



Department of Studies in Law



MODEL UNITED NATIONS

CONFERENCE 2016

We are proud to present to you the first edition of Model United Nations Conference.

Committee: United Nations High Commissioner for Refugees

Agenda: Protection of Refugees-Internally Displaced and Seeking Asylum

Participants can choose the country from the country matrix. Each participant will be allowed to represent only one country. Countries will be allotted according to preference on first come first serve basis.

Last date for Registrations 05.02.2016

Date of Training 10.02.2016

The MUN will be held on 22.02.2016

Venue: Department of Law in Studies, University of Mysore, Manasagangotri , Mysore

Chief Patron

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MUN Background Guide

Committee: United Nations High Commissioner for Refugees

Agenda: Protection of Refugees-Internally Displaced and Seeking Asylum

Message from the Executive Board:

Dear delegates,

We present to you the background guide of the MUN which is being organized by Department of Law in Studies, University of Mysore. A background guide is merely a bird's eye view of the problem at hand. A legal overview has been provided so as to acquaint delegates with the burning international divisions the resolution of which will be critical to enable any progress on the agenda. This study guide should be a starting point for your research and you are encouraged by all means further expand your realm of knowledge by delving into the themes and sub themes raised in the guide and the reference provided for further research.

All the best!

Chief Patron

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A central practice to the United Nations is the protection of human rights. Article 14 of the Universal Declaration of Human Rights of 1948 reads “Everyone has the right to seek and to enjoy in other countries asylum from persecution,”¹ and from this declaration the United Nations’ commitment to the protection and assistance of refugees, displaced persons, and asylum seekers began. According to the United Nations’ High Commissioner for Refugees there are 51 million forcibly displaced people worldwide, all of whom have been uprooted from their homes and must seek asylum elsewhere. This is the most since the end of the Second World War seventy years ago. Such numbers testify to the several problems of internal warfare and armed conflict in countries as diverse as Afghanistan, Central African Republic, Democratic Republic of Congo, Colombia, Iraq, Libya, Myanmar, South Sudan, Sudan and Syria.

While humanitarian obligations are universally accepted, their interpretation depends not only on international law, but also on domestic law of welcoming countries as well as their government policies. Virtually all states say they respect the needs and rights of refugees and internally displaced people. But the willingness to accept refugees varies greatly. Countries like Ethiopia, Germany, India, Kenya, Jordan, Pakistan, Russia, Sweden, Turkey and Ukraine, for example, are widely recognized for their willingness to accept refugees. Countries like Australia and the United States have more complicated policies and take far fewer.

1951 Convention Relating to the Status of Refugees and the 1967 Protocol

This treaty is split into 6 chapters that cover the topics, general provisions regarding refugees, juridical status of refugees, the right to gainful employment, welfare, administrative measures to be taken by the host state, executor and transitory provisions, and final clauses. Each chapter is made of articles and within these the rights of refugees were enumerated.

The general provisions section of the treaty enumerates the basic rights of a refugee and establishes who is a refugee? The convention defines a refugee as “As a result of events occurring before 1 January 1951 and owing to well-founded fear of being persecuted for reasons of race, religion, nationality, membership of a particular social group or political opinion, is outside the country of his nationality and is unable or, owing to such fear, is unwilling to avail himself of the protection of that country; or who, not having a nationality and being outside the country of his

¹UN. "The Universal Declaration of Human Rights, UDHR, Declaration of Human Rights, Human Rights Declaration, Human Rights Charter, The UN and Human Rights." *UN News Center*.

