

**AGENDA : DISCUSSING THE GLOBAL REFUGEE CRISIS WITH SPECIAL  
EMPHASIS ON STATELESSNESS AND INTERNALLY DISPLACED PERSONS  
(IDPs)**

**LETTER FROM THE EXECUTIVE BOARD:**

Hello, and a warm welcome to all distinguished delegates on behalf of me, and the entire Board of Directors of the United Nations Human Rights Council, to the Indian Institute of Technology (IIT) Indore Model United Nations (MUN).

Deliberating and debating for the benefit of the society is not an activity, it is a moral obligation, that is something we, as the YOUTH should look forward to. The United Nations Human Rights Council is in itself, one of the most broad and peculiar committees and there can't be a better option to explore your debating and MUNing skills than to be a part of this committee and discussing these broader, relevant agendas which are open to interpretation. For many it may be the first ever MUN conference in your educational experience, and we strongly encourage you to go through this background guide that has been prepared for you as a part of the conference in order to get an in-depth understanding of the issue that will be discussed in the committee. You are expected to research, collate, list down possible points of discussions, questions and plausible responses and be prepared to enjoy the intellectual energy in the group. At the same time it is not only about speaking and presenting, but very importantly it is also about the ability to listen, understand viewpoints and learn from each one's perspectives. We as a panel, considering the mode of conducting the conference is online, expect to focus more and more on the quantity and fierceness of the debate rather than poking our noses into set cliches and guidelines. Remember, 'Believe in what you say, stand by it, and make your merit.' And oh yes, never forget to gain more and more knowledge, experience and joy. That is the main purpose of a conference, to be better and of course to be a winner. So give your best! Also to add on, background guides are made just to give you an insight into the agenda and help you with the research part. It must not

formulate your entire research , You have to research beyond this going into the depths of the agenda.

All you need is the willingness to make your voices heard and learn from the experience. My excitement knows no bounds, I hope you'll be as excited as me for this one. So without further ado, let's get things rolling folks!

Best of Luck!!

Anmol Puri  
(Co-Chairperson)

Pratham Golcha  
(Co-Chairperson)

PS. Should you have any doubts/difficulties regarding the same of any sort, feel free to drop me a mail at [prathamgolcha@yahoo.in](mailto:prathamgolcha@yahoo.in).

## **ABOUT THE COMMITTEE:**

“There can be no peace without development, no development without peace, and no lasting peace or sustainable development without respect for human rights and the rule of law.” – Former UN Deputy Secretary-General Jan Eliasson.

The United Nations Human Rights Council (UNHRC) is an intergovernmental agency of the United Nations, which aims to protect and promote human rights around the world. It was officially formed on 15<sup>th</sup> March 2006, with its headquarters in Geneva, Switzerland. It actually replaced the erstwhile ‘United Nations Commission on Human Rights’ and currently works closely with the Office of the High Commissioner for Human Rights (OHCHR). Every year, in the months of March, June and September, the UNHRC holds the regular sessions, apart from which there is a provision to assemble special sessions as well, according to one-third of the assent of member states. The Council of UNHRC is generally made up of 47 UN Member States which are subsequently elected by the United Nations General Assembly for a staggered period of three year terms by the United Nations General Assembly (UNGA).

The term membership of any Member State can be revoked at any time, considering the persisting gross and systemic violations of Human Rights. The UNHRC has a separate ‘Advisory Committee’ and ‘Complaint Procedure’ wherein the gross and systematic threats to human rights are weighed in and discussed. The UNHRC body takes in something that is called ‘Special Procedures’ to gather inputs, advice and observations concerning human rights issues from all across the world. While inducting the member states into the UNHRC, the body clearly lays out that, "when electing members of the Council, Member States shall take into account the contribution of candidates to the promotion and protection of human rights and their voluntary pledges and commitments made thereto", and that "members elected to the Council shall uphold the highest standards in the promotion and protection of human rights". The UNHRC has been criticized at times, on varying issues, such as on diplomatic and membership issues by the Member States, such as the Israel-Palestine conflict, 2006 Lebanon conflict, and other issues involving states such as Eritrea, North Korea, Pakistan, Venezuela, etc. The rights of freedom of expression and peaceful assembly and the right to participate in public affairs are expressly

recognized in the Universal Declaration of Human Rights, as well as the International Covenant on Civil and Political Rights which form an integral part of the human rights council in almost all of the cases and their repercussions. Thus, upholding of the basic rights of man across the world and resurrection of the wrongdoings done of them are of the primary concern of UNHRC. In this conference, the delegate will have to discuss the topic and find an immediate solution to the issues that will arise during the committee sessions.

## **ABOUT THE AGENDA:**

### **INTRODUCTION**

Forced displacement is a rising issue that currently affects 68.5 million people worldwide. One of the main challenges facing forcibly displaced persons is access to adequate shelter in which their needs are being met. In early 2018, 16.2 million people were newly displaced, an average of 44,440 per day. Of the 68.5 million people currently displaced, 40 million are categorized as internally displaced persons (IDPs) and 25.4 million as refugees. There are more displaced people now than at any point in history. The figure though includes a wide range of peoples all of whom have to flee for numerous reasons. As the UN it is your duty to, as the most successful humanitarian aid organization in history, alleviate some of the hardship currently being experienced by these peoples all over the world. The term Displaced Peoples is intentionally vague and includes several categories of individuals who need to be properly defined.

