs. However, financial restraints and lack of infrastructure exist despite the avid support of organizations such as the United Nations Development Programme (UNDP), the World Bank, the United Nations Educational, Scientific and Cultural Organization (UNESCO), and many other private organizations. Having made great strides with the assistance of UNDP and UNESCO, Gambia fully supports their efforts to make technology accessible, and is open to continued ICT development and the achievement of a more sustainable environment for all international communities. As a model country in the use of ICTs, Gambia believes that all nations and communities of the international society should take advantage of all the cooperation and support provided by organizations such as the UNDP, UNESCO, the World Bank and other private organizations to maximize their opportunities in education, the economy and to bridge the digital gap that yet divides many nations apart. As a leading example on the use of ICTs in education and social development Gambia is dedicated to cooperate with and assist her fellow countries to insure the better future of the international community.

III. Improving Emergency Response through Humanitarian Reform

The Gambia is not currently at risk of civil unrest, nor is it a likely target of foreign offensive ploys, and therefore the improvement of emergency response becomes relative based on expectations. Moreover, the Republic of the Gambia is not concerned with an outburst of violent conflict. Consequently, emergency response should be geared towards health care. The Gambia believes that health epidemics are of greatest concern. The foremost issue of our country, as well as the welfare of the African continent, is malaria. Although fellow contemporaries would argue

that our concern should lie with HIV/AIDS prevention, we have discovered a “cure” in addition to the support of health-based transnational organizations; the cure consists of a regiment of “bananas and a green paste.”

In regards to an impending outburst of Malaria, we currently have *Doxycycline*, *Malarone*®, and *Lariam*® available for distribution. It has been brought to our attention that *Nivaquin*® (chloroquine) is no longer a suitable deterrent from the contraction of malaria. Based on recent medical developments, the Gambia discourages the consumption of the aforementioned drug as a primary deterrent of malaria; nevertheless, the use of *Nivaquin* is still efficient [on a basic level]. Furthermore, *bed netting* is a near universal practice in rural areas that are unable to receive humanitarian aid.

We encourage the support of pharmaceutical groups to provide us with substantial quantities of prescription drugs for humanitarian support. Although our president has discovered the cure for HIV/AIDS, the dispersal of antiretroviral drugs (i.e. *Abacavir*) could be of great aid to the prevention of mass outbreaks of the aforementioned virus until dissemination of our newly-discovered cure is made economically and socially viable. Given that generic *Abacavir* retails at \$13.34USD per pill; antiretroviral drugs are generally regimented on a daily basis, which would cost approximately \$412USD a month. Given that our funds are limited in terms of public healthcare; Recruiting the support of *GlaxoSmithKline* (i.e. the producer of *Ziagen (Abacavir)*) with the hopes of initiating a humanitarian alliance would prove immensely beneficial to the Republic of the Gambia’s HIV/AIDS agenda in the short-term.

On a more grassroots level, it would be of equal importance to merge our efforts with those already in place with Senegal. The benefits reaped from such joint efforts could be of use for both Gambian and Senegalese people alike. Similarly, support from non-governmental organizations (NGOs) of which we are partisan to, could be increased as a supplementary means of developing existing humanitarian measures. More specifically, drafting a loan proposal intended for the *African Development Bank Group (AfDB)* or the *African Union (AU)* could garner enough funds to establish a stockpile of pharmaceutical drugs of which the Gambia is in need.

II. Protection and Promotion of the Rights of Children in Conflict

The Republic of the Gambia wishes to express its concern regarding the addressed topic; however, the use of children in conflict does not seem applicable to our State. This is not intended to suggest that our concern is less than those of our fellow delegation, but serves as the ethos of our chosen approach. Given that the Gambia has signed and ratified the *Convention on the Rights of the Child (CRC)*, we stand in strong favor of such efforts. Our contribution in the stated endeavor stems from CRC Article 11 (1): “State parties shall take measures to combat the illicit transfer and non-return of children abroad.” The role of human trafficking in time of conflict is problematic in Sub-Saharan Africa, and we wish to convey our disapproval of such acts.

The Gambia firmly believes that establishing preventative measures against trafficking is imperative. Firstly, the establishment of a bureaucratic system that is both cost-effective and easily administered is our key priority. Secondly, a task force should be created, which would target the black market trade of children in times of conflict. This dual deterrent should drastically decrease the odds of our citizens being utilized for military exploitation.

