



PRESIDENT: Karla Paola Morales Gutiérrez
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"Knowledge is power. Information is liberating.
Education is the premise of progress."
- Kofi Annan

Esteemed delegates,

It is an honor and a privilege to extend the warmest welcome to TOLMUN 2023. On behalf of Tecnológico de Monterrey and the Organizing Committee, we greet you and express our gratitude for being a part of our Model United Nations 2023.

TOLMUN has always been a unique opportunity for you, the leaders of tomorrow, to explore and address the most important and compelling global challenges of our time. Over the next few days, you will have the chance to represent different nations and play a crucial role in seeking solutions to complex international problems, harnessing the power of research and debate.

There is no doubt that the most significant aspect of a model is all of you, the delegates. Your enthusiasm for participation fosters a diplomatic and competitive environment. The best delegates are those who are committed to their goals, who advocate for their positions, and, above all, those who drive forward the ideas that will contribute to building a better world. We understand that debating and defending a position can be demanding, but your effort and willingness to do so make a difference.

The primary objective is for you to enrich yourselves with an experience that broadens your perspective on the world we live in. As delegates, you will develop diplomatic skills, make connections, and foster that much-needed spirit of global awareness in today's world. This experience will shape you as individuals and contribute to your academic and, more importantly, personal development. Although the challenges, stress, and debates may be demanding, we assure you that in the end, it will all be rewarding.

Never cease to participate, debate, listen, and, above all, learn.

On behalf of the entire organizing committee, thank you very much for your valuable participation in TOLMUN 2023. Good luck, delegates, and we wish you great success.

Sincerely,

Juan Pablo Sánchez Saldívar
Secretario General

Valeria Tapia Morales
Subsecretaria General



WELCOME LETTER TO THE PARTICIPANTS

“If you are neutral in situations of injustice, you have chosen the side of the oppressor”.
—Archbishop Desmond Tutu.

Justice, fairness and righteousness; intertwined, distant and codependent words to achieve the utopian world; the latest, to define personal boundaries of what is right and wrong, the second, to establish the equity of all human beings and the personal rights that every single person is entitled to have. It involves a deeper level of understanding and consciousness of the society that we live in and the people we share it with, it considers the comprehension that not everything is black or white but there are rather many different shades of in between colors; and lastly justice, it involves acting upon what righteousness and fairness teach us. It is a never ending seek to do better what has been wronged and evolve into the most civilized version of ourselves.

If there is something that can be recognized to history is that it usually gets misunderstood because of the context when it happened, the actions taken into account during that moment in time, and the dominant ideals and principles; but as active agents of change it is on every single one of us whether to resign to it as the “natural course of history” or to take advantage from the mistakes committed by the former generations and learn from them, and grow as a civilized society. We are not to blame past actions on others, that despite being incorrect, if they had not happened, our society would not be at this point of history.

Actions that as a consequence, had a social evolution in terms of human rights, the legal system and the guarantees that every human being should and can take as granted; tragically these same guarantees are not fully granted in states where the ideologies and beliefs, threaten liberty and security; there is the specific moment when us, the rest of the citizens who have freedom, have the moral and ethical obligation to take conscious actions towards bettering the context where every single person lives, because as Benjamin Franklin once said “justice will not be served until those who are unaffected are as outraged as those who are”. If someone is suffering at your sight, you cannot do nothing about it, it is only the most basic human thing to stop and act against that injustice. It can seem very unrealistic and idealistic to say that one person with one action can change the world, but if this mindset is held by the eight billion people sharing this planet, that idea does not seem impossible anymore, but rather possible, realistic and logical.



Judges, prosecutors and defendants, please be welcomed to the 2023 TOLMUN edition, a United Nations Model that sets a precedent in the reflexive mindset of those who will be in charge of managing the world tomorrow, whose life purposes will have an impact on the next generations, who have possibility of making of the world a better place, who have the obligation of learning from the past so that never again injustices happen to humanity: the position that gives us the privilege of creating a change in our society, it is on every one of us whether we take it for as a granted or if we take advantage of it and use it towards the improving of humanity to fight against every single type of injustice; to achieve a society where righteousness, fairness and justice are not a just a dream, but instead the normality that rules the world we live in.

