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# UN HIGH COMMISSIONER FOR REFUGEES BACKGROUND GUIDE 2015

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# NATIONAL MODEL UNITED NATIONS





# THE 2015 NATIONAL MODEL UNITED NATIONS

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Dear Delegates,

We are pleased to welcome you to the 2015 National Model United Nations Washington, D.C. Conference (NMUN·DC)! This year's United Nations High Commissioner for Refugees (UNHCR) staff is: Director Jess Mace and Assistant Director Joshua Cummins. Jess graduated from Bishop's University with an undergraduate degree in Political Science and from Laurier University with a Master's degree in Political Science and a focus on International Relations. This will be her second year at NMUN·DC and her sixth NMUN conference overall. Joshua received his Bachelor's degree in History from Wright State University and his Master's degree in International and Comparative Politics from Wright State University. He is currently working for Lockheed Martin where he conducts research and analysis on the Middle East, and he is an adjunct professor of Political Science at Sinclair Community College. This is his first year at NMUN·DC and his seventh NMUN conference overall.

The topics under discussion for UNHCR are:

- I. Implementing Emergency Responses for Seafaring Refugees
- II. Ensuring Equal Rights for Refugees from Complex Crises
- III. Sustainable Environmental Management Practices in Refugee Affected Areas

The United Nations High Commissioner for Refugees is tasked with the unique role of providing and coordinating humanitarian assistance, emergency response, and repatriation for refugees, internally displaced persons, and asylum seekers. In order to adequately fulfill its role, the UNHCR works in collaboration with Member States, non-governmental organizations, and other international organizations to provide vital services and care in refugee affected areas and to those displaced worldwide.

We hope you will find this Background Guide useful as it serves to introduce you to the topics for this committee; however, it is not meant to replace further research. We highly encourage you to explore your Member State's policies in full detail and use the Annotated Bibliography and Bibliography as part of your research to expand your knowledge on these topics and prepare to discuss solutions with fellow delegates. Prior to the conference, each delegation will submit a [position paper](#) based on their preparation (due 1 October). Please take note of the [NMUN policies](#) on the website and in the [Delegate Preparation Guide](#) regarding plagiarism, codes of conduct/dress code/sexual harassment, awards philosophy/evaluation method, etc. Adherence to these guidelines is mandatory.

The [NMUN Rules of Procedure](#) are available for download from the NMUN website. This document includes the long and short form of the rules, as well as an explanatory narrative and example script of the flow of procedure. It is thus an essential instrument in preparing for the conference and a reference during committee.

If you have any questions concerning your preparation for this committee or the Conference itself, you are welcome to contact Under-Secretaries-General Lauren Shaw ([usglauren.dc@nmun.org](mailto:usglauren.dc@nmun.org)) and Katrena Porter ([usgkat.dc@nmun.org](mailto:usgkat.dc@nmun.org)).

We wish you all the best during your preparation and look forward to seeing you at the Conference!

Sincerely,

Jess Mace, *Director*  
Joshua Cummins, *Assistant Director*

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## Committee Overview

### ***Introduction***

The United Nations High Commissioner for Refugees (UNHCR), also known as the United Nations (UN) Refugee Agency, is the UN's primary agency for coordinating international action in order to protect refugees.<sup>1</sup> The UNHCR's resources are primarily focused on addressing the needs of refugees, internally displaced persons (IDPs), and those seeking asylum.<sup>2</sup> The UNHCR defines a refugee as a person 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 his nationality, and is unable to, or owing to such fear, is unwilling to avail himself of the protection of that country."<sup>3</sup> The second category of people protected by the UNHCR are IDPs who are individuals that moved within their own country to find refuge from human rights violations, armed conflict, or general violence and who legally remain under the protection of their own government.<sup>4</sup> The third major category of people protected by the UNHCR are asylum seekers, which are people who have fled their country and claim to be refugees, but whose claims have not been independently verified by a national asylum system.<sup>5</sup> With its staff of 9,300 people working in 123 different countries, the UNHCR remains the leading international organization for protecting the nearly 51 million people that have been uprooted throughout the world.<sup>6</sup>

### ***History***

The UNHCR was created on 14 December 1950 by the General Assembly (GA) to address the European refugee crisis following World War II.<sup>7</sup> The following year, the *United Nations Convention Relating to the Status of Refugees* (1951), which is the legal framework for protecting refugees, was adopted.<sup>8</sup> The UNHCR was originally created with a limited three-year mandate and was to be disbanded after its mandate expired, but by 1954 its mandate was further extended until the end of the decade. The UNHCR also won the Nobel Peace Prize in 1954 for its dedication to the refugees affected by World War II. The refugee crisis following the Soviet intervention in Hungary in 1956 made it clear that the UN needed a more permanent system to protect refugees.<sup>9</sup> Soon the UNHCR began supporting the rights of refugees from Africa, Asia, and Latin America, and today the UNHCR is active in protecting refugees, IDPs, and stateless persons in almost every major conflict.