The conception of an administrative body that would monitor abductions of children incorporates existing parties. Moreover, through the use of the national education system, more strenuous observation of class attendance could decrease the elapsed time of abduction. In more rural and traditional locales, the forced participation of Quranic and Christian schools could provide an adequate level of security for the protection of children in time of conflict. Given that the issue is not easily conceivable in the Republic of the Gambia’s context, additional support would not be rational.

It is widely accepted that intimidation serves as a key weapon in cases of civil conflict. Consequently, numerous examples of forced abductions and kidnappings occur in congruence of civil unrest. The Gambia’s proposed solution would be to establish a task force that would rest on the support of the community. By creating a task force that would meet in a similar form to a community council, the inclusion of the citizenry would serve as a more reliable administrative body than a nationalized government-appointed ministry; with the intentions of effectuating a similar work. The Gambia believe that with the cooperation of the international community, her fellow nations, the numerous international organizations, and private actors, the rights of our children can be better protected in the case of conflict.

Position Paper for the African Development Bank

The issues the African Development Bank (ADB) is currently facing are: Analyzing the Impact of Intra-Regional Migration on Development, Promoting Regional Trade and Integration and Strengthening Mechanisms to Prevent Money Laundering and Terrorism Financing. The aforementioned issues have stunted the course of African economy, and are interrelated to a great extent. The Gambia understands the primary role the ADB plays in creating economic prosperity, along with the importance of cooperation within the continent to ameliorate the economic situation and reduce the deleterious effects of migration and money laundering, while simultaneously enhancing and buttressing trade. The Gambia is devoted to collaboration with other African countries to address the principal crises African countries endeavor to tackle following the guiding direction of the ADB.

I. Analyzing the Impact of Intra-Regional Migration on Development

The Gambia is cognizant of the integral role intra-regional migration plays towards reaching development. The Gambia comprehends the necessity of addressing the matter of migration from rural to urban areas, due to its demographic situation, which calls upon a solution to this foremost important issue. Specifically, The Gambia holds an economy that is primarily based on the agricultural sector, and is not sufficiently urbanized. The dependence of The Gambia on agriculture is evident, as agriculture employs over 70% of the Gambia's labor force, generates nearly 33% of GDP, 85% of export earnings, and two-thirds of household incomes. About 75% of the population depends on crops and livestock for its livelihood. Small-scale manufacturing activity features the processing of peanuts, fish, and hides. Large populations migrate to The Gambia; it frequently becomes a hosting country, receiving both the positive and the negative repercussions of this migration. In particular, large populations from Senegal, the Republic of Guinea, Guinea Bissau, Mali and Mauritania often migrate to The Gambia, contributing to the maximization of the country's production of primarily agricultural goods such as groundnuts.

The first and second generations of migrants have a strong drive to succeed in their new milieu, according to the economical argument made by Borjas, hence contribute towards the amelioration of Gambian economy. Migration to the Gambia appears to be beneficial to the migrants; it has brought tangible benefits in terms of higher income and access to a range of goods not available in their native countries. The increase in competition for agricultural and low-skilled positions in The Gambia constructs the ubiquitous question of migration: has the number of immigrants increased the national outcome and improved utility, or has it affected Gambians' wages to a threatening extent?

The majority of Gambians work in the agricultural sector, which implies the migration of supplementary populations to the country is adding to the problem of seasonal underemployment by which the agricultural sector is plagued. The migrants do not occupy unwanted working positions, but rather replace the local population in the agricultural sector. Many young people are incapable of solving the problem of underemployment, consequently migrating away from the Gambia. Numerous Gambians have found death in their attempt to find a better future in other countries, such as Spain, according to the African Solidarity for Action in Gambia, a non-profit organization. Thus, The Gambia needs to resolve the problem of intra-regional migration to best serve the interest of its citizens.

