



NHSMUN

Background Guide | *SOCHUM*

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Dear Delegates,

Welcome to the SOCHUM committee at NHSMUN 2026! I am Ava Zanetti, and I am super excited to be your Session I Director. I began my Model UN journey in grade 11, which was 4 years ago now! I competed at NHSMUN and various other conferences in high school, then moved to focusing on chairing. Last year, I was an assistant director at NHSMUN, in the World Health Assembly. This past summer I worked for Best Delegate Model UN, where I taught students aged 12-17 all about Model UN. For this job, I was able to travel to Dallas, Washington, D.C., Los Angeles, San Francisco, and Boston! Model UN has been a major part of my high school and university experience, where I have been able to meet some of my closest friends.

I am originally from Pennsylvania, USA (Go Birds!), but I have lived in Canada for most of my life. I am currently studying at Western University in Ontario, Canada. I am majoring in political science and economics on a pre-law track. Outside of class and Model UN, I run a lot. I have run multiple marathons and half marathons. My next endeavor is to push myself to run some ultramarathons! I also volunteer, read a lot, and invest. I have many educational interests, from law, finance, technology and politics.

NHSMUN is an amazing conference that is full of debate, resolution, and collaboration. I hope you take this opportunity in stride. Please debate respectfully and represent your country to the fullest. Collaborate with others, meet new people, and create connections that will last a lifetime. Use your skills to create change in the committee. Broaden your perspective of your own country, along with others, and begin to understand the world in a more global context. Model UN, especially in a large committee such as SOCHUM, can seem intimidating. Do not let doubt seep into your mind. You have all researched hard, practiced, and put a lot of thought into your countries and their policies. Come into committee with confidence and allow your passion to shine through.

I cannot wait to see all of you in March in NYC! As you prepare, remember to take some time to reflect on what you have learned. If you have any questions, feel free to reach out. Remember, you all have the ability to make a difference both within and outside of debate.

Looking forward to seeing all of you,

Ava Zanetti

Director, Session I

Social, Humanitarian, and Cultural Committee

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Dear Delegates,

I am so happy to welcome you to the United Nations Social, Humanitarian, and Cultural Committee (SOCHUM)! My name is Sofia Toledo, and I am your director for Session 2 of NHSMUN 2026 alongside Ava Zanetti from Session 1. I have attended NHSMUN three times as a delegate, and this is my third year working as a part of the staff. Last year, I was the director for UN-Habitat during Session 2, and the year before, I was the assistant director for UNESCO. I loved competing as a delegate, and I am so excited to be part of your NHSMUN experience.

I am from the South Florida/Fort Lauderdale area, was raised by my large Cuban family, and cannot wait to escape the heat with you all in New York City. I am a junior at the University of Florida and a microbiology major with plans to pursue a PhD in biomedical engineering. I am also double majoring in English, so I have a passion for both research and creative writing. Some things about me are that I love reading, writing, thrifting, playing card/board games, and watching movies. I am always down to play a round of Mario Kart with my friends or dedicate my night to finishing a game of Monopoly, and I will never say no to a trip to the beach. Food-wise, my grandparents have grown fruit trees my entire life, so I love a wide variety of fruits, and a strawberry banana milkshake will always cheer me up. That or my go-to boba tea order, a rose green tea with lychee jelly, which has not changed for the past four years, and I do not think ever will.

Model United Nations is a great opportunity to meet and interact with a wide scope of people from various backgrounds and also to gain valuable exposure to issues that affect places around the world. MUN teaches us to research, to think on our feet, and how to work with others to achieve change and mutual understanding. I hope you all get to build on your leadership skills, public speaking, and ability to form respectful compromises to accomplish your goals. Meanwhile, also make sure to get to know and understand new people and their perspectives.

As we spend our time discussing global brain drain and preserving the integrity of the world's justice systems, I look forward to watching you all work together toward unique solutions. This guide that Ava and I have prepared for you is there to support you in your research. The intricate details surrounding law and culture play a large role in how society is run, so achieving a well-rounded, global understanding of these viewpoints is crucial to promoting the public good.

We hope it also helps to highlight the many different experiences that exist regarding both topics. I cannot wait for this conference to be an excellent experience for all of us and to see what you can all bring to the table (or perhaps better put, the dais)!

Best,

Sofia Toledo

Director, Session II

Social, Humanitarian, and Cultural Committee

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A NOTE ON RESEARCH AND PREPARATION

Delegate research and preparation is a critical element of attending NHSMUN and enjoying the debate experience. We have provided this Background Guide to introduce the topics that will be discussed in your committee. We encourage and expect each of you to critically explore the selected topics and be able to identify and analyze their intricacies upon arrival to the conference.

The task of preparing for the conference can be challenging, but to assist delegates, we have updated our [Beginner Delegate Guide](#), [Advanced Delegate Guide](#), [Research Guide](#), and [Rules of Procedure Guide](#). In particular, these guides contain more detailed instructions on how to prepare a position paper and excellent sources that delegates can use for research. Use these resources to your advantage. They can help transform a sometimes overwhelming task into what it should be: an engaging, interesting, and rewarding experience.

To accurately represent a country, delegates must be able to articulate its policies. Accordingly, NHSMUN requires each delegation (the one or two delegates representing a country in a committee) to write a position paper for each topic on the committee's agenda. In delegations with two students, we strongly encourage each student to research each topic to ensure that they are both prepared to debate throughout the committee. More information about how to write and format position papers can be found in the Research Guide. To summarize, position papers should be structured into three sections.

I: Topic Background – This section should describe the history of the topic as it would be described by the delegate's country. Delegates do not need to give an exhaustive account of the topic. It is best to focus on the details that are most important to the delegation's policy and proposed solutions.

II: Country Policy – This section should discuss the delegation's policy regarding the topic. Each paper should state the policy in plain terms and include the relevant statements, statistics, and research that support the effectiveness of the policy. Comparisons with other global issues are also appropriate.

III. Proposed Solutions – This section should detail the delegation's proposed solutions to address the topic. Descriptions of each solution should be thorough. Each idea should clearly connect to the specific problem it aims to solve and identify potential obstacles to implementation and how they can be avoided. The solution should be a natural extension of the country's policy.

Each topic's position paper should be **no more than 10 pages** long double-spaced with standard margins and 12 point font size. This is a maximum; **3–5 pages per topic is often a suitable length**. The paper must be written from the perspective of your assigned country and should articulate the policies you will espouse at the conference.

Each delegation is responsible for submitting position papers on or before **February 20, 2026**. If a delegate wishes to receive detailed feedback from the committee's dais, a position must be submitted on or before **January 30, 2026**. The papers received by this earlier deadline will be reviewed by the dais of each committee and returned prior to your arrival at the conference. Instructions on how to submit position papers will be shared directly with faculty advisors.

Complete instructions for how to submit position papers will be sent to faculty advisers via email. If delegations are unable to submit their position papers on time, please contact us at nhsmun@imuna.org.

Delegations that do not submit position papers will be ineligible for awards.

COMMITTEE HISTORY

The Social, Humanitarian, and Cultural (Third) Committee, or SOCHUM, is one of the main committees of the United Nations General Assembly's (UNGA). Founded in 1945 after the creation of the Universal Declaration of Human Rights (UDHR), SOCHUM seeks to protect rights outlined by that document.¹

The committee follows the UN Charter, which structures the United Nations by describing the responsibilities and procedures that its committees are bound to. The Charter also outlines key principles, including member state sovereignty. This refers to the autonomy that a member state has when it is a part of a larger international organization.

SOCHUM is a deliberative body, meaning it gathers annually to discuss how to create thoughtful resolutions. These resolutions help guide countries as they work on how to respond to many of the issues facing the world.

SOCHUM's mandate is broader than others, discussing social, humanitarian, and cultural issues, as well as protecting human rights globally. Common topics relate to cultural expression, accessibility, disabilities, and social development. Moreover, other various themes that reflect emerging global challenges exist as well.²

All 193 member states of the UN participate and have an equal vote in SOCHUM. They work within the UNGA to discuss issues, write draft resolutions, and suggest actions for the GA to consider. However, SOCHUM's biggest limitation is its inability to enact policies on its own. The committee can only recommend solutions instead of forcing states to take action.³

SOCHUM also commonly works with other UN bodies, including the Human Rights Council (UNHRC) and the High Commissioner for Refugees (UNHCR). Together, they investigate global issues and work with non-governmental organizations to protect human rights.

¹ "UN General Assembly - Third Committee - Social, Humanitarian & Cultural," United Nations, accessed September 12, 2025, www.un.org/en/ga/third/.

² Government of Ireland, "UN General Assembly Social, Humanitarian and Cultural 'Third' Committee," Gov.Ie, January 21st 2025, gov.ie/en/department-of-foreign-affairs/publications/un-general-assembly-social-humanitarian-and-cultural-third-committee/.

³ "UN General Assembly - Third Committee - Social, Humanitarian & Cultural," United Nations, accessed September 12, 2025, www.un.org/en/ga/third/68/index.shtml.



IMMIGRANTS:
we  get
the  job
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Global Brain Drain

Brain drain is the informal term for when educated or skilled people leave their home country, usually seeking better pay and living conditions.¹ Many educated professionals leave developing states for more developed ones, leading to workforce shortages. This can negatively affect equality, growth, and development outcomes. It also slows progress on the UN's Sustainable Development Goals (SDGs).² Recently, global competition for talent has increased, and high-income states adopt increasingly selective immigration policies to attract the most skilled workers. As this happens, many developing countries lose skilled workers in sectors such as healthcare, education, science, and technology.

In smaller states, the departure of even a few professionals can significantly affect development trajectories. Over 80 percent of

college graduates from countries like Haiti, Guyana, and Jamaica move abroad. Dozens of other countries lose between one-third and one-half of their most educated citizens.³ These people could have helped to improve key domestic sectors, adopt new technologies, and guide public institutions. Instead, their absence limits capacity for further development.

Brain drain may have some benefits. Skilled workers can help their country by moving abroad. They send money home, return with new skills, and share networks. In India and Taiwan, this helped the economy and technology grow. The desire to migrate can raise the demand for education.⁴ This can increase a country's human capital, even if only some educated people return home.

People leave their home country because of poverty, few jobs,

political problems, and poor working conditions at home. These are called “push factors.” People also move abroad for higher pay, better research, and more freedom. These are called “pull factors.” The United Nations reports that skilled migration is not only about personal goals but also about global inequality. Rich countries gain workers, while poor countries carry the cost of educating and training them.⁵

Brain drain is also about development, fairness, and governance. It affects each region in different ways. Knowing who leaves, why they leave, and how to reduce the losses can help leaders create solutions to protect weaker economies. Migration may look like a personal choice, but the causes are often structural. Until these are fixed, this trend will continue.

TOPIC BACKGROUND

Social & Political Factors of Brain Drain

Social and political instability may cause people to leave their home countries. This drives brain drain

in many developing states. People need to feel safe and able to grow, but many skilled workers do not, so they leave. In Pakistan, for example, instability affects professional life. Many doctors, researchers, and

skilled workers are leaving. More than two-thirds of medical, dental, and nursing students plan to leave the country after graduation.⁶ These students mentioned better salaries, improved working conditions, and

1 “Brain Drain,” Merriam-Webster, accessed August 31, 2025, www.merriam-webster.com/dictionary/brain%20drain.

2 United Nations General Assembly, *Human resources development*, A/60/58, 2005, www.un.org/esa/documents/HRD%20Rep%20Final30AUG.pdf.

3 Frédéric Docquier, “The Brain Drain from Developing Countries,” Institute of Labor Economics, May 2014, wol.iza.org/articles/brain-drain-from-developing-countries/long#:~:text=The%20term%20%E2%80%9Cbrain%20drain%E2%80%9C.

4 Catia Batista et al., “Brain Drain or Brain Gain? Effects of High-Skilled International Emigration on Origin Countries,” *Science* 399, no. 6749 (May, 2025): eadr8861. doi.org/10.1126/science.adr8861.

5 A/60/58

6 S. Vineetha, Himani Kotian, and Rishit Anand, “Determinants for migration among medical, dental and allied health sciences students: Unveiling Brain Drain,” *Clinical Epidemiology and Global Health* 33 (May, 2025): 102051, doi.org/10.1016/j.cegh.2025.102051.

greater political stability abroad as reasons for wanting to move.⁷ This trend is especially powerful among male medical students and those with relatives already living abroad. Pakistan's healthcare system sees many of its most talented students leave the country, which takes away an opportunity to develop the country's internal healthcare system.

In Zimbabwe, years of economic collapse and neglect have caused a similar problem. Between 2021 and 2022, over 4,000 healthcare workers left the country.⁸ However, in places like Ondo State in Nigeria, continued investments in healthcare to continually support skilled workers raised the number of rural nurses from 28 to 66 percent.⁹ However, in unstable social and political conditions, it is more difficult to continually invest in public health infrastructure.

In Latin America, Venezuela and Nicaragua demonstrate how politics can hurt both economies and one's professional ambition. In Venezuela, hyperinflation, poor leadership, and broken public services are present. This has forced out teachers, doctors, and engineers. Since 2015, more than 7 million Venezuelans

have left the country. Most are middle-class professionals, including teachers, doctors, and engineers.¹⁰ Nicaragua faces a similar decline. Limits on academic freedom, limited democracy, and political persecution push young people away. Many study abroad with no plans to return. There is also a lot of migration to other countries in South America.¹¹ In Haiti, the loss of professionals after the 2010 earthquake hurt rebuilding efforts. Recovery was constrained by the limited availability of engineers, architects, and doctors. Countries may fall into a poverty loop if they do not have enough skilled workers to grow their economy.¹²

This problem is also shaped by offers from receiving countries. The US, Germany, the UK, and others actively recruit skilled workers from other states. With programs like the US's H-1B visa, Canada's Express Entry, and the EU Blue Card, there are systematic ways to attract skilled workers from places of instability. For example, Germany recruits doctors from the Philippines and Kenya to fill healthcare gaps.¹³ These workers may get better pay, safer lives, and more respect than

in their home country. The United Kingdom is also repeatedly cited as a key destination for skilled professionals.¹⁴ It has historical ties to former colonies like Pakistan, Ghana, and Nigeria, who are now facing both governance crises and ecological instability. These circumstances make the UK a favored destination for healthcare and academic professionals. High-income destination countries often experience labor-market and innovation benefits associated with skilled immigration. Healthcare systems grow stronger, tech industries expand, and universities gain skilled researchers. These policies to attract skilled workers capitalize on instability elsewhere, especially ecological or governance failures that push talent out.

Professionals cite safety, facility quality, and rights protections among factors influencing destination choices.¹⁵ Receiving countries can offer stability and prestige. Home countries cannot always promise this, even in the long term. Gender and minority status also shape brain drain. Marginalized groups may face extra challenges in their home country.

7 Sultan A. Meo, Abdelazeem A. Eldawlatly, and Tehreem Sultan, "Impact of Unstable Environment on the Brain Drain of Highly Skilled Professionals, Healthcare Workers, Researchers, and Research Productivity in Pakistan," *Saudi Journal of Anesthesia* 18, no. 1 (March, 2024): 48–54. doi.org/10.4103/sja.sja_549_23

8 "Over 4,000 Zimbabwean Doctors and Nurses Left the Country in 2021," *Reuters*, last updated November 21, 2022, www.reuters.com/world/africa/over-4000-zimbabwean-doctors-nurses-left-country-2021-2022-11-20/?utm_source.

9 Gamal I. Serour, "Healthcare Workers and the Brain Drain," *International Journal of Gynecology and Obstetrics* 106 (June, 2009): 175–178. doi.org/10.1016/j.ijgo.2009.03.035.

10 Ari Hoffman and Jeanne Batalova, "Venezuelan Immigrants in the United States," *Migration Information Source*, February 15, 2023, www.migrationpolicy.org/article/venezuelan-immigrants-united-states-2023.

11 International Organization for Migration, *South American Migration Report N°3* (Buenos Aires: IOM, March 2020), 1–7, lac.iom.int/sites/g/files/tmzbdl626/files/documents/Migration_Trends_final.pdf.

12 Docquier, "The Brain Drain from Developing Countries."

13 Aurora Almendral, "Rich Countries Are Importing a Solution to Their Nursing Shortages—And Poor Countries Are Paying the Price," *Quartz*, Pulitzer Center, September 27, 2023, pulitzercenter.org/stories/rich-countries-are-importing-solution-their-nursing-shortages-and-poor-countries-are-paying.

14 Meo, "Impact of Unstable Environment on the Brain Drain of Highly Skilled Professionals, Healthcare Workers, Researchers, and Research Productivity in Pakistan," 48–54.

15 Mutlu, "Fear of Violence and Brain Drain Analysis among Healthcare Workers in Turkey," 1666.

Female professionals in conservative or repressive societies often struggle with weak infrastructure as well as cultural barriers. In healthcare, most nurses are women. Female healthcare workers who face more violence are more likely to emigrate.¹⁶ Women in health and education also face distinct risks, like workplace violence, unpaid care burdens, credential hurdles, and family-separation costs. Therefore, policies should include safety standards, childcare, and targeted licensing support. Migration can be both a career lifeline and a way to gain independence.