### ***Mandate***

The foundational framework and mandate of the UNHCR can be found in GA resolution 428 (V), which is also known as the *Statute of the Office of the United Nations High Commissioner for Refugees* (1950).<sup>10</sup> This founding document states that the UNHCR will ensure "international protection, under the auspices of the United Nations, to refugees who fall within the scope of the present Statute and of seeking permanent solutions for the problem of refugees by assisting Governments and, subject to the approval of governments concerned, private organizations to facilitate the voluntary repatriation of such refugees, or their assimilation within new national communities."<sup>11</sup> The *United Nations Convention Relating to the Status of Refugees* (1951) was also an essential document in determining the UNHCR's mandate as it defined the term "refugee" and created the legal framework for how refugees were to be protected.<sup>12</sup> Furthermore, the 1967 *Protocol Relating to the Status of Refugees* removed all geographical and temporal restrictions from the convention.<sup>13</sup> The *Convention Relating to the Status of Stateless Persons* (1954)

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<sup>1</sup> UNHCR, *About Us*.

<sup>2</sup> UNHCR, *Who We Help*.

<sup>3</sup> UNHCR, *Refugees*.

<sup>4</sup> UNHCR, *Internally Displaced Persons*.

<sup>5</sup> UNHCR, *Asylum Seekers*.

<sup>6</sup> UNHCR, *About Us*.

<sup>7</sup> UNHCR, *History of UNHCR*.

<sup>8</sup> *Ibid.*

<sup>9</sup> *Ibid.*

<sup>10</sup> UNHCR, *Statute of the Office of the United Nations High Commissioner for Refugees*, 1950.

<sup>11</sup> UNHCR, *Statute of the Office of the United Nations High Commissioner for Refugees*, 1950, p. 6.

<sup>12</sup> UNHCR, *The 1951 Refugee Convention*.

<sup>13</sup> *Ibid.*

defined and categorized stateless persons as those “not considered as a national by any State under the operation of its law” and included this group under protection by the UNHCR.<sup>14</sup>

### ***Governance, Structure, and Membership***

The UNHCR is governed by the GA and the Economic and Social Council (ECOSOC) and its budget and biennial programs are approved by an Executive Committee (ExCom).<sup>15</sup> The ExCom was created in 1958 and its purpose is to advise on international protection and discuss a wide range of other issues during its annual meetings in Geneva, Switzerland.<sup>16</sup> The ExCom Standing Committee meets three times a year to discuss relevant issues and new developments. ExCom’s documentation is issued in a report that is submitted directly to the GA Third Committee.<sup>17</sup> ExCom was originally composed of 24 Member States but has since grown to 98 in 2015.<sup>18</sup> ExCom members are selected from representative geographical regions and are elected by ECOSOC.<sup>19</sup> The UNHCR has a diverse national and international staff that provides protection and assistance to nearly 46 million refugees around the world.<sup>20</sup> The UNHCR is led by the High Commissioner, Deputy High Commissioner, and Assistant High Commissioners who are responsible for implementing the agency’s mandate and obligations.<sup>21</sup> The current High Commissioner is former Portuguese Prime Minister, António Guterres, who is the 10<sup>th</sup> High Commissioner and has served since 2005.<sup>22</sup>

### ***Functions and Powers***

The UNHCR is mandated to lead an international response in assisting refugees worldwide by providing protection, emergency response, and durable solutions.<sup>23</sup> The UNHCR provides initial life-saving assistance to refugees including access to clean water and sanitation, health care, and shelter items such as blankets and sleeping mats.<sup>24</sup> Oftentimes the worst refugee situations are those involving environmental emergencies. To prepare for this, the UNHCR has assembled teams of experts who are ready to deploy at a moment’s notice and who have access to emergency funds and stockpiles of humanitarian non-food items.<sup>25</sup> After the emergency is over, the UNHCR works with refugees to find durable solutions that may include repatriation, resettlement, or local integration.<sup>26</sup> Another key function of the UNHCR is fundraising, which is fundamental to the other services that UNHCR provides, such as refugee reintegration, emergency response, advocacy, and protection. The UNHCR relies primarily on voluntary contributions from Member States, non-governmental organizations (NGOs), private corporations, and citizens.<sup>27</sup> 85% of the funds raised by the UNHCR are spent in the field providing basic needs, security, and protection to refugees.<sup>28</sup> These funds are used to provide shelter, food and water, and basic needs of refugees or IDPs.<sup>29</sup>

### ***Recent Sessions***

The UNHCR’s 65<sup>th</sup> session took place from 29 September to 3 October 2014 in Geneva, Switzerland.<sup>30</sup> Member States at the 65<sup>th</sup> session primarily focused on budgetary and administrative matters in addition to a report on protection that highlighted the need for increased refugee registration and establishing protection measures at the national level.<sup>31</sup> The largest of these conflicts has been the Syrian crisis which has displaced more people than any

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<sup>14</sup> UNHCR, *Stateless People*.