former habitual residence as a result of such events, is unable or, owing to such fear, is unwilling to return to it.” The inclusion of the section about occurring *before* 1 January 1951 would become an issue later on because new refugee crises arise and these same rights would be applied to them. This part of the definition was taken out at the second convention relating to the status of refugees in 1966. This chapter goes on to enumerate several key rights, they include: refugees are to be granted the same rights as aliens, the ability to live under the same circumstances as though they were not a refugee, protection against discrimination, a refugee is obliged to abide by the laws and customs of their host state, and guarantees the right to freely practice religion. The following chapter addresses the judicial rights of refugees, and inside of the chapter the rights to have access to courts, they have the same protection of their intellectual and personal property as anyone else, and the right to free association. Chapter three focuses only on gainful employment. In short refugees have the right to work in any way they wish as long as they follow the laws of the country of residence. Chapter four focuses on welfare. Refugees must receive a food ration and the option of public education; otherwise they are to be treated as any other alien would. The rest of the chapters are pointed directly at the states on the administrative side of refugee relief and making sure that a system is in place to actually make sure these refugees can be helped. The rights given in the convention were not extended to those who were deemed to be against the United Nation’s principles and this includes committing crimes against humanity, war crimes, crimes against peace, or serious non-political crimes. One topic central to the convention was the prevention of the process called *refoulement*. Refoulement is the deportation of asylum seekers, sending them back to their original country when they still are in danger²

Current Situations

Currently there are a multitude of refugee crises happening. Some of the most urgent situations and some of largest host country situations are as follows:

Host States:

The diverse nature of country responses to refugee issues are illustrated by a few prominent examples. While virtually all countries have accepted some refugees or IDPS, the issues of refugee status are especially controversial in countries like these:

² Convention and Protocol relating to the Status of Refugees

Australia

Australian politics have usually maintained a strict immigration policy, and that is not changed when it comes to asylum seekers. Beginning in 2008 Australia's government resumed the operation of its offshore asylum processing centers in Nauru, Papua New Guinea, and on Christmas Island (an island northwest of Australia owned by Australia). When an asylum seeker is taken in by Australia they are moved to one of the three offshore processing centers while they await their status. The government then made a deal with the Cambodian government to allow for the resettlement of refugees from these offshore processing centers into Cambodia. In 2013 the Australian government began a program titled Operation Sovereign Borders to address maritime asylum seekers. Sri Lankan, Afghani, Iranian, and Iraqi asylum seekers commonly make the dangerous voyage via boat to Australia, and under this program the processing of these maritime asylum seekers was placed into the hands of the Australian navy. Under this policy the Australian navy has been towing boats of asylum seekers back to their place of origin. In September of 2014 alone 12 boats filled with asylum seekers were towed back. The international community has responded by accusing the Australian government of *refoulement*, a practice that has been combated internationally since the League of Nations.

Ethiopia

Ethiopia in 2014 overtook Kenya as the country with the most refugees in Africa. By the end of July Ethiopia became host to over 620,000 refugees. Most of these new refugees are from a growing situation in South Sudan. Ethiopia is also a major host for Somali and Eritrean refugees who make up the second and third most refugee numbers in the country. Unlike the previously mentioned hosts, Ethiopia has signed the convention and protocol for refugees.

Lebanon

Lebanon currently is host to over 1,000,000 Syrian refugees, and that's just the registered number of refugees in the country and does not count the huge number of refugees from other countries. Lebanon is situated between the Syrian, Iraqi, and the Palestinian refugee crises. While the country has staggering numbers concerning the amount of humanitarian support it gives to their refugees, the budget for their refugee program is more than 800 million dollars short of the needed amount of funds. The lack of funds and widespread international support like what is given to Jordan has put enormous strain on Lebanon and its people.

Pakistan

The Afghan refugee crisis is the “largest protracted refugee situation globally.” Over 3.5 million refugees have been successfully returned to Afghanistan from Pakistan since 2002, which accounts for nearly one fourth of the population of Afghanistan. Currently Pakistan is host to 1.6 million registered Afghan refugees. Like Jordan, Pakistan has not signed the Convention of 1951 or the Protocol of 1967. Pakistan is also a refugee situation itself, with over 43,000 refugees originating from Pakistan. The government of Pakistan despite never signing the convention of 1951 or the protocol of 1967 has been working with the UNHCR to an impressive extent. Over 5 million Afghans have been successfully resettled into their place of origin since 2001.

Somalia

Somalia has one of the worst displacement crises in the world. Over two million Somalis have been forcibly displaced. Approximately one million of these are internally displaced, and the other million or so are mostly spread about its neighbors, Kenya, Ethiopia, and Yemen. With a mix of political instability and famine nearly a million more Somalis are at risk. The government that assumed power in 2012 exercises next to no power in the “state” and the country is either run by the extremist organization Al Shabab, regional war lords, or by de facto independent states such as Somaliland. The humanitarian situation in Somalia seems to only be deteriorating as the amount of Somalis at risk for famine is rising and the pressure the situation is placing on Somalia’s neighbors grows.