High-income countries shape global rules and benefit from incoming talent. As skilled workers leave, source countries grow more dependent on foreign labor markets and remittances, weakening their domestic public services and public trust. Destination states gain both more workers and less foreign competition. Brain drain is a symptom of global inequality, so fixing it takes more than small reforms or pay bumps. It requires coordinated international support and domestic governance that guarantees safety, opportunity, and rights through transparency and accountability.

Brain drain often starts before people migrate. It begins in universities, where top students dream of living abroad. Surveys show that students in unstable countries plan their careers with migration in mind.¹⁷ This mindset



Immigrant Customs Point of Entry (Credit: Mani Albrecht)

shows how students could take actions that fit leaving, not staying. When students believe they will need to leave their country to succeed, it changes how they learn.¹⁸ They choose degrees, languages, and goals that match global demand, not local needs. This shift limits the potential for those individuals to build something in their home countries. However, scholarships tied to domestic placements, paid junior fellowships, and mentorship networks can align education pathways with real local jobs.

A better path for global development is “brain circulation,” where people go abroad, learn new skills, and still help their home by moving back, working with local companies, or sharing their knowledge online. For that

to happen, countries need safety, honest leaders, good schools and laboratories, and solid jobs. When those things exist, leaving is not the only way to build a future. Until governments fix political and social instability, the best and brightest will keep leaving, creating economic, moral, gender, and professional gaps.

Economic Push Factors

The global migration of highly skilled workers has become one of the defining trends of the 21st century. Global brain drain is often defined as a loss of talent, but years of investment, civic energy, and the potential social transformation that those individuals might have contributed to their community is

¹⁶ Mutlu, “Fear of Violence and Brain Drain Analysis among Healthcare Workers in Turkey,” 1666.

¹⁷ Vineetha, “Determinants for migration among medical, dental and allied health sciences students: Unveiling Brain Drain,” 102051.

¹⁸ Srivastava, *Economic Impact of Brain Drain in Developed and Developing Countries*.



Students from USAID-supported schools (Credit: USAID Pakistan)

also lost. As countries opened their economies globally in the 1980s and 1990s, skilled professionals were embedded in systems that had limited room for their expertise. Take, for instance, India, where over three million college graduates annually face limited opportunities, exposing a sharp education-employment gap.¹⁹ Where infrastructure is weak and bureaucracy slows hiring, states train engineers and doctors they cannot absorb, and those workers look abroad.

Developing countries invest heavily in educating their

workforce, only to see them leave for countries offering better prospects. It creates a loop where the costs of higher education are typically paid by the home country, while benefits are enjoyed by the country that the worker moves to.²⁰ Wealthier countries benefit from brain drain without having paid the price of training the talent. Staying in one's home country often means working in under-equipped settings, without stable salaries, career growth, or even reliable facilities.

It is not only working conditions but also wages. Top-performing students from developing countries

could increase their income by USD 40,000-60,000 per year when they move abroad.²¹ This represents a substantial increase compared to local incomes of families living on just a few hundred dollars per month. Take India, for example, where 41.6 percent of the population lives on less than a dollar a day, while the average income of Indians in the United States is over USD 60,000 a year.²² One's educational degrees and work experience suddenly become more valuable abroad, offering a better return on their investment and pushing them to emigrate.²³ In Tonga and Papua New Guinea, about 85 percent of top-achieving high school students think about emigration while still in high school.²⁴ Their local economies are largely dependent on remittances, which is the money that people working abroad send back to communities in their home country. This further deepens the incentive to leave. Patriotism and personal ties may not be enough to keep someone home if a clear path to financial security lies outside one's home borders.

Global labor demand makes this problem worse. Between 1990 and 2000, the number of university-educated migrants in democracies with developed market economies

19 Babita Srivastava, *Economic Impact of Brain Drain in Developed and Developing Countries*, (New Jersey: William Paterson University, 2018), www.aeaweb.org/conference/2018/preliminary/paper/r5STr4yk.

20 Kar-yiu Wong, and Chong Kee Yip, "Education, Economic Growth, and Brain Drain." *Journal of Economic Dynamics and Control* 23, no. 5-6 (April, 1999): 699-726. doi.org/10.1016/S0165-1889(98)00040-2.

21 Srivastava, *Economic Impact of Brain Drain in Developed and Developing Countries*.

22 Davis, "International Cooperation to Manage High-Skill Migration: The Case of India-US Relations," 509-526.

23 Michel Beine, Frédéric Docquier, and Hillel Rapoport, "Brain drain and economic growth: theory and evidence," *Journal of Development Economics* 64, no. 1 (February 2001): 275-289, doi.org/10.1016/S0304-3878(00)00133-4

24 Docquier, "The Brain Drain from Developing Countries."

more than doubled.²⁵ The countries that migrants leave cannot currently match opportunities. They lack the money and capacity to keep skilled workers. Sub-Saharan Africa is especially at risk. With low education levels and high emigration, the loss of each skilled worker causes great harm.²⁶ Some economists suggest that the possibility of migration motivates more students to pursue higher education. However, when students finish their education, they migrate to find work in their field.²⁷

Additionally, different tax systems and policies around the world can add to the incentives for high earners to relocate, especially where tax rates are high but public services, security, or property rights are perceived as weak. In developing states, the loss of the elite is not merely about tax revenue. It is about a reduction in local civic engagement and contributions. High-net-worth individuals often fund local arts, schools, and political campaigns. When they leave, the vacuum they create is not easily filled.²⁸ The departure of the wealthy and educated is a broader loss of wealth, leadership, and sociocultural capital.

Professionals in countries like Pakistan, Ghana, and Nigeria report deep frustration at corruption,

wage stagnation, and lack of institutional support. In one study, medical students in Pakistan cited poor salary, lack of resources, and career stagnation as their primary reasons for planning to leave.²⁹ Pakistan spends only 2.9 percent of its GDP on education, compared to 3.93 percent in other Asian countries.³⁰ Combined with poor teacher training, weak school management, poverty, terrorism, and natural disasters, this means many graduates face low-paying jobs and few chances to use their skills. These economic problems push many educated people to leave the country for better opportunities abroad.

The United States Agency for International Development's (USAID) Pakistan Education Program (USEP) tries to combat some of these issues by building and repairing schools, training teachers, improving reading skills, offering scholarships, and connecting universities with industries.³¹ If education is more valuable, more skilled people may stay in Pakistan. However, many schools and activities are not checked regularly. Two-thirds of progress goals were not measured, staff shortages delayed projects, and poor cost reviews may have caused millions in overpayments. If these faults

continue, the program's impact on reducing brain drain will be limited.

Economic push factors are systemic patterns. Local job creation, wage reform, infrastructure investment, and anti-corruption efforts are important in creating places the skilled workers want to stay. Resolving this issue will not be easy. It will take more than short-term policies. It will require a serious effort to rebuild trust, create good jobs, and make staying in one's home country a real option for the people who can help countries develop.

How Remittances Contribute to the Cyclic Nature of Brain Drain

Foreign workers often send money back home to support family members. The home country could benefit from the injection of foreign currency. However, remittances can also contribute to cycles that reinforce migration patterns. Sending money home does not resolve long-term damages of human capital flight. Instead, it reinforces the belief that success lies elsewhere. For example, it tells a child watching their sibling succeed elsewhere that they too must leave to thrive. In Bhutan, professionals

25 Hillel Rapoport, *Migration and Globalization: What's in it for Developing Countries?* (Bonn: Institute of Labor Economics, 2016), g2lmlic.iza.org/wp-content/uploads/2017/06/glmlic-wp014.pdf.

26 Wong, "Education, Economic Growth, and Brain Drain," 699–726.

27 Srivastava, *Economic Impact of Brain Drain in Developed and Developing Countries*.

28 Sanjaya Baru, *From Brain Drain to Wealth Drain: The Challenge of Elite Migration* (SAMRIDDHI, 2025): 1. www.ies.gov.in/pdfs/journal-2025.pdf#page=6

29 Jordan, *Technical workforce shortage and Its effect on economic development in the ECOWAS region*.

30 James C. Charlifue, *USAID's Pakistan Education Program Aligned With US Strategy, But Insufficient Oversight Could Impede Accountability for Results* (Washington: US Agency for International Development, 2020), oig.usaid.gov/sites/default/files/2020-07/5-391-20-001-P_0.pdf.

31 Charlifue, *USAID's Pakistan Education Program Aligned With US Strategy*.

who migrated abroad began to be perceived as “status symbols,” and the money sent back home only amplified the perception.³² The success of these professionals abroad further inspires others to follow the same route. In Nigeria, the educated elite, particularly those in medicine and STEM, emigrate in pursuit of better infrastructure and opportunity, while their remittances are used to fund the next wave’s journey out.³³ Thus, helping one’s family from afar becomes a mechanism that hollows out the state’s intellectual core.

Some argue that remittances can balance the losses. But this is not always true. In Haiti, for example, remittances constitute a huge part of the economy, yet the country still struggles with deep poverty. Haiti reported an income of about 12 billion USD in 2007 from remittances.³⁴ Remittances can help individual families, but that does not build hospitals or fund research.³⁵ Studies warn that waiting for emigrants to return or for remittances to fix the economy is not a viable solution. However, these financial flows are often framed as a method of poverty alleviation, with some scholars noting their role in improving

a household’s resource access, education access, and living standards.

Remittances can also affect national development priorities, cultural aspirations, and even academic values. In Nigeria, remittances have become a core part of the economy, but the overreliance on foreign money results in an appearance of short-term stability without addressing structural issues. Governments receive increased consumption-based revenues from the inflow of money.³⁶ This can reduce visible poverty in a state, with families relying on money sent from abroad. Then, investments in healthcare, education, and infrastructure may be set aside due to reliance on remittances.³⁷ Remittances could change the investment priorities of states negatively.

In remittance-dependent communities, local spending often shifts toward imported goods, real estate speculation, and private education. These are all markers of economic segregation that widen the gap between families with a migrant relative and those without.³⁸ Those who do not receive remittances are left behind both economically and socially. This only

intensifies the pressure to emigrate, especially among the educated population who see themselves as being uniquely equipped to ‘make it out.’ The result is a cycle where inequality both triggers migration and is deepened by it. The development of crucial sectors can become outsourced. Healthcare systems may be supported by the hope that international remittances will keep hospitals afloat or fund private clinics.³⁹ Also, a sense of national belonging begins to decrease. Those who remain begin to perceive the system as inherently unworthy of their effort or intelligence.

The cycle tightens even further when considering how remittances affect policy making. Some governments view migration as a strategic economic outlet. It manages unemployment and absorbs frustrated graduates who cannot find a job at home.⁴⁰ Encouraging skilled emigration, particularly in medicine and engineering, reduces domestic job demand. It also boosts foreign currency reserves through money sent home. But this approach stunts a country’s internal innovation systems. New ideas are not cultivated domestically because

32 Rinchen Dorji and Naohiro Hosoe, “Brain Drain in Bhutan: Its Impacts and Countermeasures,” *Comparative Migration Studies* 13 (April 2025): 19, doi.org/10.1186/s40878-025-00439-x.

33 Mba, *Transforming Brain Drain into Brain Gain: The Promising Case for Nigeria’s National Development*.

34 Joseph, “The Effects of Brain Drain on Haiti,” 145–156.

35 Hajer Kratou, Rekha Pillai, and Taimur Sharif, “Do Low-Skilled Migrant Remittances Help Achieve SDG 10?” *Journal of Chinese Economic and Business Studies* 22, no. 1 (May 2023): 31–60, doi.org/10.1080/14765284.2023.2210481.

36 Christian Hubert Ebeke, *Remittances, Value Added Tax and Tax Revenue in Developing Countries* (Clermont: Clermont Université, 2011) halshs.archives-ouvertes.fr/halshs-00552222.

37 Ezinne Mba, *Transforming Brain Drain into Brain Gain: The Promising Case for Nigeria’s National Development* (Chicago: University of Chicago, 2025), doi.org/10.6082/uchicago.15285

38 Kratou, “Do Low-Skilled Migrant Remittances Help Achieve SDG 10?” 31–60.

39 Mba, *Transforming Brain Drain into Brain Gain: The Promising Case for Nigeria’s National Development*

40 A. M. Khan, “The Effect of Brain Drain on the Economic Growth of Developing Countries: Evidence from Pakistan,” *Annals of Human and Social Sciences* 5, no. 2 (June 2024): 383–392, doi.org/10.35484/ahss.2024(5-II-S)36

the talent is abroad. Even when migrants wish to invest in their home country, they may face bureaucratic barriers, institutional instability, and political risk.

In Latin America and the Caribbean, remittances can also be linked to higher rates of displacement and long-term emigration. Remittances substitute for state intervention, creating a dependency that discourages grassroots activism or civic engagement to resolve domestic problems.⁴¹ People who receive external funds are less likely to demand better governance or resist corrupt leadership. The state, in turn, is more absolved of its responsibilities. A short-term coping mechanism becomes a multi-generational arrangement that maintains the status quo. Many Latin American migrants migrate for service labor, which over time funds the education and mobility of family members who then join them. This pattern of movement relates to forced displacement, especially in regions like Central America, where migration is deeply entangled with violence, corruption, and economic instability.⁴² Even here, the long-term consequence is brain drain. Children of remittance recipients are more likely to have better educational backgrounds and then aspire to leave rather than to reinvest locally, because their standard of living is directly tied to external success.



People at the Bank of the Philippine Islands Remittance Center (Credit: NAU JAG 202 HWOAM)

Remittances may briefly uplift entire communities, but they only work to a certain point. Research across regions in Africa, Asia, and Latin America has found that while remittances can reduce short-term poverty, they do not significantly improve long-term development outcomes.⁴³ Most remittances are used for consumption rather than investment. This means families might afford better food or private schooling for their children, but the broader economic and innovation ecosystem remains unchanged. And since education systems themselves are largely shaped by the goal of producing exportable labor, the brain drain continues.

While remittances can alleviate individual household constraints, they may not consistently drive system-level reforms. The better a migrant does abroad, the more likely their success is to convince others that leaving is not just beneficial but necessary. Individual gains may not translate into broad, system-level improvements in source countries. Therefore, plans like financial literacy workshops or government campaigns asking migrants to give back are small movements but need to be coupled with systemic changes. It requires a re-imagining of what development means, where ambition is not equated to leaving. As long as remittances continue to serve as

41 Richard Arturo Garcia Guerrero, *Assessing the Effect of Remittances on Refugee and Displacement Patterns in Latin America and the Caribbean* (Washington: Georgetown University, 2024), hdl.handle.net/10822/1088813.

42 Garcia, *Assessing the Effect of Remittances on Refugee and Displacement Patterns in Latin America and the Caribbean*.

43 Titus Ayobami Ojeyinka and Cleopatra Oluseye Ibukun, "Do Remittances Mitigate Poverty? Evidence from Selected Countries in Africa, Asia and Latin America," *Economic Change and Restructuring* 57 (April 2024): 93, doi.org/10.1007/s10644-024-09666-1.



Roadside Landscape of Cape Verde during a time drought (Credit: Cayambe)

both relief and reinforcement, brain drain will continue to contribute to global inequality.

How the Environment Contributes to Emigration

Ecological conditions play a significant role as one of the intertwined forces driving global brain drain. Environmental degradation and climate stressors act as major compounding push factors. Countries already vulnerable in other areas can find their best and brightest

driven abroad by pollution, disaster frequency, and failing ecological systems. Environmental instability can drive emigration among educated people. In parts of Vietnam, environmental degradation, such as declining water quality, fisheries collapse, and air pollution, has pushed university graduates to relocate to cities or abroad.⁴⁴ These shocks create a cascading effect. When one sector fails, teachers, nurses, and small businesses also lose their prospects, prompting whole families to move. The result is long-term loss of talent from rural and coastal regions and a thinner local skills base.

Educated people are often more able to escape long-term climate problems by moving abroad, as they have attractive skills. Educated individuals are also more likely to emigrate following natural disasters like floods and storms than in a calm, stable environment.⁴⁵ When educated workers leave polluted areas, they exacerbate local income inequality.⁴⁶ High pollution levels push skilled workers to seek cleaner, safer environments. Cleaner environments are mostly found in wealthier areas or countries. This trend may reduce institutional capacity. It also undercuts mentorship for the next generation and feeds into a cycle where countries lose the educated people who can help reverse environmental decline.

In Cape Verde, environmental constraints add to the loss of human capital. In island countries facing rising sea levels, severe droughts, and limited natural resources, the departure of educated citizens can threaten a state's existence.⁴⁷ When capable citizens leave, countries lose leadership, innovation, and institutional memory. Professionals fleeing issues such as worsening air quality seek clean environments, functioning hospitals, and more research opportunities. Developed countries become perceived as relatively climate-stable destinations

44 Quy Van Khuc, Minh-Hoang Nguyen, Tam-Tri Le, Truc-Le Nguyen, Thuy Nguyen, Hoang Khac Lich, and Quan-Hoang Vuong, "Brain drain out of the blue: pollution-induced migration in Vietnam," *International Journal of Environmental Research and Public Health* 19, no. 6 (March 2022): 3645, doi.org/10.3390/ijerph19063645

45 Alassane Drabo, and Linguère Mously Mbaye, *Climate Change, Natural Disasters and Migration: An Empirical Analysis in Developing Countries* (Germany: Université d'Auvergne, 2011), docs.iza.org/dp5927.pdf.