<sup>15</sup> UNHCR, *Governance and Organization*.

<sup>16</sup> UNHCR, *Executive Committee*.

<sup>17</sup> UNHCR, *ExCom Mandate and Statute*.

<sup>18</sup> UNHCR, *Excom Members and How to Apply*.

<sup>19</sup> UNHCR, *Statute of the Office of the United Nations High Commissioner for Refugees*, 1950, p. 5.

<sup>20</sup> UNHCR, *Governance and Organization*.

<sup>21</sup> UNHCR, *The High Commissioner*.

<sup>22</sup> *Ibid.*

<sup>23</sup> UNHCR, *What We Do*.

<sup>24</sup> UNHCR, *Assistance*.

<sup>25</sup> UNHCR, *Emergency Response*.

<sup>26</sup> UNHCR, *Durable Solutions*.

<sup>27</sup> UNHCR, *Fund-Raising*.

<sup>28</sup> UNHCR, *Global Appeal 2015 Update: Identifying Needs and Funding Requirements*, 2015, pp. 97-98.

<sup>29</sup> UNHCR, *What We Do*.

<sup>30</sup> UNHCR, *2014 Executive Committee Meeting*.

<sup>31</sup> *Ibid.*

crisis since World War II and where the UNHCR has been operating since the beginning of the conflict in 2011. The UNHCR held a special session in December 2014 to garner support and additional resettlement locations for those affected by the Syrian crisis.<sup>32</sup> The UNHCR has also responded to the recent conflict in Yemen where it is rushing in emergency aid supplies to those affected by the ongoing civil war.<sup>33</sup> Furthermore, the UNHCR has responded to the humanitarian emergency in Nepal following the devastating earthquakes that have left thousands displaced and homeless. The agency immediately began airlifting plastic sheets, solar lanterns, and other shelter materials to those left homeless from the earthquakes.<sup>34</sup>

### **Conclusion**

There are currently over 33.9 million uprooted or stateless persons and significant numbers of new refugees emerge each year as global conflicts and emergencies continue to arise.<sup>35</sup> The UNHCR's work is more important than ever as crises like the conflicts in Syria and Iraq are displacing more people than the world has seen since the 1940s. The UNHCR seeks to reduce situations that force displacement by working with Member States to peacefully resolve disputes and protect human rights. The UNHCR will continue to work alongside Member States and global partners until it has achieved all aspects of its mandate by fully addressing the needs of the world's refugees, IDPs, and stateless people.

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*This website explains the basic responsibilities undertaken by the UNHCR. Delegates will find this source useful because it gives a succinct overview of the beliefs of the UNHCR and the actions it performs around the world. This source also notes the founding principles and goals of the UNHCR. This will guide delegates in their research of the UNHCR because it outlines ways in which it interacts with Member States, refugees, IDPs, and stateless people.*

United Nations High Commissioner for Refugees. (n.d.). *History of UNHCR* [Website]. Retrieved 21 May 2015 from: <http://www.unhcr.org/pages/49c3646cbc.html>

*Using this source, delegates may delve into the history of the agency since its formation in 1950. This site explains not only the history of the UNHCR but also shows how the UNHCR has evolved to its work in present day conflicts. This source will also assist delegates with understanding what world events factored into the creation of the UNHCR and why its mandate has been modified and extended passed the original mandate.*

UN News Centre. (2015). *Amid ongoing fighting in Yemen, UN agencies urge 'predictable pauses' for humanitarian aid* [Press Release]. Retrieved 22 May 2015 from: [http://www.un.org/apps/news/story.asp?NewsID=50897#.VV9IB\\_4cR7g](http://www.un.org/apps/news/story.asp?NewsID=50897#.VV9IB_4cR7g)

*This site from the UN News Centre and discusses the UNHCR's work in the ongoing civil unrest within Yemen. Delegates may find this to be a useful source because it discusses a very pertinent and ongoing issue and it explains the role that the UNHCR is playing in helping the many people affected by this ongoing crisis. It is important for delegates to look at current events that the UNHCR has maintained an active role in.*

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<sup>32</sup> UNHCR, *Governments at Geneva meeting agree to take in 100,000 Syrian refugees*, 2014.

<sup>33</sup> UN News Centre, *Amid ongoing fighting in Yemen, UN agencies urge 'predictable pauses' for humanitarian aid*, 2015.

<sup>34</sup> UNHCR, *UNHCR flies in shelter materials for quake-displaced in Nepal*, 2015.

<sup>35</sup> UNHCR, *Global Appeal 2014-2015: UNHCR Mission Statement and Basic Facts*, 2015.