To clarify:

- *Refugee*- As determined by the 1951 Convention relating to the Status of Refugees, a refugee is someone who, "owing to a 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 their nationality, and is unable to, or owing to such fear, is unwilling to avail themselves of the protection of that country."
- *Asylum Seeker*- Is a person who identifies as a refugee, but who has not yet been formally processed as such by the host country. In layman's terms, there are people who want to receive refugee status, but have yet to be accepted or formally processed.
- *Stateless Person*- This is a person who, according to the 1954 Convention on Status of Stateless Persons, is someone who is not considered a national, kind of like a citizen, of any state under the exercise of each state's laws. Some people may become stateless while others are so at birth. This can happen when a state does not want to take responsibility any longer for a particular minority, or due to natural disaster or crisis a group of people is forced from their homes and it is uncertain from whence they came.
- *Internally Displaced Persons (IDPs)* - Internally displaced persons are people who have fled their homes out of necessity, like a refugee, but the key difference being that they have not crossed an international border. Meaning they remain under the jurisdiction, or

everyone's favorite word sovereignty, of their home country (even if their country is the persecutor) and retain the same rights in that country and under international law.

Human rights must not only be considered with regards to the origins of refugee crises, though. Refugees also face further human rights concerns after escaping their home countries. Many face ethnic, religious and/or racial discrimination in the places where they seek asylum. They may be arrested and forcibly deported back to their home countries, where their lives were at risk. The mistreatment of refugees, combined with the humanitarian problems responsible for refugee situations, presents a human rights crisis with a dual nature. Human rights violations are of concern both before and after refugees flee their home countries.

## **CURRENT SITUATION:**

Imagine being without an identity or any rights- a nationality to associate with, a school to study in, no future for a job, no backing for a house, nil health coverage, and a plethora of obstacles and disappointments to grapple with, every single day. Some very basic rights that form the basis of the United Nations Human Rights Council (UNHRC) and its charter, are absolutely unknown to millions. Not only UNHRC, but other entities such as the United Nations High Commissioner for Refugees (UNHCR), United Nations Children's Fund (UNICEF), etc. are doing their part in averting the refugee crisis. There are four layers to address the issue herein- identification, prevention, reduction, and and protection. "A person who is not considered as a national by any State under the operation of its law"- is how the standard global definition of a stateless person goes by. Statelessness and internal displacements are something that pervades and challenges every country and every society around the world. But the challenges remain fierce, and the impacts, even more dreadful. There are various reasons for this, such as gaps and lacunas in nationality laws, differentiation, prejudice and discrimination, based on religious, ethnic, racial, color, gender and various other factors, etc. Going by current trends, if we take the examples of the displacements in Afghanistan, Ukraine, etc, we would be able to recognize how the majority of the states and stakeholders giving refuge to the displaced have not granted them a proper nationality, or educational avenues, or jobs to support themselves and their families.

Unfortunately, the picture sends a bleak story globally and the refugees do not have their basic human rights covered and granted. Many countries believe in a 'complete crackdown' of the refugees, so that they wouldn't 'snatch' the opportunities or resources of the already living nationals of the particular country. The need of the hour is to bestow them with rights, take the situation morally and ethically, and understand the sufferings of the displaced and stateless. With no basic rights being covered, these refugees have very little means of survival or even ways to gain remedies in the country they reside in as 'refugees'. The UNHCR 2021 report on global trends puts the number of refugees at 27.1 million. These figures go on to highlight, and speak for themselves, the problems faced by the displaced and stateless people. The Syrian refugee crisis remains the largest humanitarian crisis globally. Nearly 7 million Syrians are internally

displaced, and 6.6 million have been forced to seek safety as refugees in Lebanon, Turkey and elsewhere.



## **INTERNATIONAL FRAMEWORK**

The right to adequate shelter was first outlined in 1948 through Article 25 of the Universal Declaration of Human Rights (UDHR). Additionally, Article 21 of the 1951 Convention and Protocol relating to the Status of Refugees (Refugee Convention) grants refugees the same rights to housing as the citizens of the host country. Furthermore, Article 11 of the 1966 International Covenant on Economic, Social and Cultural Rights (ICESCR) reiterates the same idea of the right to adequate standards of living for all, including housing, and the right to continue working toward those adequate living conditions.