46 Baoxi Li, Shixiong Cheng, and De Xiao, "The Impacts of Environmental Pollution and Brain Drain on Income Inequality," *China Economic Review* 62 (August 2020): 101481, doi.org/10.1016/j.chieco.2020.101481.

47 Alexandre Claudon, and Louise Daintrey, *Cape Verde: 2023 IFRC Network Country Plan* (Cape Verde: Red Cross of Cape Verde, 2023), adore.ifrc.org/Download.aspx?FileId=637787.

for skilled migrants. Environmental stressors in source countries can coincide with talent inflows to wealthier destinations.

Researchers note that several South American countries, including Brazil and Venezuela, face worsening environmental conditions that push out skilled workers.⁴⁸ The urban, poor, rural, and educated alike face polluted environments with few resources to help. In Brazil, industrial zones are sources of both economic opportunity and environmental danger. This creates a 'push-pull paradox.' While some educated individuals attempt to stay and reform local systems, many more opt to leave, contributing to a cycle where environmental degradation deepens and reform becomes harder to sustain.

When industrial growth outpaces environmental oversight, countries suffer from rising emissions and fleeing skilled workers. Educated professionals, aware of health and climate risks, may relocate. This turns brain drain into a broader wealth drain and thins the capacity to regulate or innovate at home.⁴⁹ Without credible enforcement, monitoring, and green investment, the cycle persists of higher CO₂, weaker institutions, and a shrinking talent base. Also, war and climate

disasters, as in Ukraine and Sudan, can trigger rapid flight. Brain drain is increasingly an issue of survival, health, and quality of life. The natural environment is an active force, shaping who leaves, when, and why. For many, it is about seeking opportunity and escaping deterioration. Environmental pressures like sudden hurricanes or slow-moving concerns of pollution and climate change shape the global reorganization of talent. Sustainability efforts and policy reform become more necessary to make host countries physically livable, to stop people from leaving.

Impact of the Intellectual Exodus on Academia & Innovation

Academia provides opportunities to people all around the world. It grants mobility, both socially and economically. However, academic brain drain leaves research institutions in developing countries weaker. When professors, researchers, and doctoral students take their work and dreams abroad, intellectual institutions in developing countries suffer.

The problem is particularly pronounced in countries that have systemic instability or weak

support for academics. In Iran, many professionals leave for the US not just for better pay but for access to research and opportunities that they do not have at home.⁵⁰ This emigration enriches the host country's knowledge base, and it decreases Iran's capacity to train future professionals and contribute to global research. Under political pressure and chronic underfunding, many institutions struggle to evolve, pushing top faculty and graduates toward environments with greater academic freedom and research support.⁵¹ The result is a self-reinforcing cycle: brain drain is both a symptom and a cause of underdevelopment. The less a system invests in research capacity, autonomy, and funding, the more scholars depart, and each departure further weakens the institutions left behind.

Geographic mobility affects productivity in elite departments worldwide. Scholars who move across borders often experience significant increases in publication output and research impact.⁵² When top researchers leave countries with already underfunded universities, their departure drains not only classrooms but entire national innovation systems. Talent also shifts inside many countries, from rural to urban areas and from

48 Li, "The Impacts of Environmental Pollution and Brain Drain on Income Inequality," 101481.

49 Emad Kazemzadeh, José Alberto Fuinhas, Narges Salehnia, Matheus Koengkan, Masoud Shirazi, and Fariba Osmani, "Factors driving CO2 emissions: the role of energy transition and brain drain," *Environment, Development and Sustainability* 26, no. 1 (2024): 1673-1700, doi.org/10.1007/s10668-022-02780-y

50 Mehrassa Farjad, *Brain drain: migration of Iranian physicians to the United States*, (Washington: The George Washington University, 1981), search.proquest.com/openview/f81d4f0cd9fef807ee193e50820507a4/1?pq-origsite=gscholar&cbl=18750&diss=y&casa_token=bB3olAaUgRMAAAAAA:BRNV3q4Yytbe6zuE9jBzJxXvMwnb3sy2Vc387mPVRQPFPnIIPaS6AEy1rkzN4ii6S-lgzg7LeqA

51 Mamphela Ramphele, "The university as an actor in development: New perspectives and demands," *Journal of Higher Education in Africa* 2, no. 1 (2004): 15-33, www.jstor.org/stable/24486125

52 Pedro Albarrán, Raquel Carrasco, and Javier Ruiz-Castillo, "Geographic mobility and research productivity in a selection of top world economics departments," *Scientometrics* 111 (January 2017): 241-265, doi.org/10.1007/s11192-017-2245-x

public to private sectors, deepening shortages where services are already weakest. Developing countries are left to consume, not create, knowledge from the global stage.

Even countries that pride themselves on high levels of education are vulnerable. In Lithuania and similar states, universities are producing more graduates than ever before, but many of the most qualified are planning their departure before crossing the graduation stage.⁵³ Local academic institutions often lack the funding, mentorship, and infrastructure to support a viable career in research or teaching. The professors who remain face overloaded classrooms, stagnant wages, and limited opportunities to engage in cutting-edge work. Over time, this dynamic fosters a cycle where if academic excellence cannot be sustained at home, it will be sought out and rewarded elsewhere. Beyond the individual loss of a professor or a doctoral student lies the much broader, collective danger of fractured intellectual ecosystems. When experts across disciplines begin to disappear, the damage extends to students, institutions, and national development goals. Limited retention of researchers can constrain universities' research capacity.⁵⁴ Universities are essential in a country's development strategy, but they rely on people to contribute work.

The departure of respected professors and mentors leaves younger scholars alone. Migration intentions are shaped not only by economic need but also by feelings of disconnection from one's own country.⁵⁵ Students who see their role models depart are less likely to feel inspired by or loyal to local academic institutions. Academia thrives on the idea that knowledge is passed down, built upon, and reimaged within the cultural context it was born from. This

Academic migration is rarely a temporary decision. International students and scholars often plan to remain abroad long after completing their education.

chain is broken when there are not enough people to continue feeding their academic work and minds into the system.

This disruption is especially painful in regions such as the Western Balkans, where education remains one of the few ladders to upward mobility.⁵⁶ Yet even as universities expand, they struggle to offer meaningful career outcomes.

Students' dissatisfaction with academic quality, limited job prospects, and rigid institutional culture is harmful. It leads many to view migration as the only logical conclusion to their studies. Migration is a response to a weak academic system. However, visiting professorships, matched research grants, diaspora bonds, and structured remote work (in telemedicine or online mentoring) can convert departure into ongoing contribution.

In Sub-Saharan Africa, universities have inherited the colonial model of higher education but lack the resources or infrastructure to function with the same success.⁵⁷ Faculty shortages, low research funding, and low international visibility make it difficult to keep educated people. Latin America often sees brain drain take on a more ideological and institutional tone. Skilled migration in Latin America is highly influenced by perceptions of corruption, lack of fair opportunities, and political instability.⁵⁸ Many academics choose to leave because they see no way to contribute meaningfully at home. Countries like Argentina and Mexico have historically strong university systems, but skilled researchers leaving undermines their ability to maintain strong innovation and research. The number of researchers in Latin America represents only 3.5 percent

53 Palmira Jucevičienė, Renata Viržintait, and Giedrius Jucevičius, "Brain Drain in Country In-transition: Paradox of Higher Education," *Socialiniai mokslai* 44, no. 2 (2004): 45-55, www.lituanistika.lt/content/39077

54 Ramphela, "The university as an actor in development: New perspectives and demands," 15-33.

55 Vega-Muñoz, "The determinants of Brain Drain and the Role of Citizenship in Skilled Migration," 132.

56 Jucevičienė, "Brain Drain in Country In-transition: Paradox of Higher Education," 45-55.

57 Ramphela, "The university as an actor in development: New perspectives and demands," 15-33.

58 Vega-Muñoz, "The determinants of Brain Drain and the Role of Citizenship in Skilled Migration," 132.

of the world's total.⁵⁹ This is in stark contrast to the proportion of the world population that lives in the region.

Academic migration is rarely a temporary decision. International students and scholars often plan to remain abroad long after completing their education. This leads to a permanent shift in where research and innovation occur.⁶⁰ The funding and global reach of Western universities create an

attractive destination for talent from developing countries. Institutions that maintain high rates of international recruitment also rank highest in research productivity. This suggests that global academic inequality is structurally reinforced by these patterns of migration.⁶¹

This dynamic forms a cycle with little room for reversal. As African and Latin American institutions become less capable of retaining or attracting scholars, their reputations

and funding suffer, making them less competitive. Meanwhile, the Western world continuously strengthens its intellectual infrastructure. Without targeted efforts to reverse these flows, or at least balance them, many regions will remain locked out of the global research conversation because they cannot protect talent. If countries hope to stem the academic exodus, they must begin by treating academia as the vital organ it is.

CURRENT STATUS

Case Study: Cuba's Brain Drain

Cuba offers a striking example of how social, political, and economic factors contribute to brain drain. As a country with an advanced education system but a struggling economy, it faces constant losses of highly educated citizens. The combination of limited opportunities and restricted freedoms has made Cuba a prominent example of brain drain.

The roots of Cuba's brain drain go back decades, particularly following the 1959 revolution. In the early years of the revolution, many professionals fled the country due

to the loss of private property and the closing political space. However, even after these initial waves, Cuba continued to experience sustained losses of skilled individuals. Cuba's economic model, based on centralized planning and state control, has failed to offer competitive salaries or infrastructure to retain its most educated citizens. Over time, this has created a long-term pattern of brain drain that remains a core concern for the country's development strategy.⁶²

One of the most affected sectors in Cuba is healthcare. While the country is internationally recognized for producing large numbers of well-trained doctors and nurses, many professionals

leave the country. They often defect during overseas missions or through family reunification programs in host countries. These departures are motivated by the promise of higher wages abroad and professional autonomy. The liberalization of Cuba's emigration policy in 2013 made it easier for citizens to leave, leading to a sharp increase in the departure of healthcare workers.⁶³ In particular, concerns were raised about the sustainability of the national health system as more experienced doctors and specialists sought work in countries like the United States, Spain, and Brazil.

Economic incentives for migration are especially powerful. While a Cuban doctor might earn

⁵⁹ Pedraza, "Brain Drain: Social and Political Effects in Latin American Countries," 29-48.

⁶⁰ Yehuda Baruch, Pawan S. Budhwar, and Naresh Khatri, "Brain drain: Inclination to stay abroad after studies," *Journal of world business* 42, no. 1 (March 2007): 99-112, doi.org/10.1016/j.jwb.2006.11.004

⁶¹ Albarrán, "Geographic mobility and research productivity in a selection of top world economics departments," 241-265.

⁶² Ernesto Domínguez López, "Migration, Brain Drain, and Cuba-US Relations," *The Journal of Carnegie Council For Ethics in International Affairs*, Ethics & International Affairs, April 18, 2018, www.ethicsandinternationalaffairs.org/online-exclusives/migration-brain-drain-and-cuba-u-s-relations

⁶³ Daniel Vázquez, *Cuba Alert to Possible Brain Drain with Increased Migratory Flexibility* (Albuquerque: Latin America Digital Beat, 2012), digitalrepository.unm.edu/noticen/10021.

the equivalent of USD 20-30 per month on the island, the same professional could earn thousands abroad. The Cuban state uses healthcare missions to generate income by sending doctors to countries like Venezuela and receiving payments in return. Yet, individual physicians on these missions are often paid a fraction of what their labor is worth internationally. As a result, many choose to leave the missions and apply for asylum or permanent residence in the host country. This is sometimes referred to as “medical desertion.”⁶⁴

Cuba’s brain drain extends into academic and research sectors. Many Cuban scholars seek opportunities to teach or conduct research abroad. They move abroad due to limitations in funding, censorship, and lack of international connectivity. Intellectuals in restrictive political environments may feel that their careers are stunted by ideological control and barriers to collaboration. For Cuba, this has meant migration of the intellectual community, particularly younger researchers and professors who feel constrained.⁶⁵

The relationship between Cuba and the United States is particularly relevant in understanding the dynamics of its brain drain. For many years, US immigration policy encouraged the migration of Cuban

professionals through programs like the Cuban Medical Professional Parole Program (CMPP). The CMPP offered fast-track residency to Cuban medical personnel who moved to the US. Although the program was discontinued in 2017, it attracted thousands of Cuban medical professionals. Policies like this have increased the flow of talent out of Cuba and into the US.⁶⁶

Some estimates say between 2000 and 2015, over 50,000 Cuban professionals emigrated from the country, with a particularly high concentration in the healthcare and education sectors.⁶⁷ During peak years of the Cuban Medical Professional Parole Program, the US admitted as many as 3,000-4,000 Cuban healthcare workers annually. Cuba spends nearly 12.6 percent of its GDP on public health, yet receives little return on this investment when skilled professionals leave.⁶⁸ Further, nearly 40 percent of medical personnel assigned abroad from Cuba between 2010 and 2015 failed to return, which illustrates the scale of permanent emigration and professional loss.⁶⁹ Cuba educates and trains a globally respected workforce, but systemic constraints and global economic disparities continue to siphon that talent abroad.

In addition to traditional push-and-pull factors, Cuba’s brain drain

is accelerated by the digital age. Increased access to information has made it easier for Cuban professionals to plan emigration. These tools allow individuals to research visa options, apply for jobs, and maintain contacts abroad. Modern information and communication technologies are transforming brain drain into a more continuous and connected process, rather than a one-time departure. These technologies serve as a window to the outside world and as a lifeline once people are abroad, facilitating long-term resettlement.⁷⁰

Despite the losses, Cuba has seen some form of return migration or diaspora engagement. However, the country’s restrictive legal framework and lack of private sector growth have made it difficult to meaningfully reintegrate returnees. Professionals who return often find it difficult to apply the skills they gained abroad in a stagnant economy that offers limited innovation opportunities. Compared to countries like China or India, which have created structured programs to attract back their diaspora talent, Cuba has not yet developed the institutional mechanisms necessary to turn brain drain into brain gain.

The social and psychological costs of Cuba’s brain drain are also significant. Families are

⁶⁴ Lopez, “Migration, Brain Drain, and Cuba-US Relations,”

⁶⁵ pubmed.ncbi.nlm.nih.gov/29093905/

⁶⁶ Lopez, “Migration, Brain Drain, and Cuba-US Relations,”

⁶⁷ Lopez, “Migration, Brain Drain, and Cuba-US Relations,”

⁶⁸ “Cuba – Country Profile,” *Health in the Americas*, Pan American Association, October 1, 2024, hia.paho.org/en/country-profiles/cuba.

⁶⁹ Vázquez, *Cuba Alert to Possible Brain Drain with Increased Migratory Flexibility*.

⁷⁰ Damtew Teferra, *Unleashing the forces of the diaspora: Capitalizing on brain drain in the era of information and communication technologies*, (Boston, Boston College: 2003), horizon.documentation.ird.fr/exl-doc/pleins_textes/divers10-04/010047989.pdf.

often separated across borders. Communities lose not only economic contributors but also role models and leaders. The departure of professionals reduces both the human capital available for national development and the confidence of younger generations in the future of the country. This reinforces a cycle of emigration and pessimism. The psychological toll of constrained opportunity and emigration pressure can affect both those who leave and those who stay behind.⁷¹

Finally, it is important to understand Cuba's brain drain as part of a global trend that affects many low- and middle-income countries. Cuba's case is particularly intense due to its highly educated population, political tensions with major receiving countries, and its centralized economic system. Cuba has closed markets and rigid immigration arrangements. This makes it difficult to keep talent and encourage skilled workers to return. Unless major policy reforms are undertaken, the country is likely to continue losing valuable professionals to migration.



Venezuelan university graduates protesting against the government. Sign reads: “What good can two degrees do me under dictatorship” (Credit: NoonIcarus)

Brain Drain of Medical & Healthcare Professionals

The global migration of healthcare professionals has sped up recently. While the movement of these professionals can bring economic and professional benefits, it often creates serious concerns for the countries they leave behind. The modern brain drain of medical professionals highlights global inequality, strained health systems, and broader policy failures.

In Sub-Saharan Africa, brain drain and instability are closely linked. Doctors and nurses are trained at high cost to the home state but often leave for more stable countries like Canada, the United States, or the United Kingdom.⁷² In Nigeria and Ghana, many health workers have left. In some contexts, the ratio is skewed so much that there is one doctor for every 5,000 patients in rural areas, but the average in developed countries is one doctor for about every 254 people.⁷³ In Ghana, up to 60 percent of nurses in some settings have intentions to leave the country.⁷⁴ The Ghanaian

71 B.D. Oladeji and O. Gureje, “Brain Drain: A Challenge to Global Mental Health,” *BJPsych International* 13, no. 3 (August 2016): 61–63, doi.org/10.1192/s2056474000001240.

72 Ibrahim Mudasir Mohammed et al., “Determinants and Mitigating Factors of Brain Drain among Ghanaian Nurses: Insights from Nurse Managers in Northern Ghana—A Qualitative Inquiry,” *Journal of Nursing Management*, (August, 2024), doi.org/10.1155/2024/8862991.