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## I. Implementing Emergency Responses for Seafaring Refugees

*“Ultimately, unless they can access safe and regular migration channels, desperate people may continue to brave the perils of the sea in search of protection, opportunity and hope. In their place, we would probably do the same. And perhaps only this recognition of our common humanity can guide us to make the right choices in response.”*<sup>36</sup>

- What measures can be immediately implemented to address the current refugee crises?
- How can existing infrastructure, NGOs, and international organizations in refugee-affected areas address the particular concerns that seafaring refugees pose as they flee their home countries?
- What can be done to counter the economic factors linked to smuggling rings across the Gulf of Aden and the Mediterranean Sea?

### **Introduction**

Seafaring refugees or sea-borne refugees have long since been an area of concern in terms of refugee rights.<sup>37</sup> In particular, individuals fleeing their homes for a myriad of reasons aboard less than seaworthy vessels have been of concern for coastal nations receiving these individuals.<sup>38</sup> However, a new influx of migrants in *Europe and Southeast Asia* and the increasing need for humanitarian aid to that region has recently brought this topic to the forefront.<sup>39</sup> According to UN data, over 348,000 seafaring refugees attempted to leave their homes by sea last year alone.<sup>40</sup> Of those 348,000 people, Europe has seen an exponential increase in migrants arriving by sea, with over 207,000 in 2014, up from 70,000 in 2011.<sup>41</sup> Other areas have also seen an increase in arrivals, including the Arabian Peninsula, with over 82,000 leaving the Horn of Africa, as well as the Caribbean with nearly 5,000 people escaping towards neighboring *countries*.<sup>42</sup> As these numbers continue to increase, the need to adequately address Member State policies regarding seafaring refugees, as well as develop better means of providing humanitarian aid to these individuals, must be sought.

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<sup>36</sup> UN News Service, *As number of seafaring migrants surges, UN calls for better global protection efforts*, 2015.

<sup>37</sup> UNHCR, *Rescue at Sea*, 2015, p. 2.

<sup>38</sup> *Ibid.*

<sup>39</sup> National Public Radio, *Why no one wants the Rohingyas*, 2015.

<sup>40</sup> UN News Service, *As number of seafaring migrants surges, UN calls for better global protection efforts*, 2015.

<sup>41</sup> *Ibid.*

<sup>42</sup> *Ibid.*

A refugee is defined as 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 his nationality, and is unable to, or owing to such fear, is unwilling to avail himself of the protection of that country.”<sup>43</sup> As such, a seafaring refugee can be defined in the same fashion, with the added component of having travelled by water to seek refuge. These individuals face dire situations aboard vessels that can often barely be considered seaworthy in search of a better life, many dying throughout the journey.<sup>44</sup> However, not all of those that arrive by these means seek asylum. In fact, an assessment conducted by the European Union (EU) in 2009 found that those seeking asylum varied greatly among Member States, often between 60 and 70%.<sup>45</sup> As such, not all individuals leave a state due to persecution, which would grant them asylum; others leave for a wide variety of reasons including the lack of employment opportunities.<sup>46</sup> Nevertheless, the onslaught of arrivals to these regions requires a specific response from the host countries, which can vary greatly. The UNHCR has made it one of its priorities to “respond to emergencies, and to initiate the delivery of core relief items for at least 600,000 people within 72 hours from the onset of an emergency.”<sup>47</sup> Yet, given the geographical challenge that seafaring refugees pose, this also remains a barrier to provide aid to these regions.<sup>48</sup>

### ***International and Regional Framework***

In the 17<sup>th</sup> century a “freedom of the seas” doctrine was created, which established jurisdiction over the water along countries’ coastlines, while the remainder of the ocean remained beyond any one state’s control. However, by the 20<sup>th</sup> century, as many countries sought rights over certain resources beyond these boundaries, pressure began to rebuff this doctrine.<sup>49</sup> In 1945, United States of America President Harry S. Truman “unilaterally extended United States jurisdiction over all natural resources on that nation’s continental shelf - oil, gas, minerals, etc.,” soon thereafter other states followed.<sup>50</sup> These new claims later led to sovereignty disputes that ultimately spawned the Third United Nations Conference on the Law of the Sea and a new willingness by the international community to begin drafting rules for the sea.<sup>51</sup>

#### *International Maritime Law*

The notion that any ship must offer assistance to someone found at sea stems in part from maritime tradition but is also included in international law. In particular the 1982 *United Nations Convention on the Law of the Sea*, which came into effect 16 November 1994, notes that unless harm may come to one’s ship or crew, help must be given to anyone “found at sea in danger of being lost.”<sup>52</sup> The 1974 *International Convention for the Safety of Life at Sea* also emphasized this notion by highlighting that a rescue mission must be launched upon receiving any form of information regarding someone in danger at sea.<sup>53</sup> These documents also detail that states must cooperate with other states in order to assure the safety of individuals in danger at sea, as well as to “provide for their initial medical or other needs, and deliver them to a place of safety.”<sup>54</sup> Amendments to these documents were made to further clarify the requirements of states.<sup>55</sup> As such, a place of safety was defined as: “a location where rescue operations are considered to terminate, and where: the survivors’ safety or life is no longer threatened; basic human needs (such as food, shelter and medical needs) can be met; and transportation arrangements can be made for the survivors’ next or final destination.”<sup>56</sup>

Although these documents provide clauses that would protect those travelling by sea, it was not until the adoption of the *International Convention on Maritime Search and Rescue*, which entered into force 22 June 1985 that clear

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<sup>43</sup> UNHCR, *Refugees*, 2014.