—President Karla Paola Morales Gutiérrez;
Moderator Jocabeth Valadez Fandiño;
Conference Officer Lucia Trevedhan Cárdenas.



ABOUT THE COMMITTEE

The International Court of Justice (ICJ) is the principal judicial organ of the United Nations that has been involved in allegations, legal settlements and international arbitrations since its creation in the San Francisco Conference which took place from April 25, 1945 to June 26, 1945 in San Francisco, California, United States of America; and that includes the creation of the United Nations and the International Court of Justice as the mediator and arbitrator of the United Nations.

The beginnings for the creation of an international court of justice to arbitrate and moderate international disputes were first initiated during the numerous conferences that The Hague Conventions in the late 19th and early 20th century took place. The organization established the Permanent Court of Arbitration, which was the precursor of the Permanent Court of International Justice (PCIJ), which was stated under the League of Nations.

During the years from 1921 to 1939, the Permanent Court of International Justice, was in charge of issuing more than 30 decisions and almost the same number of advisory opinions; however, it faced its biggest challenge when the Second World War imploded and threatened the peace and security of Europe.

The International Court of Justice (ICJ) was established after the Second World War in 1945 during the San Francisco Conference which was also in charge of creating the United Nations (UN). Every single member of the United Nations are “Parties to the Statute” of the International Court of Justice, and also nonmembers can become parties in it.

The Charter of the United Nations and the Statute of the International Court of Justice were signed in San Francisco on June 26, 1945 and became active on October 24, 1945. The first Members of the Court were elected on February 6, 1946 at the First Session of the General Assembly which took part in London; they convened for the first time at the Pesce Palace, The Hague, Netherlands, on April 3, 1946. On April 6, 1946, the new Court elected the President, the Vice-President and the Registrar, having its inaugural sitting taking place on April 18, 1946.



The International Court of Justice consists of 13 judges, the Vice-President and the President; which cannot be two citizens of the same state; they are elected to nine-year terms by majority votes in the United Nations General Assembly and the Security Council. One third of the judges are elected every three years and are eligible for reelection. The judges vote for their own president and Vice-President, both of them who serve for a three year term and have the capacity of appointing administrative staff when they consider it necessary. The official seat of the International Court of Justice is at The Hague, Netherlands, but sessions can be held in any other place where the court considers it appropriate; the official languages of the International Court of Justice are French and English.

The current members of the International Court of Justice are the presidency, composed by President Joan E. Donoghue from the United States of America; the Vice-President Kirill Gevorgian, from the Russian Federation; and an elected Registrar. It includes the Judges Peter Tomka from Slovakia, Ronny Abraham from France, Mohamed Bennouna from Morocco, Abdulqawi Ahmed Yusuf from Somalia, Xue Hanqin from China, Julia Sebutinde from Uganda, Dalveer Bhandari from India, Patrick Lipton Robinson from Jamaica, Nawaf Salam from Lebanon, Iwasawa Yuji from Japan, George Nolte from Germany, Hilary Charlesworth from Australia, and Leonardo Nemer Caldeira Brant from Brazil.



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TOPIC A:

Trial against the Canadian state for forced sterilization of indigenous women.

Sterilization of indigenous women came at the beginning of the 1960s when the Canadian government wanted to have regulations over indigenous population rates. "Between 1929 to 1972, thousands of women were sterilized without their consent under the Sexual Sterilization Act in Alberta and British Columbia" (Schreiber & Fabre, 2017). The eugenics movement of that time inspired the government to act into controlling childbirth and eugenics-inspired policies.

Women became a greater target in the sterilization process, more than men. The Eugenics board who was in charge of the sterilization process had a patriarchal approach to which they were concerned about the ability of women to reproduce. Due to how the board decided which people should have sterilization and which did not, it resulted in a large number of people being Aboriginal women.

Furthermore, a large percentage of women were diagnosed "mentally defective", to which they were removed from having their consent for the operation.

"The Sexual Sterilization Act, as previously described, engendered a relationship dynamic of eradication and assimilation between the Aboriginal peoples and the Canadian state." (Schreiber & Fabre, 2017) The Canadian state benefited from economic, social and territorial resources when subjugating the Aboriginal populations. Even though the government did not adopt measures directly to those legislations, the government did amend the Indian Act, which helped increase the application of provincial laws to Indians.