73 Alfred Olufemi, “Africa struggles to stop brain drain of doctors and nurses,” *The Guardian*, August 14, 2023, www.theguardian.com/global-development/2023/aug/14/africa-health-worker-brain-drain-acc.

74 Mohammed et al., “Determinants and Mitigating Factors of Brain Drain among Ghanaian Nurses.”

government attempted to stop this by funding the nurses' education in exchange for agreeing to work in the country for five years.⁷⁵ However, when the government stopped this initiative, staff shortages came back.

Turkey faces a similar crisis with additional dimensions. Hospital workers face verbal, psychological, and even physical assaults, which creates conditions that many professionals describe as unsafe and unsustainable.⁷⁶ As professionals burn out and leave their jobs, healthcare quality falls. Those who stay are overworked, which makes the environment more unpleasant, and thus more of an impetus to leave. Egypt also struggles with systemic issues that drive away skilled workers. Healthcare professionals cite poor medical infrastructure, corruption, and bureaucracy as reasons for leaving.⁷⁷ Some professionals report limited institutional support and constrained career progression.

In Venezuela, the country's prolonged economic and political crisis has led to a near-collapse of public health infrastructure. Between 2012 and 2017, Venezuela lost over 22,000 doctors, representing a significant reduction in the number of practicing

physicians.⁷⁸ Hospitals have become understaffed, and patients often die from treatable conditions. This has only been worsened by a lack of basic supplies. Professionals who do remain potentially face poor working conditions, late pay, and political persecution. As a result, emigration has become a survival strategy, with many Venezuelan healthcare workers seeking asylum in neighboring countries or pursuing work permits abroad.

India has also long experienced the loss of medical professionals

The US healthcare system depends on international medical graduates, who account for over 25 percent of the physician workforce in some states.

to Western countries. Each year, thousands of Indian doctors and nurses migrate to countries like the United States, Canada, and the United Kingdom. Many leave searching for better salaries, advanced training, and improved working conditions. This brain drain is particularly damaging

in rural and underserved areas of India, where medical staff are already in short supply. Indian healthcare workers often leave immediately after graduation or residency, representing a direct loss of state investment in their training.⁷⁹ Despite having one of the largest medical education systems in the world, India continues to struggle with healthcare access as a result of this outflow.

Gambia is an example of how even small-scale emigration can have severe consequences for low-income countries. As of 2019, Gambia had fewer than 200 doctors serving a population of over 2 million.⁸⁰ The departure of just a few skilled professionals creates major gaps in care. The country struggles to retain doctors due to low wages, limited career advancement, and poor working conditions. Many Gambian medical students study abroad and never return, leading to a 'leaky pipeline' in the national healthcare workforce.⁸¹

In contrast, the United States is a major recipient of medical migrants and benefits from brain gain. The US healthcare system depends on international medical graduates, who account for over 25 percent

75 Sammy Darko, "How Ghana Has Reversed Exodus of Nurses," BBC News, February 27, 2015, www.bbc.com/news/world-africa-31637774

76 Hatice Mutlu, Gözde Bozkurt, and Gökten Öngel, "Fear of Violence and Brain Drain Analysis among Healthcare Workers in Turkey," *BMC Health Services Research* 24 no.1 (December, 2024): 1666, doi.org/10.1186/s12913-024-12183-6.

77 Lisdey Espinoza Pedraza, "Brain Drain: Social and Political Effects in Latin American Countries," *Revista Grafia* 10, no. 2 (December, 2013): 29-48, revistas.fuac.edu.co/index.php/grafia/article/view/179/179.

78 Antonio Maria Delgado, "Doctors in Violent Venezuela Work Under Threat of Death if Patients Die," *Miami Herald*, last updated May 20, 2018, www.miamiherald.com/news/nation-world/world/americas/venezuela/article207281029.html.

79 Davis, "International Cooperation to Manage High-Skill Migration: The Case of India-US Relations," 509-526.

80 Momodou G. Bah et al., "The Development of Neurosurgery: History and Current State of Neurosurgery in the Gambia," *World Neurosurgery* 187 (July 2024): 2-10, doi.org/10.1016/j.wneu.2024.03.155.

81 Oladeji, "Brain Drain: A Challenge to Global Mental Health," 61-63.

of the physician workforce in some states. These professionals often fill critical shortages in primary care and rural areas.⁸² The United States actively recruits foreign-trained doctors through visa programs and professional licensing support.⁸³ While this helps meet US labor needs, it raises global justice concerns about drawing essential talent away from states with far fewer resources.

The United Kingdom has also been a major destination for international medical staff from the Global South. The UK's National Health Service (NHS) is reliant on foreign-trained doctors and nurses to function. While their policies help to meet domestic labor shortages, they draw skilled workers away from countries where they are needed. Nigeria, India, and Pakistan consistently rank among the top sources of internationally recruited NHS staff.⁸⁴ Nigeria alone had more than 9,000 doctors registered with the UK's General Medical Council.⁸⁵ Emigration has led to a shortage of medical staff in Pakistan's public hospitals, particularly in remote or conflict-affected areas.⁸⁶

Major destination countries also include the Gulf States.

Additionally, Japan has also begun to recruit foreign nurses and caregivers to address the aging population and workforce shortages. However, strict language requirements and cultural barriers have limited the success of these initiatives. Japan loses relatively few professionals to emigration, but it faces a different challenge where the shortage of care workers is pushing it to reshape immigration policy.⁸⁷ This dynamic has raised concerns about the active recruitment of healthcare professionals from low-income countries.

In foreign settings, even when migrants arrive, licensing and credential recognition barriers can push doctors, engineers, and researchers into jobs below their skill level. They may need to get work wherever they can once they first move, especially if their experience is not deemed equal to a host country's demands. Addressing this underemployment in destination countries through fast-track recognition is essential to ensure migration benefits individuals and systems. Mutual recognition agreements, fast-track licensing, and digital credentialing can reduce this "brain waste." It should also be paired with quality

safeguards and diaspora-engagement pathways to turn exit into circulation, alongside standardized data-sharing on skilled migration to guide policy making.

Some countries have started to implement partial solutions to medical brain drain. India has attempted to expand postgraduate training slots and create incentives for rural service. Nigeria has launched diaspora engagement programs to encourage short-term returns. The World Health Organization has promoted the Global Code of Practice on the International Recruitment of Health Personnel, which encourages ethical recruitment and compensation strategies.⁸⁸ Delegates may also consider global skills partnerships, fair compensation for training costs, return-of-service schemes with safeguards, and portable pensions to make mobility fairer.

Sustainable Development Goals

The global brain drain problem is deeply connected to the United Nations Sustainable Development Goals (SDGs), especially SDG Four, SDG Eight, and SDG Nine.

⁸² Peggy Guey Chi-Chen, Marcella Nunez-Smith, Susannah May Bernheim, David Berg, Aysegul Gozu, and Leslie Ann Curry, "Professional Experiences of International Medical Graduates Practicing Primary Care in the United States," *Journal of General Internal Medicine* 25, no. 9 (September 2010): 947–953, doi.org/10.1007/s11606-010-1401-2.

⁸³ Justus M. Van Der Kroef, "The US and the World's Brain Drain," *International Journal of Comparative Sociology* 11, 3 (1970): 220–239, doi.org/10.1163/156854270X00110.

⁸⁴ N. Brennan, N. Langdon, M. Bryce, L. Burns, N. Humphries, A. Knapton, and T. Gale, "Drivers and Barriers of International Migration of Doctors to and from the United Kingdom: A Scoping Review," *Human Resources for Health* 21 (February, 2023): 11, doi.org/10.1186/s12960-022-00789-y.

⁸⁵ Marcus Fatunmole, "In Two Years, Nigeria Lost Nearly 9,000 Doctors to UK, Others," The ICIR, October 7, 2021, www.icirnigeria.org/in-two-years-nigeria-lost-nearly-9000-doctors-to-uk-others/.

⁸⁶ Khan, "The Effect of Brain Drain on the Economic Growth of Developing Countries: Evidence from Pakistan."

⁸⁷ Van Der Kroef, "The US and the World's Brain Drain," 220–239.

⁸⁸ "New WHO Guidance Promotes Fair and Ethical Management of International Health Worker Migration," WHO, April 1, 2024, www.who.int/news/item/01-04-2024-new-who-guidance-promotes-fair-and-ethical-international-health-worker-migration.



African undergraduate doctor working with a patient (Credit: JacobOcenFay)

Reaching these three goals will help address the issue of global brain drain. Global inequalities in education systems, labor markets, and infrastructure fuel the brain drain phenomenon.

SDG Four is Quality Education. Goal Four seeks to promote inclusive and equitable quality education and promote lifelong learning opportunities for everyone. One of the paradoxes of global brain drain is that countries with strong education systems often suffer the most from talent loss. These states invest heavily in education, training professionals and scientists, only to lose them to wealthier countries that offer better salaries and opportunities.

SDG Eight is Decent Work and Economic Growth. More than 70 percent of developing countries that train engineers and healthcare professionals are net exporters of that talent, meaning they lose more than they gain.⁸⁹ India has one of the largest educational systems globally, but thousands of its graduates emigrate annually. This flow of talent is especially damaging because India's rural areas remain underserved. National economic growth suffers when professionals do not stay and contribute to the economy.

Education is not only about producing degrees. It should also link to local opportunities. When students are educated in science,

technology, or medicine, but cannot find meaningful employment at home, they are more likely to leave. The case of Cuba illustrates this clearly. Despite having a world-renowned healthcare training system, many Cuban doctors and nurses emigrate. This migration is caused by low pay, poor working conditions, and limited personal freedoms. Education alone cannot prevent emigration without having the necessary industries and supporting structures to employ skilled workers.⁹⁰

The brain drain crisis is directly tied to SDG Eight, as it pushes for inclusive and sustainable economic growth, productive employment, and decent work for all people.⁹¹ When decent work is unavailable, migration becomes a necessity for many skilled professionals. This dynamic is visible in many countries, for example, Pakistan and Gambia, where stagnant wages and limited career growth make emigration an attractive option. Countries like the US and UK actively recruit medical professionals to fill domestic labor shortages, usually in underserved communities and rural hospitals. While this provides economic benefit to receiving countries, it worsens inequality by removing skilled labor from the places that invested in their training.⁹²

The SDG Eight framework stresses the importance of retaining

89 Ellen Boeren, "Understanding Sustainable Development Goal (SDG) 4 on "quality education" from micro, meso and macro perspectives," *International review of education* 65 (March 2019): 277-294. doi.org/10.1007/s11159-019-09772-7

90 Vázquez, *Cuba Alert to Possible Brain Drain with Increased Migratory Flexibility*

91 Shirin M. Rai, Benjamin D. Brown, and Kanchana N. Ruwanpura, "SDG 8: Decent work and economic growth—A gendered analysis," *World Development* 113 (January 2019): 368-380. doi.org/10.1016/j.worlddev.2018.09.006.

92 Van Der Kroef, "The US and the World's Brain Drain," 220-239.

human capital through fair wages, stable employment, and supportive work environments. However, most sending countries have not developed the institutional capacity to do so. Often, even when doctors, engineers, or researchers return home, they find that underfunded institutions and rigid hierarchies limit their ability to contribute meaningfully. Without reforms to public and private labor systems, SDG Eight's targets cannot be met in countries experiencing severe brain drain.

SDG Nine calls for building strong and long-lasting

infrastructure, promoting inclusive and sustainable industrialization, and promoting innovation.⁹³ This goal is especially relevant to brain drain because professionals migrate searching for better research facilities, equipment, and institutional support. Countries that fail to invest in both physical and institutional infrastructure then struggle to keep their top talent. Scientists and innovators often face limited access to laboratories, research grants, or updated equipment in their home countries. As a result, even those with a strong

sense of national duty may feel their skills are going to waste.⁹⁴

SDGs Four, Eight, and Nine are all key to addressing global brain drain. Education systems must be matched with decent work opportunities and innovation ecosystems. If not, countries risk training professionals who will move to work abroad. There is an urgent need for coordinated action across these three SDGs. Without improving education quality, labor equity, and research infrastructure, brain drain will continue to block progress toward the SDGs.

BLOC ANALYSIS

Point of Division

This division is formed by the structural outcomes of global skilled migration. Countries are categorized by whether they primarily lose, gain, or both lose and gain talent. Talent donor countries are defined by systemic conditions that push professionals abroad, often creating long-term developmental setbacks. In contrast, talent-receiving countries benefit from strong economies, advanced institutions, and immigration policies that pull skilled workers in, reinforcing their domestic capacity for innovation and growth. Between these opposites, some states experience

both brain drain and brain gain, where outbound migration is partially offset by return migration, foreign professionals, or diaspora engagement. This division reflects the unequal global flows of knowledge and human capital, shaped by each country's institutional strength, economic priorities, and policy choices.

Talent Donor Countries (Brain-Drained)

The talent-donating bloc refers to countries that consistently lose their most educated and skilled individuals to emigration. These states are often economically

unstable, politically volatile, or underdeveloped. These conditions make it difficult to retain professionals such as doctors, engineers, academics, and students. Many individuals become trained at public expense, only to contribute their talents abroad. The consequences of this loss are great, whether it be societal stagnation or weakening institutions. Members of this bloc face structural conditions that contribute to the persistent emigration of skilled workers.

Delegates may tackle these root causes to dissuade the 'brain drain' or find new ways to incentivize staying. While the international mobility of talent is not inherently

⁹³ Sinan Küfeoglu, "SDG-9: industry, innovation and infrastructure," *Emerging technologies* (July 2022): 349-369, doi.org/10.1007/978-3-031-07127-0_11

⁹⁴ Mohammad Najib, Abdullah S., Narresh S., and Muhamad Hanafiah Juni, "Brain-Drain Phenomenon among Healthcare Workers," *International Journal of Public Health and Clinical Sciences* 6, no. 3 (June 2019): 90-102, doi.org/10.32827/ijphcs.6.3.90.

negative, for these countries it often represents a net loss that weakens their domestic capacity for development. This bloc may seek international recognition of the inequity in global knowledge flows and to amplify the needs of countries left vulnerable by outbound migration.

Cuba is one notable example country for this bloc.⁹⁵ Cuban professionals seek jobs abroad because of the economic hardships and limited freedoms on the island. Similarly, Venezuela has experienced one of the most significant brain drains in the Western Hemisphere. Many Venezuelans leave to find work to support their families. Remittances sent home become a main source of income.⁹⁶ In Iran, significant medical emigration exists due to a lack of academic resources and freedoms, along with economic mismanagement. Even graduates and physicians who studied at the best schools in Tehran leave because there is a gap in quality facilities available for healthcare workers to do their jobs efficiently.⁹⁷ The situation is echoed across South Asia as well. In Pakistan, the pattern of economic uncertainty, poor infrastructure, and social upheaval are identified as primary drivers of brain drain.⁹⁸ The lack of state investment in research and career development makes things worse. Governments have largely failed to develop strategies to keep

skilled workers or engage diaspora communities. This is although virtual collaboration and remote work opportunities have expanded.

This bloc is unified by the outflow of talent. Structural imbalances prevent the return or meaningful engagement of citizens living abroad. This bloc calls for systemic investment in institutions, education, and opportunity. They wish to foster retention of their professionals. They also want productive exchange with their citizens working abroad.

Talent-Receiving Countries (Brain-Gainers)

Brain gain refers to benefits that receiving countries enjoy when they attract high-skilled migrants from abroad. These receiving countries are strengthened as a result of these new immigrants. The United States is one of the most prominent examples of a country that experiences significant brain gain. The US became a magnet for international scientists, engineers, and professionals due to its vast research infrastructure, educational opportunities, and economic prospects. This long-standing inflow has been especially noticeable in areas such as engineering, medicine, and computer science. Another country that benefits

from brain gain is Canada.

Canada's immigration policies prioritize skilled migrants, and the government has explicitly targeted talent in fields like healthcare and technology. Policies such as the Federal Skilled Worker Program have helped Canada maintain a competitive edge, noting a net migration rate of 22 percent in 2016.⁹⁹ Professionals fill domestic labor shortages and contribute to national development.

However, there are social consequences within these countries. Many migrants report feeling a disconnect and unsupported by the country. Health can deteriorate among migrants as well as feelings of isolation due to cultural divides.¹⁰⁰ These problems can impact migrant retention and need to be solved to maintain a productive and circular immigration system. This bloc has made efforts to invest in programs that help migrants integrate. These programs include professional licensing support, language training, and research funding. These countries see the most sustained brain gain effects. Institutional support helps skilled migrants contribute to the fullest level possible.

Advancements in communication technologies and diaspora networks can allow countries to benefit from 'brain circulation,' where migrants maintain professional ties with

⁹⁵ Vázquez, *Cuba Alert to Possible Brain Drain with Increased Migratory Flexibility*.

⁹⁶ García, *Assessing the Effect of Remittances on Refugee and Displacement Patterns in Latin America and the Caribbean*.

⁹⁷ Farjad, *Brain drain: migration of Iranian physicians to the United States*.

⁹⁸ Teferra, *Unleashing the forces of the diaspora: Capitalizing on brain drain in the era of information and communication technologies*.