Expanding these standards to IDPs are the Guiding Principles on Internal Displacement (2004), specifically principle 18, which ensures the IDPs' right to move freely and choose their own housing, and re-emphasizes the importance of the standard on adequate housing set by UNHCR. Under the auspices of the UN Economic and Social Council (ECOSOC), the Commission on Human Rights produced the Principles on Housing and Property Restitution for Refugees and Internally Displaced Persons (The Pinheiro Principles) in June 2005. This document reiterated the points made in the Guiding Principles on Internal Displacement by further specifying refugees' and IDPs' rights to sustainable shelter, housing, and property restitution regardless of their status. In addition, the Pinheiro Principles address important challenges in the provision of shelter, such as property ownership, shelter construction, and the insufficient inclusion of women and girls in shelter decision-making. They also highlight the dangers of hazardous weather conditions, and encourage Member States and organizations like UNHCR to work towards the creation of solutions for more durable and sustainable shelters. The 2030 Agenda for Sustainable Development (2030 Agenda), adopted by the United Nations (UN) General Assembly in 2015, works toward a more sustainable world via 17 Sustainable Development Goals (SDGs). The topic of shelter falls under SDG 11 to "make cities and human settlements inclusive, safe, resilient, and sustainable." Specifically, target 11.3 of SDG 11 aims to ensure access to adequate housing to all peoples, whether they are living in slums in the developing world, or they are refugees searching for shelter. On 19 September 2016, the General Assembly adopted the New York Declaration for Refugees and Migrants (New York Declaration). This Declaration set out to improve the livelihood of refugees by creating a Comprehensive Refugee Response Framework

(CRRF) and calling for a global compact on refugees. The CRRF re-emphasizes not only UNHCR's commitment to providing refugees and IDPs adequate shelter, but also encourages Member States' agency through implementing the CRRF. In October of 2016, Member States gathered in Quito, Ecuador to attend Habitat III, the third conference on Housing and Sustainable Urban Development, to discuss the challenges faced with providing housing. Through this conference, the New Urban Agenda was created, which addresses the need for sustainable urban development, and ensures the rights refugees and other displaced persons are being met regarding housing. Each framework, convention, and report further clarify the imperative issues in meeting the standards of adequate shelter and ensuring vulnerable populations are not forgotten throughout the many different crises.

## **BLOC POSITIONS:**

As regarding the bloc positions, we can divide the blocs into the following union of countries:

i) South East Asia: The Association of South-East Asian Nations (ASEAN) is a political and economic bloc union of 10 member countries in the region of South-East Asia , namely Brunei, Cambodia, Indonesia, Laos, Malaysia, Myanmar, the Philippines, Singapore, Thailand and Vietnam. Countries such as Myanmar and Malaysia, in particular have huge roles to play, as far as the refugee statuses are concerned- the Rohingya crisis in Myanmar being a prime example.

ii) South Asia: The South Asian Association for Regional Cooperation (SAARC) is the intergovernmental organization and geopolitical union of nation states in the region of South Asia, such as India, Bangladesh, Sri Lanka, Pakistan, Bhutan, Nepal, etc. This region is prone to the issues of internal displacements and statelessness, especially when we take into account the contentious laws in India recently that allegedly have a crackdown on illegal immigrants from across the region. The Afghanistan crisis has thrown open varying refugee issues in the region, especially in Pakistan and India.

iii) Africa: This is the most volatile and under-developed region in the world, where the countries live in extreme poverty, malnutrition, etc. With a weak economy and lack of capital, this region is pretty backward when it comes to internal displacements as well as statelessness of refugees. There is an increased need for support in the African region from the international agencies, in order to resurrect the wrongdoings of the refugees, who grapple with a number of challenges, ranging from poverty to homelessness and hunger.

iv) European Union: The EU is one of the economically stronger regions of the world, where economies and social conditions are favorable and conducive. The countries such as Poland, Portugal, Finland, Romania, Sweden, Belgium, Denmark, Italy, Germany, make up for this bloc. The Russia-Ukraine conflict in the region, as well as the Afghan crisis in particular, have thrown open a wide range of issues herein. With Ukraine fighting Russia with its European and Western allies, Poland and nearby countries have had to bear the brunt of hosting refugees. This shows

the beginning of a new chapter of refugee handling in the European Union, with varying challenges.

v) Pan-America: This region, pretty much like the European Union, is economically far superior to the rest of the world. USA, Mexico, Canada are some countries that form a part of this bloc. Just like the European Union, this region is relatively well-placed than the rest of the world. The US-Canada border in the past, has shown how contentious the refugee issue can be. This region presents new challenges also from the Latin American region.

## **QUESTIONS A RESOLUTION MUST ANSWER (QARMAS):**

1. In what ways can we solve the conundrum of the refugee crisis on a global level, as in for a long-term solution?
2. What relevant steps should the international entities and watchdogs take in order to avert the internal displacements and statelessness of refugees?
3. What do you think should be taken to individually solve both the internal displacements as well as statelessness issues, and how do they differ from one another?
4. In what ways has your country in the past dealt with the refugee crisis, and are there any legislations that support them therewith?
5. How can the UNHRC help IDPs get their legal documents from their governments and national authorities?
6. Who are the main actors involved in the governance of refugee camps?
7. Which legal norms should be applicable to and promoted for camps and liability regimes?
8. What should be consequences resulting from a violation of these applicable standards and, more basic, fundamental human rights?

## References for Further Research

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