II. Promoting Regional Trade and Integration

The issue of trade for Africa remains a matter of extreme significance; the efficient use of resource wealth the continent has to offer, under the transparent guidance of the ADB, can be used to improve the financial position of the vast majority of African countries, including The Gambia. The Gambia recognizes the vital role of the World Trade Organization (WTO) to enforce successful regional trade agreements (RTA), due to the strong emphasis given to the agricultural sector. According to the World Food Program (WFP), The Gambia is one of the countries most impacted by the rise of food prices, especially since 82 percent of the food consumed in The Gambia is imported, despite the production of large amounts of agricultural products, as previously noted. The contradictory nature of the import and export pattern the country follows calls for a viable long-term solution to the imbalance.

Ideally, the establishment of RTAs will lead to prosperity, via the formation of strong relationships on an intra-regional level initially, which will be further broadened to accelerate the process of development for The Gambia. Thus, The Gambia is aware of the significance of RTAs in terms of forming solid economic partnerships. It is

necessary to underline the importance these economic relationships would have on a political level; the healthy and beneficial cooperation of African countries engaging in trade will be a factor that will unite them and bring political stability. The government's 1998 seizure of the private peanut firm Alimenta eliminated the largest purchaser of Gambian groundnuts; therefore The Gambia is working on privatizing key parastatals.

The Gambia also considers the determining of certain goals necessary to strengthen trade and integration, as for instance the building of infrastructure. The Gambia lacks as a primarily rural country. Programs such as the Strategy for Poverty Alleviation target the solution of insufficient infrastructure between agricultural producers and available markets. A key goal of the ADB is the "implementation of legal and judicial systems for the encouragement of business, the protection of individual and property rights and the honoring of contracts." Hence, infrastructure development and consequently regional trade are direct areas of action for the bank that will benefit The Gambia. Re-export trade constitutes a major segment of economic activity, which is why the Gambian government imposed a pre-shipment inspection plan in 1999.

III. Prevent Money Laundering and Terrorism Financing

The Gambia recognizes the occurrence of the phenomenon of corruption and money laundering taking place in a plethora of African countries, and realizes the necessity of combating this huge problem. The Gambia does not exclude itself from the hindrance created by the illegal nature of acts of money laundering, and realizes this is a basic hindrance from meeting the Millennium Development Goals and developing at a satisfactory rate. The fluid nature of ML makes it impossible to create a framework that will be capable of giving a complete end to the problem; corrupt officials will create new methods to engage in the illegal process.

The Gambia has signed and ratified the Vienna Convention as well as the Palermo Convention which are the first steps of a country's commitment in joining the international community in the fight against Money Laundering and Terrorism Financing. In addition, The Gambia has promulgated a law criminalizing the activities related to money laundering and has complemented it with directives to banks and other financial institutions to adopt the Know Your Customer/Customer Due Diligence of the Basel Committee on Banking Supervision.

Regardless of the implausibility of giving a clear end to the problem, The Gambia is a proponent of multilateral cooperation and active engagement on a continental level. The positive influence of functional African countries, in terms of combating corruption, will gradually alleviate ML and corruption in The Gambia. The list of *Forty Recommendations on Money Laundering* will provide a useful framework for the transition of The Gambia towards a corruption-free country.

The Governor of the Central Bank of The Gambia, Famara Jatta, has declared his intention of combating Counter Money laundering and Terrorist Financing Organized in Collaboration with the CBEMP (a project seeking the approval of the Executive Directors to provide an additional grant to the Republic of The Gambia for the Capacity Building for Economic Management Project) and UNODC (program geared towards human trafficking).

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Position Paper for the Food and Agriculture Organization

The issues facing the Food and Agriculture Organization today are The Impact of Bioenergy on Food Security, International and Regional Strategies to Address High Food Prices and The Impact of Water Scarcity on Social and Economic Development. These are issues interrelated in the extreme, and The Gambia fully supports comprehensive measures combating the roots of these issues: global climate change. The Gambia is committed to multilateral cooperation that will not only address this root cause of food and water insecurity, but will serve to empower developing countries and their people who suffer the most from inadequate resources.