⁹⁹ Vibha Kaushik and Julie Drolet, "Settlement and Integration Needs of Skilled Immigrants in Canada," *Social Sciences* 7, no. 5 (May 2018): 76, published May 3, 2018, doi.org/10.3390/socsci7050076.

¹⁰⁰ Kaushik, "Settlement and Integration Needs of Skilled Immigrants in Canada," 76.

their home and host countries.¹⁰¹ This creates an indirect form of knowledge exchange, further supporting host countries. This is especially relevant in the age of remote work and global academic partnerships. Overall, brain gain is the positive side of global talent migration. While developing states may face losses in human capital, receiving countries enjoy surges in innovation, productivity, and cultural diversity. These gains, however, depend heavily on policy decisions, institutional support, and global economic dynamics. A growing number of countries are realizing the need to compete for talent, not just to prevent loss but to secure the benefits of skilled migration.

Countries Experiencing Brain Drain and Gain

Some countries find themselves in a complex middle ground, as they lose professionals to emigration while also attracting foreign talent or benefiting from return migration. These countries experience both brain drain and brain gain, which can sometimes balance out or lead to mixed economic and social outcomes. China offers a strong example of this duality. Historically, many Chinese professionals left to

study and work in countries with more established research systems. However, in recent decades, China has actively encouraged return migration by offering competitive salaries, funding, and housing to attract global Chinese talent.¹⁰² These efforts have helped convert what was once a one-way talent flow into a more circular model that includes returnees and diaspora engagement. Investing in innovation also helps. China has successfully used targeted funding, tax incentives, and research opportunities to encourage returnees who studied abroad to come back. Such policies can turn brain drain into brain circulation.¹⁰³

Some emerging economies have begun to position themselves as brain gain hubs. At one point, reduced public investment in Israeli higher education had led researchers to move to foreign institutions.¹⁰⁴ Recently, Israel has experienced a reversal of brain drain in some sectors. Government efforts to attract expatriate scientists and encourage return migration have brought skilled workers back into key fields such as biotechnology and defense innovation.¹⁰⁵ Returnees often bring new skills, global connections, and entrepreneurial energy that contribute to local growth.

Italy is also caught in the cycle of brain drain and gain. Many young Italians, especially those with advanced degrees, have been leaving the country for better employment. They travel mostly to Northern Europe and North America. This outflow has created concerns about Italy's innovation sectors. But Italy also attracts foreign researchers and international students to its universities. Some Italian professionals also return home after gaining experience abroad. So while emigration remains a challenge, international collaboration and citizens returning bring benefits.¹⁰⁶

Many countries experience a steady outflow of skilled workers to countries like the United States. This is particularly true in engineering, medicine, and academia. Mexico is a state that reports substantial emigration to the US. Economic disparities and limited research funding drive many professionals abroad. Transnational collaboration and return migration benefit the country, however. Diaspora networks help bridge institutions in the US and Mexico. This enables joint research, entrepreneurship, and education initiatives. Mexico is both affected by brain drain and partially compensated through the ongoing involvement of its skilled diaspora.¹⁰⁷

101 Teferra, *Unleashing the forces of the diaspora: Capitalizing on brain drain in the era of information and communication technologies*.

102 Teferra, *Unleashing the forces of the diaspora: Capitalizing on brain drain in the era of information and communication technologies*.

103 Teferra, *Unleashing the forces of the diaspora: Capitalizing on brain drain in the era of information and communication technologies*.

104 Dan Ben-David, *Brain Drained* (Tel Aviv: Department of Public Policy, Tel-Aviv University, 2008), bendavid.org.il/econ-rankings/BrainDrained.pdf

105 Assaf Razin, *Global Skill-Based Immigration Policies and Israel's Brain Drain* (Tel Aviv: Centre for Economic Policy Research, 2017), ssrn.com/abstract=2934215.

106 Tiziana Banini, "The Global in the Local: Unusual Thoughts about Immigration in Italy," *Espacio y Tiempo: Revista de Ciencias Humanas* 28 (2014): 71–92, dialnet.unirioja.es/descarga/articulo/4925232.pdf.

107 Lopez, "Migration, Brain Drain, and Cuba-US Relations."

Brazil faces similar problems. The country has lost a lot of scientific and medical talent to wealthier states, especially during periods of political or economic instability. Yet Brazil has also invested in its own research industry and created programs to attract citizens working abroad. While Brazil continues to face brain drain, it tries to encourage people to move back through offering benefits and doing outreach.¹⁰⁸ Japan also provides a unique case. While brain drain is not as high-profile an issue in Japan

as in some other states, it still faces the loss of researchers and students. At the same time, Japan continues to attract foreign professionals in technology, engineering, and academia. The government has made efforts to internationalize its research institutions and improve support for foreign researchers. This positions Japan as both a source and a destination for global talent, reflecting its dual role in the global knowledge economy.¹⁰⁹

Together, these examples demonstrate that the brain drain debate is not binary. Many countries operate in a space where talent is constantly moving in both directions. The presence of strong higher education systems, deliberate policy frameworks, and global networks can help turn potential losses into gains. The concept of “brain circulation” captures this movement and the opportunities it presents when properly managed through institutional and policy support.¹¹⁰

COMMITTEE MISSION

The Social, Humanitarian, and Cultural Committee (SOCHUM) is part of the United Nations General Assembly. SOCHUM works to advance human rights, protect vulnerable people, and promote humanitarian values in today’s connected world.¹¹¹ When looking at brain drain, SOCHUM should consider both the costs and potential of skilled migration. Many groups see this as an economic issue. The committee must look deeper at all the effects. Delegates must consider who is left behind, what inequalities they face, and how the committee can protect the dignity and rights of both migrants and the communities they leave.

The committee’s focus on education and global inequality positions SOCHUM to address the human rights dimensions of brain drain and propose actionable standards.¹¹² Migrants include teachers, doctors, engineers, and scientists. Many leave because of weak governments, poor institutions, and lack of basic rights, including discrimination, unsafe workplaces, and limits on academic freedom. SOCHUM delegates should assess how brain drain reduces access to healthcare, education, and public services in countries already facing development challenges and identify at-risk sectors. If countries

lose skilled people due to structural inequities, migration signals deeper structural problems that require governance reforms and targeted capacity-building.

SOCHUM has the power to set the tone, affirm rights, and call for global action that protects dignity and opportunity. It can push for cooperation that defends migrants’ rights while reducing the push factors behind brain drain, such as discrimination, poor education, and political repression. The committee can support fair recruitment, promote investment in local talent, and work to shift migration policy from extraction to circulation.¹¹³

¹⁰⁸ Pedraza, “Brain Drain: Social and Political Effects in Latin American Countries,” 29-48.

¹⁰⁹ Fumi Kitagawa, “Constructing Advantage in the Knowledge Society: Roles of Universities Reconsidered—The Case of Japan,” *Higher Education Management and Policy* 17, no. 1 (2005): 45, www.oecd-ilibrary.org/institutional-management-and-engagement-with-the-knowledge-society_5lgz354lv86f.pdf#page=46.

¹¹⁰ Tefera, “Unleashing the Forces of the Diaspora.”

¹¹¹ “Social, Humanitarian & Cultural Issues (Third Committee),” General Assembly of the United Nations, accessed August 31, 2025, www.un.org/en/ga/third/.

¹¹² “Sixty-first General Assembly: Third Committee (Social, Humanitarian and Cultural),” UN Chronicle, United Nations, March 1, 2007, www.un.org/en/chronicle/article/sixty-first-general-assembly-third-committee-social-humanitarian-and-cultural

¹¹³ Docquier, “The Brain Drain from Developing Countries.”

Ethical recruitment pledges, impact-sourcing targets, and remote or hybrid roles that let professionals remain in, or return to, source countries can reduce harmful drain.

In addressing brain drain, SOCHUM's mission is to understand the human rights impact of skilled migration. It must also push for solutions based on equity, development, and justice. The committee's role is to make sure migration debates always protect the rights and choices of people, especially in developing regions. Delegates should imagine a world where migration is a choice, not a necessity. In this world, sharing knowledge globally does not come at the cost of human rights at home.



Protecting the Independence of Justice Systems

Photo Credit: Diliff

Judicial systems are at the core of how a country applies its laws and protects constitutional rights. They translate the principles of a country's constitution, its basic rights, and fundamental values into practice. The judiciary ensures that constitutionally outlined rights are respected, interpreted, and enforced.¹ Judicial systems typically operate through multiple levels, from higher courts, such as supreme courts handling constitutional or complex matters, to lower courts that address civil and criminal disputes between citizens.

Across all levels, there are expectations of fairness, independence, and accountability. These are essential to safeguard.

As societies evolve, so too must judicial systems.² Constitutions may require amendments, and judges and lawyers bring different interpretations to the law. Cultural values, social interactions, and political contexts all influence how justice is understood and applied. Protecting judicial independence is therefore crucial to maintain consistency in the rule of law and also to adapt it fairly to new challenges. Strong and independent judicial systems are indispensable to a functioning, accountable society. They ensure that citizens are well represented, that governments are held within lawful limits, and that human dignity is upheld.

The United Nations has already provided guidance to member states in this regard. The UN Basic Principles on the Independence of the Judiciary (1985) and the Bangalore Principles of Judicial Conduct (2002) outline global standards of impartiality, integrity, and accountability.³ Along with Sustainable Development Goal 16 for “Peace, Justice, and Strong Institutions” and the UN Special Rapporteur on the Independence of Judges and Lawyers, these frameworks give SOCHUM a strong foundation for debate. While non-binding, these documents reflect an international consensus that judicial independence is essential for human rights and democratic governance.

TOPIC BACKGROUND

Guarding Against Interference

A justice system is the agencies, institutions, and legal entities that apply the law.⁴ It investigates and prosecutes crimes, along with adjudicating alleged offenses. A justice system consists of criminal and civil law. Independence of justice systems is widely considered

important for due process, which refers to the principle that all people are entitled to fair legal procedures that are free from corruption or bias.⁵ The United Nations (UN) established the Basic Principles on the Independence of the Judiciary. These were endorsed by the General Assembly in 1985 at the Seventh UN Congress on the Prevention of Crime and the Treatment of Offenders.⁶

The principles were grouped into six areas. These themes were independence of the judiciary, freedom of expression and association, qualification and training, service and tenure, secrecy and immunity, and discipline or removal. In total, 20 principles were agreed on. The first principle states that the “independence of the judiciary shall be guaranteed by the State and enshrined in

1 “Judicial System,” ScienceDirect, www.sciencedirect.com/topics/social-sciences/judicial-system.

2 “Court Role and Structure,” United States Courts, www.uscourts.gov/about-federal-courts/court-role-and-structure.

3 Office of the United Nations High Commissioner for Human Rights (OHCHR), “Basic Principles on the Independence of the Judiciary,” www.ohchr.org/en/instruments-mechanisms/instruments/basic-principles-independence-judiciary.

4 “Legal Definitions,” LSD Law, accessed August 27, 2025, lsd.law/define/justice-system.

5 “Why due process matters,” International Rescue Committee, June 24, 2025, www.rescue.org/article/due-process-rights-america.

6 Office of the United Nations High Commissioner for Human Rights, Basic Principles on the Independence of the Judiciary, adopted by the Seventh UN Congress on the Prevention of Crime and the Treatment of Offenders, Milan, 26 Aug.–6 Sept. 1985, endorsed by G.A. Res. 40/32 and 40/146, ST/HR/1/Rev.6 (Vol. I/Part 1) (New York: UN DPI, 1988), [https://www.ohchr.org/en/instruments-mechanisms/instruments/basic-principles-independence-judiciary](http://www.ohchr.org/en/instruments-mechanisms/instruments/basic-principles-independence-judiciary).



Mass grave for victims of the Khmer Rouge (Credit: Shankar S.)

the Constitution or the law of the country. It is the duty of all governmental and other institutions to respect and observe the independence of the judiciary.”⁷ This language emphasizes both state responsibility and judicial independence in making laws, while also affirming that independent courts are a right for all people.

These principles were all made to guide member states and protect due process within global justice systems. However, the courts do not stand alone. Who appoints and removes prosecutors, and whether bar associations can operate freely without political retaliation, both directly affect judicial independence. Therefore, SOCHUM can encourage states to

insulate prosecutorial appointments from partisan control, protect disciplinary bodies from executive pressure, and guarantee that lawyers’ associations are free from intimidation.

Political interference happens when a politician or group inserts themselves into a decision to change its outcome.⁸ For example, a politician might intervene in electoral processes to influence outcomes. This interference harms country policies and weakens justice systems. For courts to be independent, judges must be free from outside influence and political pressure. Corruption in justice can take many forms. Politicians may pressure judges to change rulings in criminal or civil trials. They may

use bribes, steal public funds, or misuse resources to sway outcomes. They may also threaten judges with violence, blackmail, or demotion, which undermines due process and public confidence in legal systems around the world. Independence often relates to the rules for selecting judges. Making judge selection open and merit-based, with fair vetting, term limits, and rules that prevent recently active politicians from becoming judges all helps to stop governments from stacking the courts.

Cambodia offers a cautionary tale related to political interference in justice systems. It was ruled under the Khmer Rouge between 1975 and 1979.⁹ Pol Pot was a communist dictator with Marxist beliefs, aiming for a classless society without private property. Once in control, Pol Pot wanted Cambodians to live like rural tribes and build a communist farming society. In 1975, called “Year Zero,” the country was renamed Kampuchea and cut off from the world. Pol Pot abolished money, banned religion and private property, and forced city residents into rural camps. Intellectuals, people who spoke foreign languages, political opponents, or even those wearing glasses were seen as threats and executed.¹⁰

Pol Pot dismantled the country’s legal system entirely. Courts, judges, and lawyers were eliminated as

⁷ OHCHR, “Basic Principles on the Independence of the Judiciary.”

⁸ Victoria Jennett, “Topic Guide: Judicial Corruption,” Transparency International, December 15, 2014, knowledgehub.transparency.org/guide/topic-guide-on-judicial-corruption/5305.

⁹ “Khmer Rouge,” History, last modified May 28, 2025, www.history.com/articles/the-khmer-rouge.

¹⁰ David McLellan, “Marxism,” Encyclopædia Britannica, last modified August 21, 2025, www.britannica.com/topic/Marxism.

“intellectual threats,” and decisions were dictated by the regime’s leadership without regard for law or rights.¹¹ This collapse of legal institutions enabled mass atrocities in which an estimated 1.7 to 2.2 million people died. Even decades later, Cambodia’s justice system continues to suffer from concentrated political control, with reforms delayed under its long-term one-party rule.¹² Analysts and observers have described governance patterns as centralized, with persistent corruption concerns. A fair system is needed to protect due process.

In other examples, Kenya’s 2010 constitution created an independent Judicial Service Commission that oversees appointments, discipline, and promotion of judges. Since then, the judiciary has gained greater credibility. Chief justices will occasionally rule against powerful individuals, including Kenya’s 2017 annulment of a presidential election.¹³ This suggests more limited political influence. Chile has also introduced judicial reforms, requiring publication of decisions, strengthening case-management systems, and improving public access to court information.¹⁴ These measures all aim to reinforce accountability and public trust, though access to justice remains

unequal. At the same time, there are still ongoing investigations into whether people used their power or connections to unfairly influence judicial decisions. This underscores that reform is still a work in progress.

When national remedies fail, regional systems like the European Court of Human Rights, Inter-American Court, and African Court can help enforce fair-trial rights and protect judges and lawyers at risk.¹⁵ SOCHUM can reaffirm cooperation with these systems and encourage states to implement their judgments. Additionally, judicial independence is hollow if people cannot use the courts. Legal aid, manageable case backlogs, humane limits on pre-trial detention, interpreter services, and witness or judge protection programs are essential for better functioning court systems. SOCHUM can spotlight funding and technical cooperation to strengthen these basics alongside independence reforms. Political interference can take many forms, from small influence to full control. No matter where it falls on this spectrum, justice systems must be kept independent from government control to protect citizens’ rights.

The Effects of Foreign Aid on Justice Systems

Foreign aid is the transfer of capital to other countries outside one’s own.¹⁶ Foreign aid is given to a country that lacks resources or funds to run certain sectors. The most common form is financial support. Usually, this aid is given as grants, which do not need to be repaid, though sometimes it comes as loans. Most aid is provided as Official Development Assistance (ODA), which aims to reduce poverty and support development. The United Nations (UN), the World Bank, and the International Monetary Fund (IMF) have supported countries worldwide through financial aid, humanitarian relief, and peacekeeping missions.¹⁷ Aid can be given for improving security, gaining diplomatic recognition, or supporting economic stability. However, donor-imposed conditions and the tendency of elites to divert resources for their own benefit can distort these reforms, limiting their impact on citizens.

Sovereign states have the right to determine their own governmental and judicial structures. However, states vary in terms of human rights protections. By the 1990s, donor countries began to acknowledge

11 Caleb Siebeneck, “The Current Cambodian Legal System’s Connection to the Khmer Rouge,” Michigan State University, May 14, 2024, www.msuir.org/new-blog/2024/5/13/the-current-cambodian-legal-systems-connection-to-the-khmer-rouge.