<sup>44</sup> UNHCR, *Rescue at Sea*, 2015, p. 2.

<sup>45</sup> UNHCR, *Irregular Migration by Sea: Frequently Asked Questions*, 2015.

<sup>46</sup> *Ibid.*

<sup>47</sup> UNHCR, *UNHCR Global Appeal 2015 Update: Responding to Emergencies*, 2015.

<sup>48</sup> *Ibid.*

<sup>49</sup> UN-DOALOS, *The United Nations Convention on the Law of the Sea: A historical Perspective*, 1998.

<sup>50</sup> *Ibid.*

<sup>51</sup> *Ibid.*

<sup>52</sup> UN, *United Nations Convention on the Law of the Sea*, 1982.

<sup>53</sup> UN, *International Convention for the Safety of Life at Sea*, 1974.

<sup>54</sup> UNHCR, *Rescue at Sea*, 2015, p. 5.

<sup>55</sup> UNHCR, *Rescue at Sea*, 2015, p. 6.

<sup>56</sup> *Ibid.*

search and rescue (SAR) operations were established.<sup>57</sup> This convention outlines procedures to follow in the event of an emergency and outlines measures that should be taken by states before an emergency occurs, including establishing clear centers for those that would be arriving by sea.<sup>58</sup> Following this Convention, the International Maritime Organization's (IMO) Maritime Safety Committee created 13 distinct SAR areas, assigning certain states specific regions for which they would be responsible.<sup>59</sup> A revision to the original document, which entered into force January 2000, placed "greater emphasis on the regional approach and co-ordination between maritime and aeronautical SAR operations," as a means of allowing for participation by Member States that did not have the ability to establish the necessary infrastructure required in the original convention.<sup>60</sup>

### *International Refugee Law*

The 1951 *Convention Relating to the Status of Refugees* clearly defines a refugee, as noted above, and further details that refugees and those who are seeking asylum may not be "expelled or returned in any way to the frontiers of territories where his [or her] life or freedom would be threatened on account of his [or her] race, religion, nationality, membership of a particular social group or political opinion."<sup>61</sup> The 1967 Protocol further expanded those included under its protection by increasing the "geographical and temporal limits of the 1951 convention," which represents the basis of refugee law today.<sup>62</sup> The Convention along with the Protocol recognizes that refugees are violating established immigration rules by entering a Member State by sea, however it calls for states to not punish refugees as a result, but rather to provide them with basic human rights.<sup>63</sup> These include "access to the courts, to primary education, to work, and the provision for documentation, including a refugee travel document in passport form."<sup>64</sup>

Additionally, the *International Covenant on Civil and Political Rights* also provides additional safeguards for refugees, as their rights are protected under international human rights laws.<sup>65</sup> In fact, one of the main components of refugee protection, known as the principle of non-refoulement, guards against expelling refugees from one's state and has been expanded upon within human rights laws and is now considered a "norm of customary international law."<sup>66</sup> This principle has been defined at both the international and regional level and as stated in the 1951 Convention "no reservations are permitted," although some debate has occurred over the specific language used in the Convention. Nevertheless, given that over 70 Member States have signed on to the 1951 Refugee Convention, a wide degree of international acceptance has clearly been demonstrated.<sup>67</sup>

### *Role of the International System*

The main body that coordinates efforts related to emergency response for refugees is the UNHCR. They are "mandated to lead and co-ordinate international action to protect refugees and resolve refugee problems worldwide," including any emergency response missions aiding seafaring refugees.<sup>68</sup> This is exemplified by their presence in Libya wherein they have been able to provide aid in the form of household items and aid local authorities in assessing the needs of those that have arrived along their shores.<sup>69</sup> However, the UNHCR is limited in its ability to respond to all emergency situations of this nature unilaterally given the sheer number of refugees worldwide. In 2013, UNHCR estimated that over 10.7 million people were displaced around the globe.<sup>70</sup> Furthermore, "by their very nature, emergencies often occur in areas where conditions are challenging: in volatile and complex political environments with ongoing conflict, and in remote areas with insufficient infrastructure," adding to the difficult nature of emergency responses.<sup>71</sup>

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<sup>57</sup> IMO, *International Convention on Maritime Search and Rescue*, 2015.

<sup>58</sup> *Ibid.*

<sup>59</sup> *Ibid.*

<sup>60</sup> *Ibid.*

<sup>61</sup> UNGA, *Convention Relating to the Status of Refugees*, 1951.

<sup>62</sup> UNHCR, *Convention and Protocol relating to the status of refugees*, 2015.