I. The Impact of Bioenergy on Food Security

As a Least-Developed (LDC) and Low-Income Food, Food-Deficit (LIFDC) Country, The Gambia understands intimately the severity of food scarcity being caused by the increased production of cereals for biofuel production. Sixty-three percent of the Gambian population lives below the poverty line, and of this percentage, 91% of the extremely poor and 72% of the poor are dependent on agriculture for their survival. Agricultural commodities account for 85% of export earnings, with cereals and groundnuts comprising the majority of production. Although agricultural production accounts for such a large economic and social force in The Gambia, poverty is still closely tied to food insecurity. The amount earned in export of cereals, groundnuts and other commodities is offset by the amount spent on importing rice each year; approximately seventy percent of rice consumed in The Gambia is imported. The government is combating this inequality with the new NERICA Program, but if worldwide biofuel production continues to increase, this program alone will not be sufficient to balance the disparity between food and energy crops exported and imported from The Gambia.

The world biofuel market is dominated by the United States and Brazil; therefore, these nations will likely determine the future course of competition between food and energy crops. If developed nations such as these put more effort into second-generation biomass forms of energy, their actions will likely change the direction of alternative energy production. As a nation with the capacity to increase biogas production on the individual level, The Gambia fully supports measures that would place increased emphasis on research and implementation of second-generation biofuel production. These second-generation sources, which would rely on pre-consumed or non-consumable organic resources, may be feasible even in developing countries, which would allow for increased self-sufficiency in the long-term. Programs such as the Bioenergy and Food Security Project at work in Thailand are moving towards this end, creating a tool that will assess nations' biomass production potential.

The FAO's own Bioenergy and Food Security (BEFS) project is likely to be an important contributor to research and restructuring efforts occurring as a result of a shift towards biomass production. The most important factor in the long-term, however, is an emphasis on individual government initiatives. Before nations are able to balance food security with bioenergy production, however, access to information and resources must be met by local and regional government planning. Alternatively, The Gambia would support caps on biofuel production by major powers such as the United States and Brazil in addition to research measures.

Because continued reliance on first-generation biofuels will cause subsequent increases in crop production, The Gambia believes that the impact of biofuels on food security will only increase in the future unless second-generation fuels are harnessed or caps are imposed on the highest-producers. Another solution, recently implemented throughout Africa, brings to light the possibility of introducing new, higher-yield crops into production. Nerica, a hybrid of rice that is both high-yield and pest-resistant, has been introduced to The Gambia and other African nations, and has already brought about an increase in rice production and a decrease in the importation of the important staple food. To this end, Farmers Association President Mawnneh has noted that "We need to start up seed banks, and revolving seed funds" to increase productivity on the small-scale.

II. International and Regional Strategies to Address High Food Prices

Increasing global food prices are the result of a number of factors, many stemming from the epidemic of global climate change. In order to remedy global warming, biofuel production has increased, which has led to increased crop production and therefore increased water consumption. This is a cycle that will not end until global warming has been addressed, and as stated in relation to The Impact of Bioenergy of Food Security, The Gambia fully supports measures to diversify biofuel production. Aside from this basic issue, however, there are a number of additional factors driving up the price of food. These include: increased demand in developing countries, commodity

speculation by investors in developed countries, lack of access to inputs and markets – especially in Africa – and domestic policy that is restricting the trade of food.

Because of the population growth rate – currently 2.8%, the highest in Africa – The Gambian government understands the need for measures that will satisfy the food security needs of a growing global population. In The Gambia, measures are being taken to increase self-sufficiency in farming, but these small efforts need technical assistance behind them. The lack of a seed sharing program, for instance, is keeping many farmers from realizing the full potential of more than 235,000 hectares of arable land in the country. The African Development Bank, along with Africa Rice Center (WARDA), have invested more than US\$35 million in the production of Nerica, but these funds alone are not enough. Gambian farmers have requested basic input, such as tractors and subsidized fertilizer, to allow increased productivity and self-sufficiency. The Gambia believes that efforts such as these, begun on the local level to increase local production of farming, could benefit many nations. Although these measures are unlikely to have an effect on the global price of foodstuffs, they offer food security for individuals, which is the ultimate goal of the FAO.

Another issue facing developing countries today is the availability of food aid. While food aid is important, especially in emergencies, Official Development Assistance (ODA) will be much more necessary in any long-term solution to the current food crisis. Over the past ten years, although food aid has seen a net increase, the disparity between emergency, program and project aid is increasing. In 2007, emergency response aid accounted for 350% more than program aid and 4000% more than project aid, according to FAOSTAT. While The Gambia is appreciative and supportive of emergency aid efforts, this disparity is indicative of a wider-reaching problem. The Gambia fully believes that in order to combat food insecurity and to lower prices in the long term that ODA must be offered and followed up with technical assistance in developing countries. To this end, The Gambia fully supports continued partnership between UNDP, FAO and regional monetary organizations, such as the ADB, to boost organized, structural aid.