12 Siebeneck, “The Current Cambodian Legal System’s Connection to the Khmer Rouge.”

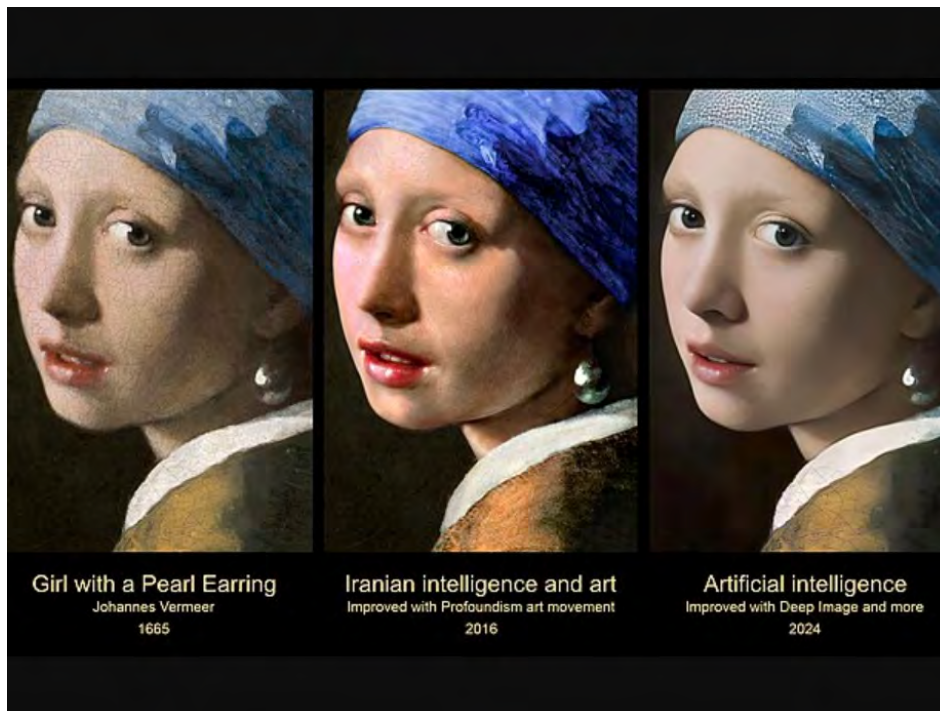
13 BBC News, “Kenya’s Supreme Court Annuls Presidential Election,” September 1, 2017, www.bbc.com/news/world-africa-41123329

14 Office of the United Nations High Commissioner for Human Rights (OHCHR), “Chile Must Build on Achievements, Strengthen Judiciary, Address Inequality, and Prevent Undue Interference,” press release, August 2024, www.ohchr.org/en/press-releases/2024/08/chile-must-build-achievements-judiciary-address-inequality-and-prevent-undue.

15 African Court on Human and Peoples’ Rights, “African and European Human Rights Courts Meet in Strasbourg,” press release, October 4, 2022, <https://www.african-court.org/wpafc/african-and-european-human-rights-courts-meet-in-strasbourg/>.

16 Victoria Williams, “Foreign Aid,” Encyclopedia Britannica, last modified August 19, 2025, www.britannica.com/money/foreign-aid.

17 Williams, “Foreign Aid.”



Advancement of AI: 2016 to 2024 AI art compared to the “Girl with the Pearl Earring” painting (Credit: Profoundism)

these disparities, especially where weak or politicized courts undermined due process and transparency.¹⁸ Judicial autonomy is tied to economic stability and national development. Independent courts can enforce property rights, lower transaction costs, and provide legal certainty, which supports investment and growth. Donor states may therefore tie development aid to judicial reform priorities. Judicial reform can include support for transparency initiatives, greater public participation, or reforms to judicial appointments. For example, open selection processes

for judges and high court members broaden accountability and make it more difficult for political actors to capture or manipulate the judiciary.¹⁹

After Sierra Leone’s civil war ended in 2002, its judicial system was severely weakened. With support from the United Nations Development Programme (UNDP) and other donors, reforms focused on rebuilding the courts, training judges and magistrates, and improving access to justice in rural areas. Aid programs can establish legal aid services, giving poor and marginalized communities

a way to defend their rights. While challenges remain, such as limited resources and persistent corruption, foreign aid has played a key role in restoring basic judicial functions and moving toward greater independence.²⁰ In Afghanistan, ODA was directed toward rebuilding courts, drafting new laws, and training legal professionals. In the 2002–19 period, a total of USD 76.6 billion came through.²¹ Despite this investment, the reforms often reflected donor priorities and were donor-designed systems that were not familiar or accepted by many Afghans.²² Judicial independence has thus remained fragile in Afghanistan, even before the Taliban resumed control. Additionally, when the international support declined, many reforms proved unsustainable. The Afghanistan case illustrates how foreign aid, while well intentioned, can fail to secure lasting judicial independence if it does not align with local needs and political contexts.

Countries most in need of judicial reform are often the most dependent on foreign aid. These states usually have weak institutions, limited revenue, and little capacity to build strong courts on their own. Because they rely so heavily on outside help, they may feel pressured to accept reforms

18 Margaret Ariotti, Simone Dietrich, and Joseph Wright, “Foreign aid and judicial autonomy,” *The Review of International Organizations* 17, (September 2022): 691–715, doi.org/10.1007/s11558-021-09439-9.

19 Ariotti, Dietrich, and Wright, “Foreign aid and judicial autonomy.”

20 United Nations Development Programme (UNDP) Sierra Leone, *Project Document: Strengthening Rule of Law, Security and Human Rights in Sierra Leone*, Project No. 00104225, implementing partners: MoJ, MIA, JSCO, Judiciary, LAB, HRCSL, IPCB, SLP, SLCS, and CSOs, January 1, 2017–December 31, 2019.

21 Steve H. Hanke, “Afghanistan: A Poster Child for Foreign-Aid Failure,” *Cato Institute* (commentary), September 1, 2021, <https://www.cato.org/commentary/afghanistan-poster-child-foreign-aid-failure>.

22 Matteo Tondini, “Rebuilding the System of Justice in Afghanistan: A Preliminary Assessment,” *Journal of Intervention and Statebuilding* 1, no. 3 (2007): 333–353, <https://doi.org/10.1080/17502970701592272>.

that do not always fit their needs. In such low-capacity settings, reforms can be difficult to sustain. Still, an independent and organized judiciary is essential for democracy and development. Even if imperfect, aid can provide resources needed to strengthen courts and expand access to justice, though doing so is costly.

Around 5.1 billion people across the world, two-thirds of the population, lack access to justice in some form.²³ Out of this population, 253 million people live in extreme conditions of injustice. Many lack access to a proper legal framework, with about 4.5 billion people completely excluded from the benefits of the law. These people cannot access the legal system, either from a lack of funds, education, or proper documentation. The most vulnerable populations in these sectors are women and children, who globally have a diminished amount of access to these services. Individuals and whole countries are gravely affected. Between 0.5 and 3 percent of a country's GDP (gross domestic product) is lost due to the direct costs of seeking justice, associated health costs of being shut out of justice systems, and also costs of lost income. Lack of legal services is an issue globally, with varying

degrees of severity dependent on region and current political stability.

A documented risk associated with some aid programs is when elites gain more power and access, while the poor have worse conditions.²⁴ Foreign aid can empower elites in recipient countries, especially when leaders are corrupt. This makes it easier to keep money for oneself instead of using it for real judicial reforms. Because reform is slow and brings little benefit to those in charge, leaders may instead take money without making real changes. This means that, despite good intentions, foreign aid can sometimes harm rather than help judicial reform. Therefore, foreign aid and associated reforms must be closely monitored. Governments should follow strong recommendations to show progress to secure external funding.²⁵

Use of Military or Special Tribunals in the Context of Justice

International tribunals can be employed when domestic courts are unable or unwilling to deliver justice. Some domestic situations can be overlooked due to political interference, corruption, or authoritarian control. Since some judges may be intimidated, hand-

picked, or removed by leaders seeking to manipulate outcomes, tribunals can deliver justice when national courts cannot act independently. Also, when governments use emergency powers for too long, hold mass trials, or let military courts try civilians, people can lose the right to a fair trial. For SOCHUM, this shows how the international community can respond to abuses of judicial independence, support states in transition, and advance peace, justice, and strong institutions.

Special tribunals are ad hoc courts often established by the United Nations to prosecute crimes under international law, such as genocide, war crimes, and crimes against humanity. This arises when national systems cannot or will not act. Examples include the International Criminal Tribunal for the Former Yugoslavia (ICTY, 1993), the Extraordinary Chambers in the Courts of Cambodia (2003), the Special Tribunal for Lebanon (2005), and the International Criminal Tribunal for Rwanda (ICTR, 1994).²⁶

The International Criminal Tribunal for Yugoslavia (ICTY) was the first international war crimes tribunal since the Nuremberg and Tokyo tribunals and the first to be established by the UN Security Council.²⁷ The ICTY gave victims

23 "Justice Systems Fail to Help 1.5 Billion People Resolve Their Justice Problems, New Global Report Finds," New York University, April 29, 2019, www.nyu.edu/about/news-publications/news/2019/april/justice-systems-fail-to-help-1-5-billion-people-resolve-their-ju.html.

24 Katherine Erbeznik, "Money Can't Buy You Law: The Effects of Foreign Aid on the Rule of Law in Developing Countries," *Indian Journal of Global Legal Studies* 18, no. 2 (2011), www.repository.law.indiana.edu/cgi/viewcontent.cgi?article=1464&context=ijgls.

25 Ariotti, Dietrich, and Wright, "Foreign aid and judicial autonomy."

26 "Special Tribunal," European Center for Constitutional and Human Rights, accessed August 28, 2025, www.ecchr.eu/en/glossary/special-tribunal/.

27 Emma Daly, "Beyond Justice: How the Yugoslav Tribunal Made History," Human Rights Watch, December 19, 2017, www.hrw.org/news/2017/12/19/beyond-justice-how-yugoslav-tribunal-made-history.



ICTY Officials in 2017 (Credit: Diplomat Magazine)

of genocide a voice to share their experiences and held individuals accountable for crimes. Ethnic and territorial tensions had fueled much of the violence in the 1990s, especially between Croats and Serbs.²⁸ Serbian President Slobodan Milošević ordered the Yugoslav and Bosnian Serb armies to commit war crimes and crimes against humanity. Forces destroyed Muslim towns, burned homes and mosques, raped women and girls, and expelled entire communities. From 1993 to 2003, the ICTY gathered evidence on the crimes, and then 161 people were indicted, including Milošević.²⁹ The ICTY showed that

special tribunals can bring justice to international communities.

The ICTR was also created by the Security Council. In 1994, the genocide in Rwanda happened when extremist leaders orchestrated the killing of around 800,000 Tutsi and some Hutu in just 100 days. The ICTR indicted over 90 individuals, including high-level military officers, politicians, and media leaders. It was the first international tribunal to recognize sexual violence as a means of genocide and a crime against humanity.³⁰ Despite criticisms over cost and delays, the ICTR set historic precedents in international

criminal law and gave victims a platform to seek justice.

The Special Court for Sierra Leone was established in 2002 to prosecute those responsible for atrocities committed during the country's brutal civil war. It was created through an agreement between the United Nations and the Government of Sierra Leone as a hybrid model. Unlike the international tribunals for Rwanda and the former Yugoslavia, this court combined international and Sierra Leonean judges, laws, and staff.³¹ It was the first tribunal to convict a former head of state, Charles Taylor of Liberia. It also set precedents on the use of child soldiers as war crimes. This Special Court is a landmark example of how international support can bolster national justice systems, promote accountability, and reinforce judicial independence in fragile states.

Military tribunals are courts within the military justice system, typically used in wartime to prosecute offenses committed by service members, military employees, or even enemy combatants.³² Unlike civilian courts, these tribunals operate under military law. While sometimes convened outside of wartime, their extraordinary nature

²⁸ "Completion Strategy," United Nations International Criminal Tribunal for the former Yugoslavia, accessed August 27, 2025, www.icty.org/en/about/tribunal/completion-strategy.

²⁹ "Infographic: ICTY Facts and Figures," United Nations International Criminal Tribunal for the former Yugoslavia, accessed August 27, 2025, www.icty.org/node/9590.

³⁰ International Residual Mechanism for Criminal Tribunals (IRMCT), "The ICTR Remembers: 20th Anniversary of the Rwandan Genocide," IRMCT specials page, <https://www.irmct.org/specials/icttr-remembers/>.

³¹ Global Policy Forum, "Special Court for Sierra Leone," Global Policy Forum, accessed September 25, 2025, archive.globalpolicy.org/international-justice/international-criminal-tribunals-and-special-courts/special-court-for-sierra-leone.html.

³² Aaron Meyer "Who Can Face a Military Tribunal?," Aaron Meyer Law, April 17, 2022, www.aaronmeyerlaw.com/who-face-military-tribunal/.

often sparks debate about due process. A prominent example is the post-9/11 military commissions at Guantánamo Bay initiated under President George W. Bush. Early proceedings faced criticism for statements later deemed coerced.³³ Although reforms under US Congress and President Obama sought to exclude such evidence, human rights groups, including Human Rights Watch, continue to question the legitimacy of these military commissions. Instead of strengthening the independence of justice systems, Guantánamo illustrates how some tribunals can erode public trust and violate international standards. Tribunals can either protect or threaten human rights, depending on how they are designed.

These examples demonstrate how military and international courts are created to address grave crimes when ordinary justice systems cannot. Their legitimacy depends on strict adherence to international standards of fairness and due process. Successful cases show that tribunals can protect victims and advance accountability. Other examples show how courts could undermine justice when political pressure overrides human rights.



Edward Snowden Headshot (Credit: Freedom of the Press Foundation)

Protection of Whistleblowers in Judiciary

A whistleblower is someone who reports crimes, fraud, abuse, corruption, or dangers to the public.³⁴ They report these wrongdoings to someone who can correct them. Often, a whistleblower is someone who works within an organization or government and reports on the wrongdoings of said group. Depending on the state, there are rights that protect whistleblowers from being harmed. These laws have specific guidelines on how information should be conveyed, but it is rarely risk-free for a whistleblower to report

wrongdoing. Whistleblowers could face dangers from the organization or government themselves, as the information being reported could affect shareholders, economies, and reputations. However, whistleblowers are necessary for uncovering wrongdoing.

Former US intelligence contractor Edward Snowden was a whistleblower in 2013 who fled to Russia after uncovering the existence of secret information-gathering services within the US National Security Agency (NSA).³⁵ Snowden revealed that the NSA was spying on US and international citizens to garner personal information. They gained information through a program called “PRISM,” which gave the

³³ “The Guantanamo Bay Trials,” Human Rights Watch, accessed August 27, 2025, www.hrw.org/guantanamo-trials

³⁴ “What Is A Whistleblower?,” National Whistleblower Center, accessed August 27, 2025, www.whistleblowers.org/what-is-a-whistleblower/.

³⁵ Michael Ray, “Edward Snowden,” Encyclopedia Britannica, July 21, 2025, www.britannica.com/biography/Edward-Snowden.

NSA and other organizations access to large search platforms, like Google, to observe what different populations were searching for. It also included surveillance on phones, computers, and public cameras that could track any individual and provide information to the NSA. In 2013, then-President Obama looked into the claims made by Snowden and recommended efforts to stop the mass collection of telephone surveillance. However, Snowden is unlikely to return to the US given current legal exposure, as a trial and likely jail time would be waiting for him. The Snowden case is an example of the dangers of being a whistleblower, especially against a major government, and the life-changing consequences that may occur.

Fidelia Onoghaife, a staff member at the Nigerian Embassy in the Netherlands, reported her superior, Robert Petri, for allegedly leaking confidential information to senior officials at Shell.³⁶ Investigations revealed that Shell and Petri were involved in USD 1 billion in kickbacks connected to an offshore oil field in Nigeria.³⁷ Instead of being protected, Onoghaife was dismissed from her post while Petri was promoted. She challenged her termination before the District Court of The Hague, arguing it was retaliation for whistleblowing. The

court eventually ordered the Dutch government to compensate her, but only after a long and difficult legal battle. Her case highlights serious risks faced by whistleblowers worldwide, including retaliation, job loss, and protracted legal processes. This all could discourage individuals from exposing corruption.

In another example, Libor Michálek is a Czech economist who successfully uncovered two cases of corruption and brought them forth as a whistleblower.³⁸ In 1996, Michálek worked for the National Property Fund (NPF), a Czech government institution that was responsible for state assets. Michálek uncovered a scheme called “tunnelling,” which is a form of embezzlement in which profits and assets are given to the people controlling them (in this case the NPF employees) and not to firms. Once Michálek realized the head of the NPF would not fix embezzlement in the organization, Michálek brought it to the press. During the court case, Michálek could not work, so he was unemployed for a year. Once the case was resolved, he went back. In 2010, Michálek discovered another case of corruption, this time at the State Environmental Fund (SEF). The SEF high officials found ways to make a profit off the subsidy system, or public funds, along

with overcharging the Czech state 3 billion Czech crowns, or USD 138 million. Michálek recorded conversations with high officials, which led to their firing from the SEF. Michálek was later appointed to the Czech Senate in 2012 due to the Czech people’s confidence in his ability to seek justice. Michálek is a positive example of the importance of whistleblowing and the value of standing up to corrupt governments, individuals, and companies.