<sup>63</sup> *Ibid.*

<sup>64</sup> *Ibid.*

<sup>65</sup> Persaud, *Protecting Refugees and asylum seekers under the International Covenant on Civil and Political Rights*, 2006.

<sup>66</sup> *Ibid.*

<sup>67</sup> UNHCR, *Note on non-refoulement*, 1977.

<sup>68</sup> UNHCR, *What we do*, 2015.

<sup>69</sup> UNHCR, *UNHCR and partners help sea crossing survivors in Libya detention centers*, 2015.

<sup>70</sup> UNHCR, *UNHCR Global Appeal 2015 Update: Responding to Emergencies*, 2015.

<sup>71</sup> *Ibid.*

In order to counter some of the difficulties associated with emergency response to refugees in crisis, the UNHCR has established a number of standby agreements with organizations such as the Danish Refugee Council, Centres for Disease Control, Irish Aid, RedR Australia, the Swedish Civil Contingencies Agency and many others. These agreements “allow UNHCR to benefit from invaluable technical and managerial expertise and speedy deployment.”<sup>72</sup> Additionally, a number of international organizations play a role in aiding seafaring refugees during a crisis, including the IMO, the Office of the High Commissioner for Human Rights (OHCHR), the International Organization for Migration (IOM) and the Office of Legal Affairs (OLA)/Division for Ocean Affairs and the Law of the Sea.<sup>73</sup> Through these differing means of assistance, the emphasis has been placed on cooperation at the regional and state levels, in order to adequately meet the needs of refugees.

### ***Key Obstacles***

In particular, seafaring refugees face a number of key obstacles. Although several of the obstacles that previously existed for sea-borne refugees have been addressed with advances in technology, including rapid SAR services, a number remain. These include ports being unwilling to welcome refugees and turning boats away, as has been the case in 2015 in Malaysia and Indonesia. During these situations, migrants are forced to continue their journey by sea until they are able to disembark.<sup>74</sup> Similarly, once these individuals do reach land there are a number of obstacles that they continue to face, especially given that many lack proper documentation establishing their identity.<sup>75</sup> Even with the proper documentation such as a birth certificate or passport, many refugees arrive on land malnourished, dehydrated and weak, requiring immediate medical attention that is not always readily available, if available at all.<sup>76</sup> They are also at risk of falling prey to trafficking and smuggling rings, which seek out desperate refugees.<sup>77</sup>

Additionally, these vessels are not always welcomed, as has been the case recently in Southeast Asia as Rohingya migrants were turned away upon arrival. Both the Thai and Malaysian governments claim that they do not have the resources to adequately handle receiving more refugees, nor do they want to risk being seen as a safe haven for more refugees.<sup>78</sup> Correspondingly, international law regarding aid to seafaring refugees remains ambiguous and the lack of enforcement of these laws often goes unquestioned.<sup>79</sup> As such, refugees risk being left to fend for themselves at sea with no access to clean drinking water, nor to food, leading to an increased risk in death amongst those trying to seek refuge.<sup>80</sup> Those that do reach land risk arriving in seaports with no predetermined procedure for these types of arrivals, some without any reception facilities to provide any form of shelter, an increasing issue given the numbers on the rise in many areas.<sup>81</sup> Those that do find themselves in camps, 40% of all refugees, face other challenges upon arrival such as the continued existence of these camps following a crisis, rather than establishing a more secure and permanent shelter. This can have a negative impact on refugee populations and in some situations lead to increased security risks. If refugees choose to not live in one of the established camps, they also risk being detained by the host country, as they are in violation of national laws.<sup>82</sup>

### ***Key Geographical Areas of Focus***

Several areas of the world are more prone to receiving this type of refugee. Italy in particular has seen a drastic increase in recent years of the number of migrants reaching its shores from the Mediterranean Sea. As of May 2015, over 60,000 refugees sought refuge along the Italian border, including 1,800 that died at sea, so far this year.<sup>83</sup> In 2014, the Italian Navy launched a mission code-named Mare Nostrum, which was tasked with patrolling the Mediterranean Sea on SAR missions. This mission successfully rescued over 160,000 people since its launch in

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<sup>72</sup> UNHCR, *UNHCR Global Appeal 2015 Update: Responding to Emergencies*, 2015.

<sup>73</sup> UNHCR, *Rescue at Sea*, 2015, p.11.

<sup>74</sup> ABC, *Human ping pong: Rohingya and Bangladeshi refugees with nowhere to go*, 2015.

<sup>75</sup> UNHCR, *Rescue at Sea*, 2015, p.2.

<sup>76</sup> National Public Radio, *Why no one wants the Rohingyas*, 2015.

<sup>77</sup> UN News Service, *As number of seafaring migrants surges, UN calls for better global protection efforts*, 2015.

<sup>78</sup> National Public Radio, *Why no one wants the Rohingyas*, 2015.

<sup>79</sup> *Ibid.*

<sup>80</sup> UN News Service, *As number of seafaring migrants surges, UN calls for better global protection efforts*, 2015.