III. The Impact of Water Scarcity on Social and Economic Development

Although many nations are facing physical water scarcity, the main factors contributing to lack of access, especially in Africa, are human, institutional and financial capital limits. Although there is potable water available, lack of infrastructure – governmental and physical – makes retrieval difficult. In The Gambia, only 61% of the population has access to safe water, placing us 21st from the bottom of all nations. Of this available water, 67% is used for agriculture while only 21.7% is saved for domestic use. Additionally, high unmet irrigation potential has attracted interest from a number of international organizations to create programs such as the Small-Scale Water Control Project, which developed swamp rice cultivation and increased production to boost income and food security for women in MacCarthy Island Division, Gambia. Currently, most water-related initiatives in The Gambia are focused on irrigation as a means to increase agricultural productivity.

At present, there are a number of UN-sponsored initiatives to collect and analyze data regarding water consumption and retrieval as well as institutionalized efforts to increase global access. This research falls into four major categories: improvement of strategic and operational coherence of UN Water members and partners to support capacity development worldwide; strengthening of technical and policy guidance within the capacity-development sphere, and contributing to the professionalization of water governance and integrated management; collaboration with UN Water members and partners on issues related to capacity development; promotion of capacity development including resource mobilization as part of water plants. While The Gambia strongly supports measures to increase accessibility to water for agricultural purposes, we also recognize the necessity for local and regional actions that will address domestic water access.

The Gambia is on-track to meet Goal 7, Target 10 of the Millennium Development Goals, which calls for the reduction by half of the number of people without sustainable access to safe drinking water. This progress has been aided by UNDP assistance through the rural water supply and sanitation project and successful promotion of education on sanitation, health and hygiene, as well as constructing of water-supply facilities and developing a National Water Resource Management strategy. Despite this progress, however, there is a noticeable disparity between urban and rural areas, with the latter having 17.5% less access to sanitary water. For this reason, The Gambia supports measures which will close the widening gap between urban and rural populations, and looks forward to multilateral and regional cooperation that will make better water access feasible.

Position Paper of the Commission on Sustainable Development

The issues before the Commission on Sustainable Development are: Management of Biotechnology; Environmentally Sound Technologies; Combating Desertification; and Building Sustainable Human Settlements and Infrastructure. The Gambia is in full support of progressing the cause of sustainable development and the goals put forth in Agenda 21 of the Rio Summit. As such, we recognize the need for multilateral support for global stewardship of the earth.

I. Management of Biotechnology: Environmentally Sound Technologies

The Gambia is a keen supporter of the management of biotechnology and the maintenance of bio-diverse ecosystems. The Gambia has ratified the Cartagena Protocol on Biosafety (CPB) as well as the earlier convention on Biodiversity (CBD). We urge all members of the committee who have not ratified these documents to do so. The issue of preserving diverse ecosystems is of utmost importance as developing countries seek to increase crop yields to accommodate growing populations. This is especially pressing, as increased biofuel production stresses ecosystems all over the world.

The Gambia, in line with the CPB and the guidelines set at the World Food Summit, sees Genetically Modified Organisms (GMO's) as a viable way to increase crop yields. At the same time, we recognize the ambiguity surrounding the long-term effects of GMO production and the possible unintended environmental consequences involved in the cultivation of GMO's. However, due to this ambiguity and in line with these guidelines of the World Food Summit, we suggest a strong and cautious regulatory approach

Legislation regulating GMO's should seek to incorporate the national consensus on the issue, with the goal of creating environmentally sound policy that protects endemic vegetation. This incorporation should be coupled with studies on the effects of GMO's to the local environment. However, it is imperative that member states increase their financial contributions to facilitate the creation of organizations invested in the investigation of the ecological effects of GMO's on a case-specific basis. As a nation committed to global stewardship, The Gambia is committed to this momentous research endeavor that seeks to preserve the ecological integrity of our whole planet.