States like the US and the Netherlands should, by their legal frameworks, have protections surrounding whistleblowers. Unfortunately, this has not been the case for many whistleblowers in these states and others with legal frameworks intended to protect whistleblowers. It is dangerous to speak out against wrongdoing, as livelihoods, reputations, and dangers can arise. Thus, the protection of whistleblowers in judicial systems is necessary for proper reparations to be made against bad actors across the globe.

Legal Pluralism and Its Effects on Unified Judicial Standards

Legal pluralism is a system in which two or more legal entities exist in one area.³⁹ The idea of legal

36 “World Whistleblowers Day 2024: Whistleblowers’ safety is everyone’s safety,” Transparency International, June 23, 2024, www.transparency.org/en/news/whistleblowers-safety-is-everyones-safety.

37 Transparency International, “World Whistleblowers Day 2024.”

38 Lukas Nechvatal and Pavla Holcova, “Tempted to Steal? Be Afraid of Libor Michálek,” Organized Crime and Corruption Reporting Project, December 15, 2017, www.occrp.org/en/project/the-faces-of-the-victims-of-corruption/tempted-to-steal-be-afraid-of-libor-michalek.

39 Margaret Davies, *The Oxford Handbook of Empirical Legal Research*, (Oxford Academic, 2010), chap. 34, “Legal Pluralism,” doi.org/10.1093/oxfordhb/9780199542475.013.0034.

pluralism first arose when European settlers entered states that already had pre-existing legal systems. Many pre-existing Indigenous laws contrasted with new state laws. These Indigenous laws may be referred to as customary law, while the new, settler laws are referred to as state law. Another common example of legal pluralism is religious law, which is practiced in various countries around the world. The existence of other legal systems outside state law has led to various challenges in enforcing national laws, difficulty in human rights protections, and judicial fragmentation.⁴⁰ Unified justice systems are essential for a healthy, functioning judicial system, and the inclusion of pre-existing laws and religious law is valuable for various marginalized groups and peoples.

An enclave can emerge when minority groups develop their own behavioral or legal patterns within environments that feel hostile or unwelcoming.⁴¹ In such contexts, communities may reject the legal practices of the state and establish their own systems of norms and authority. These legal enclaves create a strong sense of “inside” and “outside.” Insiders follow the enclave’s rules, while outsiders may be excluded. A well-documented example is found in traditional Hasidic Jewish communities.



Discovery of the Code of Laws of Hammurabi (Credit: Louvre Museum)

Hasidic institutions evolved in different forms, each developing specific norms, ethics, and rules. In Hungary, Hasidic groups developed three main leadership styles, one of which was the rabbinic model, represented by figures like Hayim Elazar Shapira. He emphasized the authority of rabbis as jurists and denounced those outside his traditional vision. In effect, Shapira built a legal enclave that stood apart from Hungary’s broader legal system.⁴² This created tensions between community autonomy and state authority. Hungary’s courts had to decide how to respond to the enclave without provoking greater

conflict or violating community rights.

Many states have incorporated religious views and values into the law, known collectively as “religious law.”⁴³ Even in Western legal traditions, religious influence is clear. The Ten Commandments of Jewish and Christian faiths shaped ideas of justice, prohibitions, and moral duty. Religion within legal systems has been a significant force in history, but it has also brought up debate. The first introduction of religion in law was in the Code of Hammurabi, in Mesopotamia in 1754 BC.⁴⁴ It was divinely inspired by the Shamash, a solar

⁴⁰ Davies, *The Oxford Handbook of Empirical Legal Research*, chap. 34, “Legal Pluralism.”

⁴¹ Levi Cooper and Maoz Kahana, “The legal pluralism of an enclave society,” *The Journal of Legal Pluralism and Unofficial Law* 48, no. 1 (January 12, 2016): 75-91, doi.org/10.1080/07329113.2015.1125748.

⁴² Yad Vashem, “Rabbi Chaim Elazar Shapira — the Munkaczer Rebbe,” *The Story of Munkács*, accessed September 23, 2025, https://www.yadvashem.org/yv/en/exhibitions/communities/munkacs/rabbi_shapira.asp

⁴³ US Department of Justice National Security Division, *International Legal Systems*, (Washington DC, 2004), www.justice.gov/nsd-ovt/page/file/1019311/dl?inline.

⁴⁴ Firas Hamade, “The Role of Religion amid the Development of Civil Laws: A Brief History,” *Open Journal of Philosophy* 13, no. 4, (November 2023): 696-701, 10.4236/ojpp.2023.134044.

deity, so religious beliefs became a legal framework. In this period, priests were seen as the intermediate force between humans and God, in which priests would often practice in the legal sector. Religious teachings today still resonate within our legal systems and laws, creating structure in our civil and criminal laws.

Sharia, meaning “the correct path,” is a divine counsel in Islam that guides moral, social, and spiritual life. Its sources are the Qur’an, regarded as the direct word of God, and the Sunna, the practices of the Prophet Mohammed.⁴⁵ Importantly, Sharia itself is considered God’s will and thus beyond human ownership, while Islamic law refers to human interpretations of Sharia. Because interpretations vary, nearly 50 Muslim-majority states apply Islamic law differently. They are shaped by local customs, history, and leadership. Debates around Sharia are longstanding within Muslim communities and beyond. Critics may focus on corporal punishments that are still applied in some states, such as stoning or amputations for theft, though many Muslim countries no longer use such penalties.⁴⁶ Others highlight interpretations that restrict democratic governance or limit women’s rights, as seen in Saudi Arabia and Iran. Human rights advocates argue that such

applications of Sharia conflict with international standards of equality and due process. Some states have adopted dual legal systems to navigate this tension. In Nigeria and Malaysia, for example, Muslims may take certain personal or family matters, such as divorce, to Islamic courts, while secular courts handle civil and criminal law. This arrangement attempts to respect religious traditions while maintaining state law. Ultimately, while states have the sovereign right to choose their legal systems,

Indigenous communities developed their own systems of governance, law, and justice. Yet in many countries, these systems have been sidelined.

interpretations of Sharia should not infringe on universally recognized human rights.

Long before the formation of modern states, Indigenous communities developed their own systems of governance, law, and justice. Yet in many countries, these systems have been sidelined. In Canada, Indigenous peoples experienced

profound mistreatment.⁴⁷ While the Constitution Act of 1867 recognized Indigenous peoples, true self-governance was only reaffirmed under Section 35 of the 1982 Constitution Act. The landmark Tsilhqot’in Nation case recognized that Indigenous peoples hold title to their land, governed by their own laws and sovereignty. Yet the same judgment warned against a possible “legislative vacuum” on Indigenous lands, reflecting the reluctance of Canadian courts to place Indigenous law on equal footing with federal or provincial law. This creates a paradox that Indigenous law is recognized in principle but undermined in practice. Misinterpretation, lack of representation within Canadian courts, and systemic reluctance to respect Indigenous legal traditions have limited their authority.⁴⁸ The result is a continued clash between Indigenous sovereignty and settler legal systems. Broadly, Indigenous peoples around the world face challenges when their legal systems are forced into frameworks that misrepresent or diminish their traditions.

The coexistence of state law with religious law, Indigenous traditions, and other legal enclaves is increasingly relevant to modern justice systems. For many minority groups, these parallel systems are central to identity, culture, and community cohesion. Yet when

⁴⁵ Kali Robinson, “Understanding Sharia: The Intersection of Islam and the Law,” Council on Foreign Relations, last modified December 17, 2021, www.cfr.org/backgrounder/understanding-sharia-intersection-islam-and-law.

⁴⁶ Robinson, “Understanding Sharia: The Intersection of Islam and the Law.”

⁴⁷ Kate Gunn and Cody O’Neil, “Indigenous Law and Canadian Courts,” First Peoples Law, January 20, 2021, www.firstpeopleslaw.com/public-education/blog/indigenous-law-canadian-courts.

⁴⁸ Gunn and O’Neil, “Indigenous Law and Canadian Courts.”

states fail to recognize them fairly, or when these systems conflict with international human rights standards, questions of justice and equality arise. For SOCHUM, legal pluralism matters because it touches on the universal right to equal protection under the law. Delegates can call on states to ensure that laws are applied impartially, that judicial officials act without bias, and that traditional or religious practices do not undermine human rights. SOCHUM can also encourage states to strengthen dialogue with Indigenous peoples and minority groups, recognizing their traditions while reaffirming that justice systems must remain accessible, transparent, and consistent with international standards.



Canada's Indigenous Peoples at a First Nations event in Calgary, Alberta, in 2022 (Credit: Dwayne Reilander)

CURRENT STATUS

The Situation in Pakistan

Over the last several decades, Pakistan has been struggling with corruption. Within the courts, corruption has become systemic, with reports of judges accepting bribes, delaying cases for political gain, or showing bias toward powerful elites. This has caused significant socioeconomic impacts on the people of the country. The problem persists due to changing laws, corrupt officials,

lack of transparency, and power struggles. Moreover, restrictions on speech have made it even more difficult for citizens to voice their concerns and have issues addressed. Recently, new policies and laws have granted the judicial system more authority, thereby giving corrupt officials greater power. Reports of judicial corruption and politicization have eroded public trust in the very institutions meant to protect civilian rights. Examples of corruption have been reported at the highest levels of government,

causing further chaos in the country.

Between 2013 and 2017, Nawaz Sharif served his third term as the country's Prime Minister (PM).⁴⁹ During his term, opposition leader Imran Khan accused him of rigging previous elections. Although the initial allegations were rejected, the Panama Papers later leaked a series of documents that resulted in a major investigation.⁵⁰ The investigations revealed that Sharif held foreign assets, including factories and houses, without

⁴⁹ The Editors of Encyclopaedia Britannica, "Nawaz Sharif | Biography, Family, Party, & Facts." Encyclopedia Britannica, accessed June 25, 2025, www.britannica.com/biography/Nawaz-Sharif.

⁵⁰ Sune Engel Rasmussen, "Pakistani Court Removes PM Nawaz Sharif From Office in Panama Papers Case," *The Guardian*, July 28, 2017, www.theguardian.com/world/2017/jul/28/pakistani-court-disqualifies-pm-nawaz-sharif-from-office.

being able to prove legitimate income to afford them.⁵¹ As a result, the Pakistani anti-corruption court found him guilty of having illegitimate income sources, which is an indication of corruption. Critics, however, note that anti-corruption courts in Pakistan are not always impartial, and verdicts often reflect political pressures rather than consistent legal standards. However, Sharif was later sentenced to 10 years in prison.⁵² This was not the first corruption case against the former prime minister. In 1993, during his first term, he was expelled from office on grounds of corruption.⁵³ In 1999, during his second term, he was exiled after a military coup.⁵⁴

Subsequently, opposition leader Imran Khan took office from 2018 to 2022.⁵⁵ He is now currently serving a 14-year prison sentence for corruption, illustrating ongoing debates about judicial independence and accountability. Some observers argue that Khan's conviction highlights the selective use of courts to punish political rivals, while other corruption cases involving elites are ignored or delayed. The

main corruption allegations arose after Imran Khan and his wife, Bushra Bibi, assisted in paying fines for a Pakistani businessman.⁵⁶ In 2019, the United Kingdom's National Crime Agency announced a settlement of one hundred and ninety million pounds with businessman Malik Riaz, with the money to be entirely transferred to the government of Pakistan.⁵⁷ At the same time, the Pakistani Supreme Court entered into a separate settlement with Riaz's firm for four hundred and sixty billion rupees.⁵⁸ As a result, the company had to pay two separate fines. However, Imran Khan entered into a confidential settlement with Malik Riaz, in which the one hundred and ninety million pounds from the NCA was transferred directly to the Pakistani Supreme Court to serve as payment for the second settlement.⁵⁹ This raised questions about judicial integrity.

Effectively, the same money was used to pay for two separate settlements. In exchange, the company transferred about four hundred and fifty kanal of land to the Al-Qadir Trust, a trust created

by Prime Minister Khan and his wife Bibi.⁶⁰ This resulted in major monetary losses for the government and was deemed a bribe received by the former PM. Khan was sentenced to fourteen years in prison, while his wife was sentenced to seven years.⁶¹ His imprisonment sparked riots and political chaos in the country. Thousands stormed the streets, demanding the release of their leader. But since then, Khan has been charged with over 100 other crimes and corruption charges. While many are contested, the sheer volume suggests a concerning outlook for the country's judicial standing.

Pakistan's justice system has long been shaped by the influence of its powerful military, which directly ruled the country for over 30 years after independence in 1947 and indirectly has had a heavy hand in government throughout.⁶² This created a pattern of power struggles between civilian governments and the army, often undermining judicial independence. Former Prime Minister Imran Khan's tenure reflects these tensions. Khan initially benefited from military

51 Rasmussen, "Pakistani Court Removes PM Nawaz Sharif From Office in Panama Papers Case."

52 Al Jazeera, "Former Pakistan PM Nawaz Sharif Sentenced to Seven Years in Jail," *Al Jazeera*, December 24, 2018. www.aljazeera.com/news/2018/12/24/former-pakistan-pm-nawaz-sharif-sentenced-to-seven-years-in-jail.

53 Al Jazeera, "Former Pakistan PM Nawaz Sharif Sentenced to Seven Years in Jail."

54 Al Jazeera, "Former Pakistan PM Nawaz Sharif Sentenced to Seven Years in Jail."

55 "Land Graft Case: Former Pakistan PM Imran Khan Sentenced to 14 Years in Jail, Wife Taken Into Custody," *The Times of India*, January 17, 2025. timesofindia.indiatimes.com/world/pakistan/land-graft-case-former-pakistan-pm-imran-khan-sentenced-to-14-yrs-in-jail-wife-taken-into-custody/articleshow/117325510.cms.

56 Abdullah Niazi, "The Al-Qadir Trust Case: How One Transaction Brought Down Imran Khan and Bahria Town," *Pakistan Today*, January 17, 2025, profit.pakistantoday.com.pk/2025/01/17/the-al-qadir-trust-case-how-one-transaction-brought-down-imran-khan-and-bahria-town/.

57 Niazi, "The Al-Qadir Trust Case: How One Transaction Brought Down Imran Khan and Bahria Town."

58 "Pakistan Tycoon Hands Over \$248m to Settle UK Corruption Probe," *Al Jazeera*, December 4, 2019, www.aljazeera.com/news/2019/12/4/pakistan-tycoon-hands-over-248m-to-settle-uk-corruption-probe.

59 Al Jazeera, "Pakistan Tycoon Hands Over \$248m to Settle UK Corruption Probe."

60 Al Jazeera, "Pakistan Tycoon Hands Over \$248m to Settle UK Corruption Probe."

61 Al Jazeera, "Pakistan Tycoon Hands Over \$248m to Settle UK Corruption Probe."

62 "Who Is Imran Khan? | Start Here," Al Jazeera English, June 15, 2023. www.youtube.com/watch?v=vtdk3QzILmo.

backing, using his position to target political rivals.⁶³ But after relations soured, the army turned against him, arresting members of his party, trying them in military courts, and allegedly seeking to dismantle his political base. Khan has faced multiple legal controversies. He was found guilty of selling state gifts, worth an estimated USD 500,000, that should have remained government property.⁶⁴ More seriously, he was accused of leaking confidential diplomatic correspondence between Pakistan and the United States. Although US officials denied involvement in his removal, the unauthorized disclosure of state documents raised serious concerns about national security and misuse of authority.⁶⁵ For SOCHUM, this illustrates how corruption inside the judiciary, combined with military and political interference, can make it nearly impossible for citizens to rely on fair trials or due process.

AI Usage in the Judicial System

The independence of justice systems is usually understood as freedom from political pressure,

corruption, or undue influence. Yet today, new technologies like artificial intelligence (AI) and deepfakes pose a modern form of interference that can threaten due process and undermine independence in practice.

Deepfakes can replicate human voices, faces, and actions, so they make it increasingly difficult to separate real from fabricated evidence.⁶⁶ These deepfakes are becoming increasingly present in our society. Initially, deepfakes were

New technologies like artificial intelligence (AI) and deepfakes pose a modern form of interference that can threaten due process and undermine independence.

used in ways such as producing inappropriate content aimed at blackmailing celebrities for money.⁶⁷ Today, they can be used to manipulate our legal systems.

Although most courts require advocates and witnesses to certify that their images and recordings are authentic and unaltered, there are no reliable tools currently to accurately detect deepfakes. This can prevent appropriate justice from being delivered.

Consequently, legal systems face multiple challenges. All evidence has to be authenticated with images, videos, and audio recordings now being carefully inspected and tested for any editing.⁶⁸ As a result, courts are seeing further delays. Additionally, witnesses are now being harassed and blackmailed by deepfakes by threatening to leak (fake) inappropriate images.⁶⁹ They are also being used to scare people from testifying in court. Therefore, both lawyers and courts are having to spend more time and resources in identifying deepfakes. Overall, this erodes trust in the judicial system. Even when exposed, such content can spread quickly online, eroding public trust. Courts without reliable tools for authentication risk delivering judgments based on manipulated material, which directly undermines judicial independence and fair trial rights.⁷⁰ SOCHUM can urge states

63 “The End of the Affair: How Imran Khan Went From the Pakistan Army’s Saviour to Its Nemesis,” *BBC News*, May 27, 2023, www.bbc.com/news/world-south-asia-65711385.