<sup>81</sup> UNHCR, *Italy reception centres under strain as thousands rescued at sea*, 2015.

<sup>82</sup> UNHCR, *UNHCR Policy on Alternatives to Camps*, 2014.

<sup>83</sup> UNHCR, *Italy reception centres under strain as thousands rescued at sea*, 2015.

2014.<sup>84</sup> Italy is not alone, however, in receiving a high number of migrants fleeing areas such as Eritrea, Syria, and Mali.<sup>85</sup> Other European nations also face a similar plight, including Greece, Spain, and Malta, who combined received well over 75,000 refugees in the first half of 2014.<sup>86</sup> What is even more troubling is that authorities have found evidence that mass murders, in addition to other human rights violations, have taken place within these vessels, as smugglers are more interested in the money they gain from the refugees than their health and safety.<sup>87</sup> Another geographical area of concern is the Gulf of Eden where tens of thousands of refugees from Ethiopia and Somalia are known to cross this expanse of water towards Yemen each year.<sup>88</sup> Well-established networks of smugglers aid refugees in their journey across the Gulf, often in search of better employment opportunities than what can be found in the Horn of Africa.<sup>89</sup> As of 15 May 2015, an estimated 250,000 refugees were in Yemen, with 1,723 of those having arrived on 13 May 2015.<sup>90</sup>

### **Conclusion**

The previous overview has provided a background on seafaring refugees, as well as the international laws that pertain to their rights. It has also highlighted some of the more difficult issue areas that remain of concern in providing emergency response to seafaring refugees. Nearly two years have passed since 600 refugees were killed attempting to cross the Mediterranean Sea off the coast of Lampedusa, Italy, in October of 2013, yet the numbers of those attempting similar crossings continue to rise.<sup>91</sup> Great strides have been made in order to respond to these situations by both the UNHCR and Member States, yet more must continue to be developed, as the numbers continue to rise. Member States are tasked with improving the international community's ability to respond to this humanitarian crisis, as well as to improve coordination amongst Member States affected. Partnerships must be fostered and new means of emergency response must be sought to adequately address the needs of seafaring refugees worldwide.

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*This site highlights one of the most important documents in relation to this topic; the International Convention on Maritime Search and Rescue. It presents a historic overview of the convention, as well as an explanation of what occurred as a result of the document. In addition, it highlights the need for international cooperation in search and rescue missions and explains the international laws pertaining to this concept. The site also provides links to other important documents and is a good starting off point for delegates to understand the complexities of maritime law.*

United Nations High Commissioner for Refugees. (n.d.). *What we do* [Website]. Retrieved 23 May 2015 from: <http://www.unhcr.org/pages/49c3646cbf.html>

*This site explains the various responsibilities of the UNHCR in terms of emergency response. It also provides links to various subtopics that are useful to the study of seafaring refugees, such as the sections on assistance and durable solutions. Understanding the work that this organization conducts remains vital in order to assess the future needs of any emergency response mission and should be one of the main sources for delegates to begin their research.*

United Nations High Commissioner for Refugees. (2015). *Rescue at Sea: A Guide to Principles and Practice as Applied to Refugees and Migrants* [Website]. Retrieved 21 May 2015 from: <http://www.unhcr.org/450037d34.html>

*This guide presents an overview of principles and practices for the UNHCR as applied to seafaring refugees. It presents background information on sea-borne refugees, as well as outlines*

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<sup>84</sup> UNHCR, *Italy reception centres under strain as thousands rescued at sea*, 2015.

<sup>85</sup> UNHCR, *UNHCR calls for urgent European action to end refugee and migrant deaths at sea*, 2014.

<sup>86</sup> *Ibid.*

<sup>87</sup> *Ibid.*

<sup>88</sup> UNHCR, *Mixed Migration through Somalia and across the Gulf of Aden*, 2008.

<sup>89</sup> *Ibid.*

<sup>90</sup> UNHCR, *Yemen Situation: UNHCR Crisis Update #5*, 2015.

<sup>91</sup> UNHCR, *Refugees and migrants risking their lives at sea to reach Europe*, 2014.

*the legal framework that protects refugees traveling by sea. In addition it also lists the obligations of search and rescue organizations, as well as Member States, as it pertains to seafaring refugees. Delegates should use this guide in order to understand the rights that refugees have, as well as the organizations tasked with providing for them.*

United Nations High Commissioner for Refugees. (2015). *UNHCR Global Appeal 2015 Update: Responding to Emergencies* [Website]. Retrieved 22 May 2015 from: <http://www.unhcr.org/5461e5eeb.html>

*The following document offers a detailed assessment of how the UNHCR responds to emergency situations, including an explanation of the key obstacles faced by the organization and the complexities related to refugee related emergencies. It provides a closer look at new innovative ways that the UNHCR is operating and will help delegates understand what is currently being done internationally to provide safeguards for refugees. The emphasis is placed on new procedures to better meet the needs of multiple emergency situations occurring at once and provides detailed lists of partner organizations that have been helping the UNHCR implement various emergency response measures.*