At this time the Sexual Sterilization Act has been removed, but its consequences remain in the Canadian state and affect Indigenous women. The ideologies, arguments and discourses remain and impact on these communities and are considered as a consequence of colonial oppression.

Research questions:

- What type of ideologies did the Canadian states have in order to impose forced sterilization?
- How has the Canadian government taken action or which position does it have?
- Why are indigenous women most affected?



- Why does forced sterilization violate human rights?
- Has the Canadian state changed its practices since the removal of the Sexual Sterilization Act?
- Have the indigenous women had justice from this issue?
- How has Canada address this issue with the communities affected?
- What do the indigenous women community need from this issue?
- How do the affected come by with this issue?

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TOPIC B:

Trial against the Chinese state for crimes against humanity to the Uyghur population.

Uyghur, Chinese (Pinyin) Weiwu'er, sometimes written Uygur or Uighur, are an interior Asian Turkic-speaking people. The majority of Uyghurs live in northwest China, in the Xinjiang Uyghur Autonomous Region, a minor number dwell in Central Asian countries. In the early twenty-first century, there were around 10,000,000 Uyghurs in China and at least 300,000 in Uzbekistan, Kazakhstan, and Kyrgyzstan. The main Uyghur cities are Ürümqi, the capital of Xinjiang, and Kashgar (Kashi), a historical trading center on the historic Silk Road on the Russian Chinese border. Except for a brief moment in the nineteenth century when they revolted against Beijing, the Uyghurs have lacked political unity in recent decades. Their social order revolves around the village. Sunni Muslims, the Uyghurs of Xinjiang are. Xinjiang is China's biggest region, located in the country's northwestern corner. It, like Tibet, is autonomous, which means it has certain powers of self-government in principle. In fact, however, both areas are subject to significant constraints imposed by the central government.

Several nations, including the United States, the United Kingdom, Canada, and the Netherlands, have charged China of genocide, which is defined by international law as the "intent to destroy, in whole or in part, a national, ethnic, racial, or religious group."

The announcements come in the wake of claims that, in addition to detaining Uyghurs in camps, China has been forcefully mass sterilizing Uyghur women in order to decrease the population, taking children from their families, and seeking to disrupt the group's cultural customs.

Since the 1990s, anti-Han and separatist sentiment has grown in Xinjiang, occasionally escalating into bloodshed. Around 200 people were killed in Xinjiang violence in 2009, which the Chinese blamed on Uyghur separatists. However, a huge security crackdown in recent years has crushed opposition.

Xinjiang is now under constant surveillance, with police, checkpoints, and cameras that scan everything from license plates to individual faces. Human Rights Watch claims that police are also utilizing a smartphone app to track people's behavior, such as how much power they consume and how frequently they use their front door. Since 2017, the Chinese government has reportedly unlawfully jailed over a million Muslims in reeducation centers. Aside from detentions, Uyghurs in the region have faced extensive monitoring,



forced labor, and coerced sterilization, among other rights violations. The Chinese government refers to the institutions as "vocational education and training centers," whereas international media organizations and researchers refer to them as reeducation camps, internment camps, and detention camps. Some activists describe them as concentration camps.

Many nations have sanctioned Chinese officials and businesses involved in human rights violations. In addition, the European Union (EU) sanctioned Chinese officials in 2021, the first time the group-imposed sanctions on China since 1989. Foreign nations have also implemented limitations in order to combat forced labor in Xinjiang. Through the Uyghur Forced Labor Prevention Act, the United States has effectively prohibited all imports from the region, while the United Kingdom has suggested steps to penalize corporations that fail to ensure their supply chains do not involve forced labor. In mid-2022, the European Parliament passed a nonbinding resolution asking EU members to prohibit imports created with forced labor.

Research questions:

- How is the Uyghur population affected by the actions of the Chinese government?
- What are the actions that have been taken around this topic?
- What have been the damages generated to the Uyghur population?
- What have the other countries done about this problem?
- What is the situation of the Uyghur refugees?
- What are the reasons for the Chinese government to implement these actions against the Uyghur?
- What are the conditions of the camps the Uyghur population are in?
- What are the responses of the Chinese government to the declarations?

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CONTACT

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Note: To this email the position paper has to be sent.

Due date to get the position paper checked; from September 26th to September 29th.

Due date to meet the requirement; before the first session on October 5th.