64 Abid Hussain, “Pakistan Court Suspends Imran Khan’s Prison Sentence in State Gifts Case,” *Al Jazeera*, April 1, 2024, www.aljazeera.com/news/2024/4/1/pakistan-court-suspends-imran-khans-prison-sentence-in-state-gifts-case.

65 “Pakistan Indicts Former PM Imran Khan for Leaking State Secrets,” *Al Jazeera*, October 23, 2023, www.aljazeera.com/news/2023/10/23/pakistans-imran-khan-indicted-for-leaking-state-secrets.

66 United States Government Accountability Office, *Science and Tech Spotlight: Deepfakes*, (US GAO, February 2020), 1-2, www.gao.gov/assets/gao-20-379sp.pdf.

67 “What the heck is a deepfake?,” University of Virginia, accessed August 28, 2024, security.virginia.edu/deepfakes.

68 Rohan Mishra, “The Authenticity Challenge: Addressing the Concern of Producing Deepfake Generated Media as Evidence in Courts,” *The Criminal Law Blog*, National Law University, Jodhpur, April 5, 2025, criminallawstudiesnluj.wordpress.com/2025/04/05/the-authenticity-challenge-addressing-the-concern-of-producing-deepfake-generated-media-as-evidence-in-courts/.

69 *Increasing Threat of Deepfake Identities*, (United States Homeland Security, accessed August 2025), www.dhs.gov/sites/default/files/publications/increasing_threats_of_deepfake_identities_0.pdf.

70 Mason Allen, “How Deepfakes Impact Our Legal Systems,” *Reality Defender*, March 7, 2024, www.realitydefender.com/insights/deepfakes-in-courtroom.

to criminalize intimidation, regulate surveillance tools with strict oversight, and fund rapid-response protection mechanisms for legal professionals.

Generative AI presents similar risks. Algorithms used for legal research, case triage, or even sentencing may carry forward historic biases, such as racial profiling embedded in police data. This produces skewed outcomes.⁷¹ Historically, law enforcement officers over-patrolled specific neighborhoods, resulting in disproportionately higher arrest rates for individuals of color.⁷² Over time, this data, which includes socio-economic background, education, locations, race, and gender, was recorded in police databases. Because decisions made over time were heavily prejudiced, AI algorithms that use this data to understand human decision-making end up replicating those biases.

AI systems can also “hallucinate,” inventing false case citations or precedents that waste court time and confuse legal arguments.⁷³ Current estimates from Stanford University suggest that many lawyers already use or plan to use some form of generative AI for drafting legal documents. In many instances, AI attempts

to support legal arguments by citing laws and previous cases. However, AI chatbots can provide false information and case studies but present it as factual data, hallucinating between 58 and 82 percent of the time on legal queries.⁷⁴ Studies have also documented fabricated citations in legal drafting use cases.⁷⁵ When lawyers cite false cases or laws as precedent, it confuses the line between truth and falsehood. This risks judges and lawyers relying on flawed systems instead of exercising human judgment.

At the same time, AI can bring benefits. In Greece, for example, virtual translators now allow witnesses to testify without human interpreters.⁷⁶ In the United States, AI has streamlined class-action lawsuits by enabling digital filing. These tools save time, reduce backlogs, and improve access to justice when used responsibly. Therefore, the challenge is to ensure efficiency does not come at the expense of fairness.

Some governments are beginning to respond to AI usage. The European Union’s Artificial Intelligence Act (2024/1689) classifies AI in courts as “high-risk” and requires deepfakes to be labeled or watermarked, alongside

strict transparency rules for AI legal research.⁷⁷ This risk-based approach shows how regulation can protect due process without banning innovation outright. International law defines independence not only as freedom from government interference but also as the ability to deliver fair trials in practice. If AI or deepfakes undermine due process, they undermine independence just as political corruption does. For SOCHUM, the issue is not technology itself but its impact on human rights.

SOCHUM cannot write technical codes of evidence or dictate domestic AI laws. However, delegates can highlight the human rights risks of these technologies, encourage states to adopt safeguards, and reaffirm that judicial independence today must also mean independence from technological manipulation. Thus, SOCHUM can help frame international principles that protect courts from both old and new forms of interference.

Sustainable Development Goals

Sustainable Development Goal (SDG) 16 stands for “Peace,

71 “Racism and AI: ‘Bias from the past leads to bias in the future,’” United Nations Human Rights Office of the High Commissioner (OHCHR), July 30, 2024, www.ohchr.org/en/stories/2024/07/racism-and-ai-bias-past-leads-bias-future.

72 OHCHR, “Racism and AI: ‘Bias from the Past Leads to Bias in the Future.’”

73 “What is Artificial Intelligence?,” National Aeronautic and Space Administration, accessed August 27, 2025, www.nasa.gov/what-is-artificial-intelligence/.

74 Faiz Surani and Daniel E. Ho, “AI on Trial: Legal Models Hallucinate in 1 out of 6 (or More) Benchmarking Queries,” Stanford University Human Centered Artificial Intelligence, May 23, 2024, hai.stanford.edu/news/ai-trial-legal-models-hallucinate-1-out-6-or-more-benchmarking-queries.

75 Surani and Ho, “AI on Trial: Legal Models Hallucinate in 1 out of 6 (or More) Benchmarking Queries.”

76 “Courts to use AI tools to modernize judicial systems” Ekathimerini, April 4, 2025, www.ekathimerini.com/news/1267106/courts-to-use-ai-tools-to-modernize-judicial-system/

77 Reza Eftekhari, “The Legal Framework Applicable to Using AI by an Arbitral Tribunal,” Daily Jus, March 25, 2025, dailyjus.com/legal-tech/2025/03/the-legal-framework-applicable-to-using-ai-by-an-arbitral-tribunal.

Justice, and Strong Institutions.”⁷⁸ Upholding legal systems in every state is essential for reaching SDG 16. Target 16.3 calls for promoting “the rule of law at the national and international levels and [ensuring] equal access to justice for all.” SDG 16 and SDG 5 (Gender Equality) are a main focus of the 2030 agenda.⁷⁹ Key indicators of SDG 16 have been declining since 2015, when the SDGs were introduced. There has been a trend of democratic backsliding across the world. Key indicators of SDG 16 have declined since 2015 across every region. Although some targets, such as SDG 16.1 for reducing global homicide, are on target to decrease by 25 percent from 2015 to 2030, this is unfortunately still short of the original 50 percent reduction target. The 2030 agenda will focus on the SDGs, ensuring that the legal systems are upheld and leaders are held accountable for their actions.

SDG 9 focuses on “building resilient infrastructure, promoting inclusive and sustainable industrialization, and fostering innovation.”⁸⁰ This SDG promotes the increased ability to create infrastructure that is stable for democratic institutions, allowing courts to be systematically backed and strong. Target 9.1 focuses on creating infrastructure to support economic development, along



Protest poster reflecting SDG 16- Peace, Justice, and Strong Institutions
(Credit: Alejandro Lecuna)

with human well-being. Within justice systems, having economic access allows an individual to have the ability to stand up for their constitutional rights, along with the ability to hire an attorney or representation. If there is no infrastructure in place, a government can use corrupt measures to change the way legal systems work. SDG 9 has largely been on track, including Target 9.1, though some developing countries are marginalized in access to economic growth. Institutional strength is often associated with, and can support, economic development. SDG

9 must be developed, especially in marginalized areas, to allow economies to grow with their citizens. When a state’s economy is strong, its institutions can also stand strong.

SDG 10 focuses on “reducing inequality within and among countries.”⁸¹ Justice systems, especially within marginalized groups such as Indigenous peoples or peoples of other ethnic minorities, have created disadvantages and increased inequalities. Target 10.3 is to “ensure equal opportunity and reduce inequalities of outcome,” which in part will “eliminate

⁷⁸ “Goal 16,” United Nations Department of Economic and Social Affairs, accessed August 28, 2025, sdgs.un.org/goals/goal16#targets_and_indicators.

⁷⁹ “SDG 5 and SDG 16,” International Institute for Democracy and Electoral Assistance, July 17, 2025, www.idea.int/events/sdg-5-and-sdg-16-drivers-prosperity-and-enablers-2030-agenda.

⁸⁰ “Goal 9,” United Nations Department of Economic and Social Affairs, accessed August 28, 2025, sdgs.un.org/goals/goal9#progress_and_info.

⁸¹ “Goal 10,” United Nations Department of Economic and Social Affairs, accessed August 28, 2025, sdgs.un.org/goals/goal10#progress_and_info.

discriminatory laws, policies, and practices and promote legislation in this regard.” This target is vital to ensuring that every state’s constitution, justice system, and practices are of equal access and equal rights for each citizen. It is

difficult to measure equal access in the justice system, though metrics such as prison recidivism (the rate at which a prisoner returns to prison) can be a clue. Target 10.3 is one major SDGs that will allow justice systems across the world to

be ethical and upheld by all states. If every country can create equal laws for all citizens, justice systems will become more trustworthy and focus on creating justice rather than punishment.

BLOC ANALYSIS

Point of Division

There are many points for debate within the issue of “Independence of Justice Systems.” Some arguments may include how AI should be implemented in the judiciary (if at all), the role of foreign entities in other countries’ legal systems, the role of religion in the judiciary (especially in terms of women and minority rights), and the appointment of judges in countries. States with strong democratic institutions may push for universal safeguards and accountability mechanisms, while others emphasize state sovereignty, cultural traditions, and non-interference.

Countries with stable, democratic, and lawful governments

This bloc contains countries that have a strong democracy and broad channels for participation. They have a justice system composed

of highly trained judges and lawyers who uphold the values of the law. Courts in these countries are generally independent, with mechanisms to protect against political interference. Countries in this bloc lean toward policies that favor transparency within the judiciary and are open to modern reforms such as digitalization and limited AI integration. It usually includes countries like Canada, the USA, the UK, and those within the EU.

Within this bloc, countries would be in between 0.7 and 1 on the overall score for the World Justice Project’s Rule of Law Index.⁸² For example, Denmark ranks among the highest globally on the Rule of Law Index due to low corruption, strong justice institutions, access to quality education, and effective prison reforms.⁸³ Its parliamentary democracy fosters accountability, and broad representation helps reduce inequality, reinforcing the strength of its judiciary.

These countries have high scores due to the absence of corruption,

rights for citizens, and a focus on security. Their proposed solutions may include promoting technical assistance to developing states, strengthening safeguards against political corruption, and supporting equal access to civil justice. They are also likely to push for international monitoring of judicial independence while safeguarding their own systems. Delegates would likely push for strong monitoring mechanisms, propose technical aid packages, and promote whistleblower and judge protection measures.

Transitional Rule-of-Law States

This bloc contains countries that have a justice system set up, but where judicial independence is weakened by political interference, corruption, or limited accountability. This could be regarding political interference or unequal rights. Countries in this bloc are generally willing to expand on current judicial policy. It usually

⁸² “Country Information,” World Justice Project Rule of Law Index, 2024, worldjusticeproject.org/rule-of-law-index/global.

⁸³ “Government and Politics,” Government of Denmark, accessed August 28, 2025, denmark.dk/society-and-business/government-and-politics.

includes countries like Hungary, India, and Czechia because of their current leadership and past that may have faced corruption leading to weakened judiciaries. Within this bloc, countries are in between a 0.4-0.7 on the overall score of the Rule of Law Index.⁸⁴

These countries face issues such as politicized court appointments, uneven rights protections, and growing inequalities. Their priorities would be focused on domestic reform first, such as anti-corruption drives, digitization for transparency, or judicial training, before extending support abroad. Religious or cultural traditions may also shape their approach to reforms. In SOCHUM, delegates from this bloc would likely argue for gradual, sovereignty-respecting reforms, and accept capacity-building programs, but resist heavy international oversight. They may support resolutions framed in cooperative rather than punitive terms.

For example, the Indian government is led by an elected government, their prime minister, in a parliamentary system. Although the government has faced many challenges with corruption over the years, many new initiatives have attempted to resolve and prevent it.⁸⁵ The Central Vigilance Commission and e-governance reforms have attempted to improve transparency and accountability. These reforms reflect an ongoing

effort to strengthen democratic justice despite setbacks.

Non-Democratic, Low Rule-of-Law States

This bloc contains countries that exhibit limited judicial independence. Citizens often face severe restrictions on rights, arbitrary detentions, and politically controlled courts. These countries generally do not democratically elect officials nor have systems in place to represent their citizens. Countries in this bloc lean toward more restrictive policies with more focus on the government. It usually includes countries like North Korea, Russia, and Belarus because of the strong political entities they possess and the stronghold that these entities carry onto the judiciary.

Within this bloc, countries are between 0.0 and 0.4 on the overall score of the Rule of Law Index.⁸⁶ They are marked by pervasive corruption, politicized prosecutions, and lack of accountability. These countries often have restrictive political figures that are focused on other issues, such as global expansion or pushing a political or religious agenda. They would tighten government control or expand security forces more than open courts to reform. They frequently resist UN or international mechanisms, citing sovereignty as a defense. Delegates

from this bloc would most likely oppose intrusive resolutions, frame judicial reform debates as “Western interference,” and push instead for language on sovereignty, development aid, or security. They may also coordinate with allies to dilute strong accountability measures.

For example, North Korea has a very restrictive government. Within this system, political participation is highly constrained, so rights protections are restricted. As an extreme example, visitors to North Korea are rare, so much of the corruption and the restrictive policy is difficult to pinpoint.⁸⁷ North Korea’s government technically has three branches, administrative, legislative, and judicial, but these branches are not independent of each other. Citizens within this country nominally have access and rights to an attorney or representation, but the judicial system is heavily influenced by the ruling party.

⁸⁴ WJP Rule of Law Index, “Country Information.”

⁸⁵ “Corruption in India,” Kohn, Kohn and Colapinto LLP, kkc.com/corruption-index/corruption-in-india/.

⁸⁶ WJP Rule of Law Index, “Country Information.”

⁸⁷ “North Korea,” Transparency International, www.transparency.org/en/countries/north-korea.

COMMITTEE MISSION

The independence of justice systems is vital to fostering flourishing, democratic institutions. The United Nations has devised Sustainable Development Goal (SDG) 16, which focuses on “peace, justice, and strong institutions.”⁸⁸ The UN cannot mandate a country to act in one particular way or entirely change their judicial structures, though they can create a framework for peace.⁸⁹ These frameworks, in turn, help encourage justice systems that are fair, equitable, and may be practiced in any state. The UN bodies typically emphasize respect for state sovereignty while encouraging common standards.

The goal of the UN, in regard to reforming and strengthening justice systems, is creating peace and harmony across states. The UN, along with SOCHUM as a whole, encourages judicial and country sovereignty, with an emphasis on allowing countries to create states that align with their political and ideological identities. The UN cannot force a country to act in a certain way, nor does it want them to. Judicial systems flourish when they uphold democratic ideals while encouraging cultural identity in the laws and constitutions that are formed. Approaches seek to avoid privileging any single system, identity, or culture. All voices within judicial systems should be equally valued.

It is up to the UN to protect the sovereignty of states, which begins at judicial systems and extends to the rights and freedoms of all citizens. In practice, this means SOCHUM’s role is not to prescribe detailed court structures but to reaffirm international principles such as the UN Basic Principles and Bangalore Principles, highlight human rights consequences when judicial independence is undermined, recognize emerging global risks like AI and deepfakes, encourage aid and reform to be rights-based, and stress accountability in tribunals. These elements together give the committee a coherent and relevant framework for addressing the issue.

⁸⁸ United Nations Department of Economic and Social Affairs, “Goal 16.”

⁸⁹ “Our Work” United Nations, accessed July 17, 2025, www.un.org/en/our-work.

RESEARCH AND PREPARATION QUESTIONS

The following research and preparation questions are meant to help you begin your research on your country's policy. These questions should be carefully considered, as they embody some of the main critical thought and learning objectives surrounding your topic.

Topic A

1. Is political instability the main reason why professionals leave? Or is it just one of many push factors? How does this compare to other countries in the region?
2. How can international cooperation ensure that migration does not deepen inequalities between the Global North and the Global South?
3. What roles can partnerships play in creating incentives for workers to remain in their home countries?
4. Do remittances drive long-term development or only provide short-term support? How can they enhance public services such as education, healthcare, or infrastructure? Can you give an example from your country where remittances improved a service?
5. Does your country consider itself more of a sending state, a receiving state, or both, in relation to environmental-linked brain drain?
6. Do countries have an obligation to sending states to help them prevent brain drain?
7. How can developed countries use their academic knowledge to support developing states rather than absorbing their skills?

Topic B

1. How does your country provide or deny autonomy from political influences to its justice system?
2. How does your country prevent the usage of deepfakes and artificial intelligence in the legal system? What action does your country take when they are used?
3. Is your country primarily a donor or recipient of foreign aid, and how does this affect its politics, foreign policy, and justice system?
4. How does your country ensure that special tribunals, primarily relating to issues of national security, are kept to a completely fair trial?
5. What kinds of policies or laws are used in your country to help protect or punish whistleblowers in the justice system?
6. What types of legal pluralism or variations of law are present in your country, and how do they either promote or restrict justice for different demographics or groups of people?

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Topic A

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