Syria

The Syrian Civil War has been raging since 2011, and since then an estimated 9 million Syrians have either been internally displaced or have fled to neighboring countries as asylum seekers. The crisis has put enormous strain on the asylum systems of states worldwide. 2.5 million Syrians have fled Syria to its immediate neighbors and over 6 million Syrians are internally displaced. Even though the Syrian refugees are in huge numbers only around 100,000 have been lodged in Europe. In the mid-year report from the UNHCR out of the 44 developed

countries selected for the study almost all of them had Syrians as the most numerous nationality applying for asylum in their country. What makes this situation worse is that no end is clearly visible, and the international community will be dealing with the fallout of this war for a very long time.

The delegates are expected to discuss the problem and come up with possible solutions to tackle the problem.

References:

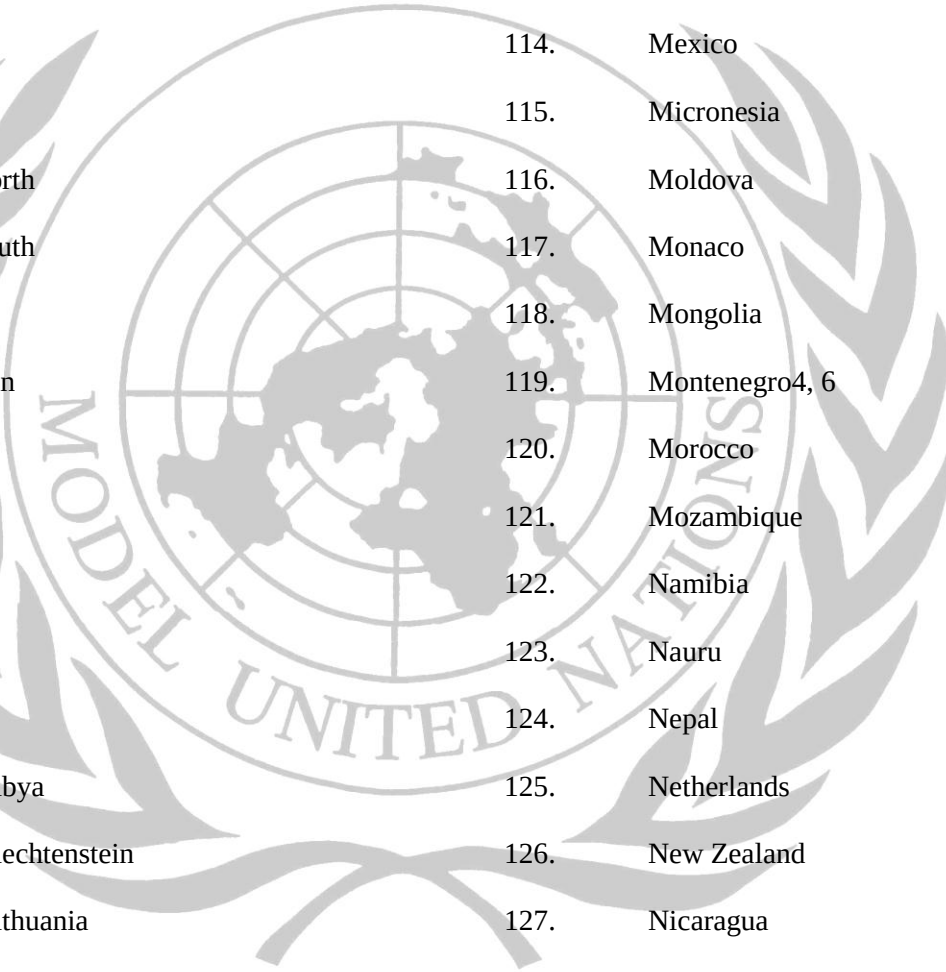
1. Refugees International. "Somalia | Refugees International." Somalia | Refugees International. <http://refugeesinternational.org/where-we-work/africa/somalia> (accessed October 15, 2014).
2. BBC News. "Australia asylum: Why is it controversial?" BBC News. <http://www.bbc.com/news/world-asia-28189608> (accessed October 14, 2014).
3. The European Union. "Hello, World!." Syrian Refugees. <http://syrianrefugees.eu/> (accessed October 15, 2014).
4. <http://www.unhcr.org/cgi-bin/txis/vtx/home>
5. General Assembly Resolution 69/154. "Assistance to refugees, returnees and displaced persons in Africa".