II. Combating Desertification

As a Sub-Saharan African nation, the Gambia realizes the importance of halting the progress of Desertification across the globe. As a country, we have made progress in our implementation of the United Nations Convention to Combat Desertification (UNCCD) by drafting and implementing our National Action Program (NAP). In line with our NAP and acting through our Rio-mandated National Forest Program (NFP), The Gambia has encouraged other nations to adopt forest management on a community-based level to ensure the long term viability of these programs.

Implementing effective forest management systems is vital to stop the desertification process. The Gambia has successfully implemented community-forestry programs that aim at involving community members in the cessation of desertification. Measures include desertification awareness campaigns, on-farm tree planting programs, encouragement of agro-forestry and woodlot cultivation to meet domestic fuel-wood demand. These community-based practices are vital to integrating successful forest management into the lives of citizens.

Although these forest management programs have helped in stopping the progress of desertification, none of this progress would have been possible without generous support by the German Government through the Deutsche Forstservice (DFS). Thus, The Gambia cannot stress enough the importance of member states material and organizational support for the implementation of these forestry programs.

III. Building Sustainable Human Settlements

As a signatory of the Istanbul Declaration of 1996, The Gambia recognizes the need for access to sustainable housing and adequate living conditions for all. To meet the goals of the Istanbul Declaration The Gambia the building of large-scale public housing and decentralized public services administration. As urbanization and population growth cause rapid expansion of human settlements, The Gambia calls on other nations to affirm their support for the Istanbul Declaration and promote the development of sustainable human settlements.

In allocating housing to citizens, The Gambia advocates a policy of equal access for all. To accomplish this, we have created a housing finance corporation to facilitate lending to those with access to fewer resources in the private sector. In addition to increased lending, the government of The Gambia also supports mass public housing projects to eradicate the presence of slum dwellings and minimize unsustainable urban squalor. Housing developments in the Gambia have been slow to develop, however, we see them as key to equal delivery of public services and the development of accessible living for all.

The Gambia recognizes the need for adequate public services for all of its citizens in order to promote sustainable communities. Thus, The Gambia has decentralized its services administration to empower communities and ensure prompt response to any lacking services. The shifting of accountability along with the steady building of infrastructure has provided eighty percent of all Gambians with adequate water and electricity. The Gambia suggests other nations take measures to improve transparency and accountability by decentralizing their public services administration.

International Criminal Tribunal for Rwanda
The Prosecutor v. Gaspard Kanyarukiga (ICTR-2002-78-I)

Facts

In 1994, the Kivumu commune within the Kibuye prefecture of Rwanda, was inhabited by a large Hutu population of approximately 50,000 and a small Tutsi minority consisting of approximately 6,000. As a consequence of the widespread attacks on Rwandan Tutsis that began in early April, many Tutsis in the Kivumu commune sought refuge in the Nyage Church. The prosecution has gathered evidence that clearly shows Gaspard Kanyarukiga took part in numerous meetings held in the Nyange Parish on or around April 10, 1994. He met with Athanase Seromba, Fulgence Kayishema, Grégoire Ndahimana, and others, and decisions were made to request gendarmes from the Kibuye prefecture and to exterminate all Tutsis in Kibuye. The Interahamwe, police, and other militia groups began to viciously attack the Tutsis in the Nyage Church on April 14, 1994 and ended on the 15th of April, 1994. Gaspard Kanyarukiga and his aforementioned cohorts organized and supervised these attacks with the use of traditional arms, guns and/or grenades.¹ Mr. Kanyarukiga also instigated Interahamwe militia to destroy the Nyage Church. As a result of these actions, approximately 2,000 Tutsis that had sought refuge in the church, were murdered.²

Issue

The Prosecution charges Gaspard Kanyarukiga with the crime of genocide, or in the alternative complicity in genocide, in conformance to Article (Art.) 2 of the ICTR Statute. He is also additionally, or in the alternative, being charged with extermination as a crime against humanity, in conformance to Art. 3(b) of the ICTR Statute.³ These are serious crimes that are all within the jurisdiction of the ICTR both territorially and temporally.⁴