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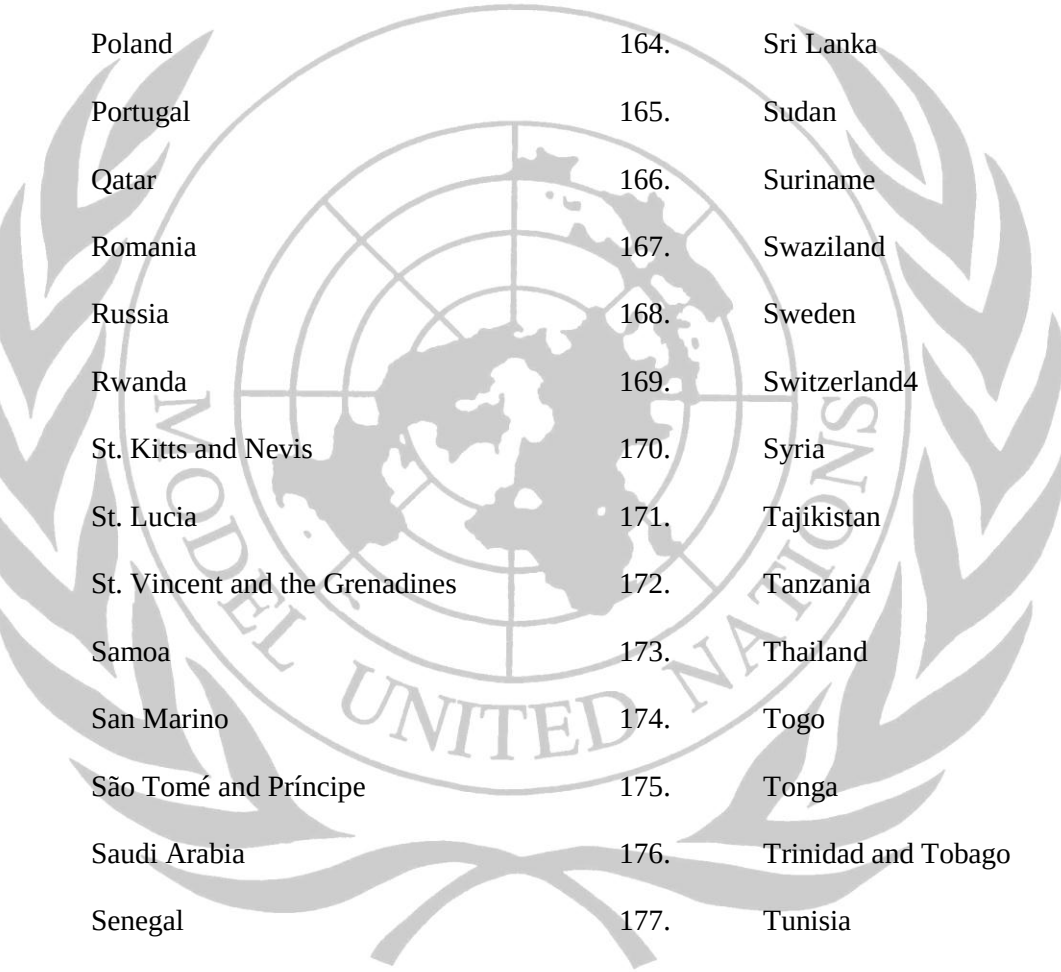
COUNTRY MATRIX