Rule

Article 2 of the ICTR Statute defines the crime of genocide as it is described in Art. 2 and 3 of the United Nations' *Convention on the Prevention and Punishment of the Crime of Genocide (CPPCG)*. Genocide is any of the following acts committed with intent to destroy, in whole or in part, committed with intent to destroy, in whole or in part, a national, ethnical, racial or religious group, as such: killing members of the group; causing serious bodily or mental harm to members of the group; deliberately inflicting on the group conditions of life calculated to bring about its physical destruction in whole or in part; imposing measures intended to prevent births within the group; forcibly transferring children of the group to another group. Genocide, conspiracy to commit genocide, direct and public incitement to commit genocide, attempt to commit genocide, and complicity in genocide are also punishable by ICTR in conformance Art. 2 of the Statute.⁵

Several issues need to be taken into account to determine if Gaspard Kanyarukiga is guilty of genocide and crimes against humanity. The two thousand Tutsis were attacked with weapons including firearms and grenades on the 14th and 15th of April 1994 in the Nyage Church where they met as frightened

¹ <http://www.nmun.org/09%20downloads/SAs/ICTR.pdf>

² <http://www.nmun.org/09%20downloads/SAs/ICTR.pdf>

³ <http://www.nmun.org/09%20downloads/SAs/ICTR.pdf>

⁴ <http://www.un.org/ictr/statute.html>

⁵ <http://www.un.org/ictr/statute.html>

civilians without suitable means of protection. The civil war between the Rwandan government and the Rwandan Patriotic Front (RPF) is not an excuse and these victims were not casualties of this war. They did not threaten or endanger the lives of other Rwandan citizens in alliance with the RPF so Mr. Kanyarukiga was neither protecting himself or his country against an aggressive enemy.

However, the most important thing to consider is the word “group.” Although the Tutsis and Hutus of Rwanda speak the same language and share common culture and religion, the two groups were officially separate at this time, with each citizen having government documentation of which group they belonged to. The *CPPCG* also protects groups like these with people who are common in stability and permanence⁶.

Application and Analysis

Mr. Kanyarukiga planned and supervised the partial destruction of this group and although it is not evident that he actively participated in physically attacking anyone, he is still guilty of genocide in conformance with Article 6 of the ICTR Statute. Article 6 states that a person who planned, instigated, ordered, committed or otherwise aided and abetted in the planning, preparation or execution of a crime that is referred to in Article 2, is still individually responsible for this crime. This does not change if the criminal act(s) was committed by a subordinate because Gaspard knew that the subordinate would have taken this action/took this action and did nothing to prevent or punish whoever committed this act.

In conformance with Art. 6, Gaspard Kanyarukiga is responsible for the mass killing of the Tutsis in Nyage Church, even if his involvement in the act was due to an order from a government official. According to Art. 2(3)(e) of the Statute, complicity in genocide is within the jurisdiction of the ICTR and is defined as the act of aiding and abetting, instigating, and procuring the act of genocide. Mr. Kanyarukiga’s actions caused the partial extermination of the Tutsi group of the Kibuye prefecture as 2000 Tutsis were killed as a result of these actions. Therefore in conformance to Article 3(b) of the ICTR, Gaspard Kanyarukiga is also guilty of crimes against humanity.

The Prosecution will prove that Gaspard Kanyarukiga is guilty of all charges leveled against him.

Request for Court

Gaspard Kanyarukiga has pled not guilty to all counts and shows no remorse for the actions he has been charged with. Due to the gravity of his crimes and the possible danger his free presence permits, the Prosecution asks the court for the harshest penalty administered by the ICTR, life imprisonment.

⁶ <http://www.nmun.org/09%20downloads/SAs/ICTR.pdf>

International Criminal Tribunal for Rwanda
The Prosecutor v. Pauline Nyiramasuhuko and Shalom Ntahobali

Facts

Pauline Nyiramasuhuko held the office of Minister of Family and Women's Development in Rwanda. She, along with André Rwamakuba, Sylvain Msabimana, Alphonse Nteziryayo, Joseph Kanyabashi, Elie Ndayambaje, Ladislav Ntaganzwa, Shalom Arsène Ntahobali⁷, and others, planned and partially executed a plan to eliminate all Tutsis of Rwanda. She also propagated indictment of hatred and took an active part in the massacres of Tutsi refugees in 1994. These criminals incited ethnic hatred of Tutsis, created militia groups, and established lists of people to terminate. They had intent and goals. The *Interahamwe* was the main militia group and Shalom Ntahobali was a leader of the group. This militia group killed hundreds of thousands of Tutsis. Pauline Nyiramasuhuko was one of the main organizers for this plan of action and was deemed as the minister responsible for "pacification" of the region. Shalom Ntahobali, with orders from his mother, took charge of various branches of the *Interahamwe* militia group, but acted of his own accord at various times.

Issue

The Prosecution charges Pauline Nyiramasuhuko and Shalom Ntahobali with genocide (or in the alternative, conspiracy to commit genocide and/or complicity in genocide), direct and public incitement to commit genocide, crimes against humanity and violations of Art. 3 of the *Geneva Conventions & Additional Protocol II*. These are serious crimes that are all within the jurisdiction of the ICTR both territorially and temporally.

Rule

Article 2 of the ICTR Statute defines the crime of genocide as it is described in Art. 2 and 3 of the United Nations' *Convention on the Prevention and Punishment of the Crime of Genocide (CPPCG)*. Genocide is any of the following acts committed with intent to destroy, in whole or in part, committed with intent to destroy, in whole or in part, a national, ethnical, racial or religious group, as such: killing members of the group; causing serious bodily or mental harm to members of the group; deliberately inflicting on the group conditions of life calculated to bring about its physical destruction in whole or in part; imposing measures intended to prevent births within the group; forcibly transferring children of the group to another group. Genocide, conspiracy to commit genocide, direct and public incitement to commit genocide, attempt to commit genocide, and complicity in genocide are also punishable by ICTR in conformance Art. 2 of the Statute⁸.

The civil war between the Rwandan government and the Rwandan Patriotic Front (RPF) is not an excuse and these victims were not casualties of this war. The *Interahamwe*, with leadership from Pauline Nyiramasuhuko and more directly Shalom Ntahobali, raped, tortured and killed hundreds of thousands of Tutsis within the period of jurisdiction of the ICTR. These were not Tutsis who belonged to RPF. They did not threaten or endanger the lives of other Rwandan citizens in alliance with the RPF so Pauline and Mr. Ntahobali were neither protecting themselves or their country against an aggressive enemy.

Another important thing to consider is the word "group." Although the Tutsis and Hutus of Rwanda speak the same language and share common culture and religion, the two groups were officially separate at this

⁷ <http://www.nmun.org/09%20downloads/SAs/ICTR.pdf>

⁸ <http://www.un.org/ict/statute.html>

time, with each citizen having government documentation of which group they belonged to. The *CPPCG* also protects groups like these with people who are common in stability and permanence.

Application and Analysis

Both defendants planned and supervised the partial destruction of this group and it is evident that Mr. Ntahobali actively participated in these acts of genocide. Although his mother, the co-defendant, may not have physically attacked anyone, she is still guilty of genocide in conformance with Art. 6 of the ICTR Statute. Article 6 states that a person who planned, instigated, ordered, committed or otherwise aided and abetted in the planning, preparation or execution of a crime that is referred to in Article 2, is still individually responsible for this crime. This does not change if the criminal act(s) was committed by a subordinate (such as Ntahobali) because she knew that the subordinate would have taken this action/took this action and did nothing to prevent or punish whoever committed this act.

In conformance with Article 6, Ntahobali is still responsible for the mass killing of the Tutsis in Rwanda, even if his involvement in the act was due to an order from a government official (his mother). According to Art. 2(3)(e) of the Statute, complicity in genocide is within the jurisdiction of the ICTR and is defined as the act of aiding and abetting, instigating, and procuring the act of genocide. Pauline Nyiramasuhuko and Shalom Ntahobali are both guilty of actions that caused the partial extermination of the Tutsi group of the Republic of Rwanda as hundreds of thousands of Tutsis were killed as a result of these actions. Therefore in conformance to Article 3(b) of the ICTR, both defendants are also guilty of crimes against humanity.

The Prosecution will prove that the defendants are guilty of all charges leveled against them.

Request for Court

Both defendants have pled not guilty to all counts and show no remorse for the actions they have been charged with. Due to the gravity of their crimes and the possible danger their free presence permits, the Prosecution asks the court for the harshest penalty administered by the ICTR, life imprisonment for both defendants.