- | | |
|------------------------|----------------------------|
| 1. Afghanistan | 17. Belgium |
| 2. Albania | 18. Belize |
| 3. Algeria | 19. Benin |
| 4. Andorra | 20. Bhutan |
| 5. Angola | 21. Bolivia |
| 6. Antigua and Barbuda | 22. Bosnia and Herzegovina |
| 7. Argentina | 23. Botswana |
| 8. Armenia | 24. Brazil |
| 9. Australia | 25. Brunei |
| 10. Austria | 26. Bulgaria |
| 11. Azerbaijan | 27. Burkina Faso |
| 12. Bahamas | 28. Burma (Myanmar) |
| 13. Bahrain | 29. Burundi |
| 14. Bangladesh | 30. Cambodia |
| 15. Barbados | 31. Cameroon |
| 16. Belarus | 32. Canada |

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- | | |
|---------------------------------|-------------------|
| 33. Cape Verde | 58. Estonia |
| 34. Central African Republic | 59. Ethiopia |
| 35. Chad | 60. Fiji |
| 36. Chile | 61. Finland |
| 37. China ² | 62. France |
| 38. Colombia | 63. Gabon |
| 39. Comoros | 64. Gambia |
| 40. Congo, Rep. of | 65. Georgia |
| 41. Congo, Dem. Rep. of | 66. Germany |
| 42. Costa Rica | 67. Ghana |
| 43. Côte d'Ivoire | 68. Greece |
| 44. Croatia | 69. Grenada |
| 45. Cuba | 70. Guatemala |
| 46. Cyprus | 71. Guinea |
| 47. Czech Republic ³ | 72. Guinea-Bissau |
| 48. Denmark | 73. Guyana |
| 49. Djibouti | 74. Haiti |
| 50. Dominica | 75. Honduras |
| 51. Dominican Republic | 76. Hungary |
| 52. East Timor ⁴ | 77. Iceland |
| 53. Ecuador | 78. India |
| 54. Egypt | 79. Indonesia |
| 55. El Salvador | 80. Iran |
| 56. Equatorial Guinea | 81. Iraq |
| 57. Eritrea | 82. Ireland |



83. Israel	108. Maldives
84. Italy	109. Mali
85. Jamaica	110. Malta
86. Japan	111. Marshall Islands
87. Jordan	112. Mauritania
88. Kazakhstan	113. Mauritius
89. Kenya	114. Mexico
90. Kiribati	115. Micronesia
91. Korea, North	116. Moldova
92. Korea, South	117. Monaco
93. Kuwait	118. Mongolia
94. Kyrgyzstan	119. Montenegro ^{4, 6}
95. Laos	120. Morocco
96. Latvia	121. Mozambique
97. Lebanon	122. Namibia
98. Lesotho	123. Nauru
99. Liberia	124. Nepal
100. Libya	125. Netherlands
101. Liechtenstein	126. New Zealand
102. Lithuania	127. Nicaragua
103. Luxembourg	128. Niger
104. Macedonia ⁵	129. Nigeria
105. Madagascar	130. Norway
106. Malawi	131. Oman
107. Malaysia	132. Pakistan



133.	Palau	158.	Slovenia
134.	Panama	159.	Solomon Islands
135.	Papua New Guinea	160.	Somalia
136.	Paraguay	161.	South Africa
137.	Peru	162.	South Sudan
138.	Philippines	163.	Spain
139.	Poland	164.	Sri Lanka
140.	Portugal	165.	Sudan
141.	Qatar	166.	Suriname
142.	Romania	167.	Swaziland
143.	Russia	168.	Sweden
144.	Rwanda	169.	Switzerland ⁴
145.	St. Kitts and Nevis	170.	Syria
146.	St. Lucia	171.	Tajikistan
147.	St. Vincent and the Grenadines	172.	Tanzania
148.	Samoa	173.	Thailand
149.	San Marino	174.	Togo
150.	São Tomé and Príncipe	175.	Tonga
151.	Saudi Arabia	176.	Trinidad and Tobago
152.	Senegal	177.	Tunisia
153.	Serbia ⁶	178.	Turkey
154.	Seychelles	179.	Turkmenistan
155.	Sierra Leone	180.	Tuvalu
156.	Singapore	181.	Uganda
157.	Slovakia ³	182.	Ukraine

183.	United Arab Emirates	188.	Vanuatu
184.	United Kingdom	189.	Venezuela
185.	United States	190.	Vietnam
186.	Uruguay	191.	Yemen
187.	Uzbekistan	192.	Zambia
		193.	Zimbabwe

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