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*This document provides a comprehensive update on the refugee crisis currently happening in Yemen. It highlights key figures that remain important in regards to the crisis, while also detailing actions that have been taken by both the UNHCR and the international community. This resource is vital in understanding this crisis in particular and the rapid timeline of events that have been unfolding in this region within the past few months alone. It also serves as a case study to help delegates better understand the type of situations and emergency response required as a situation unfolds.*

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## II. Ensuring Equal Rights for Refugees from Complex Crises

*“The Syrian refugee crisis is the world’s worse refugee crisis in a generation. But the plight of Syrians is part of a global displacement crisis – for the first time since World War II, the number of those forcibly displaced from their homes has surpassed 50 million; one in every five among them is Syrian.”<sup>92</sup>*

- How can UNHCR collaborate with Member States to ensure equal rights for all refugees during complex crises?
- What lessons can be learned from previous complex crises to better prepare for and prevent future refugee hardships?

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<sup>92</sup> Amnesty International, *Left Out in the Cold: Syrian Refugees Abandoned by the International Community*, 2014.

- How do local and regional variances affect the rights that refugees may receive?

### ***Introduction***

One of the most difficult issues facing the international community is the rise of complex crises and, subsequently, the necessity of providing equal rights for refugees adversely affected by such crises. The World Health Organization (WHO) defines a complex crisis as “a humanitarian crisis in a country, region or society where there is total or considerable breakdown of authority resulting from internal or external conflict and which requires an international response that goes beyond the mandate or capacity of any single and/or ongoing UN country programme.”<sup>93</sup> A complex crisis can arise from social, political, or economic origins and involves the breakdown of state structures, the abuse of human rights, and the use of armed conflict.<sup>94</sup> The term is often used to differentiate humanitarian needs arising from natural disasters from those that arise from conflict and instability.<sup>95</sup> It is important to differentiate between these two types of emergencies because refugees often face additional hardships during complex crises that are not necessarily concurrent with those of natural disasters because of issues such as ethnic conflict and civil unrest. When responding to complex emergencies, it is essential for Member States to ensure equal rights for refugees. To accomplish this, Member States must focus on providing equal protection, food security, education, health and nutrition, and basic needs including access to shelter and sanitation facilities.<sup>96</sup> This guide presents an overview of the issue of providing equal rights to refugees suffering from a complex crisis and it uses the Syrian crisis as an example of the difficulties facing the international community.

### ***International and Regional Framework***

There is an array of international legal instruments that work to ensure equal rights for refugees affected by complex crises. The Geneva Conventions of 1949 provide legal protection during conflicts for “people who do not take part in the conflict and those who can no longer fight.”<sup>97</sup> This includes legal protection for refugees or IDPs and civilians in occupied territories that were not protected under the previous Geneva Conventions.<sup>98</sup> In 1977, two additional protocols to the Conventions were adopted, with Protocol I applying to international conflicts and Protocol II to non-international conflicts; both are aimed at strengthening the protections of civilians including refugees during times of conflict.<sup>99</sup>

The *Universal Declaration of Human Rights* (1948) is also a foundational document that works to ensure equal rights for refugees. Article 14 states that “everyone has the right to seek and to enjoy in other countries asylum from persecution.”<sup>100</sup> Furthermore, the *Convention and Protocols Relating to the Status of Refugees* (1951) is fundamental in defining the legal status of the word “refugee,” the rights attached to that status, and the principle of international burden and responsibility sharing.<sup>101</sup> The *International Covenant on Civil and Political Rights* and the *International Covenant on Economic, Social, and Cultural Rights* are also integral human rights treaties that pertain to all human beings including refugees.<sup>102</sup> Both of these treaties invoke human rights obligations for Member States and a separate set of rights for individuals such as access to healthcare and education, the right to hold and manifest religious beliefs, and the right to self-determination.<sup>103</sup>

### ***Role of the International System***

Within the UN system, the UNHCR is the lead agency that ensures equal rights for refugees during a complex crisis. UNHCR provides emergency assistance at the start of a complex crisis, including access to basic resources such as

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<sup>93</sup> WHO, *Definitions: Emergencies*.

<sup>94</sup> *Ibid.*

<sup>95</sup> WHO, *Definitions: Emergencies*.

<sup>96</sup> UNHCR, *2014 Syria Regional Response Plan (RRP6): Annual Report*, 2014.

<sup>97</sup> International Committee of the Red Cross, *The Geneva Conventions of 1949 and their Additional Protocols*, 2010.

<sup>98</sup> *Ibid.*

<sup>99</sup> *Ibid.*

<sup>100</sup> UNGA, *Universal Declaration of Human Rights*, 1948.

<sup>101</sup> UNHCR, *The 1951 Refugee Convention*.

<sup>102</sup> UNGA, *International Covenant on Civil and Political Rights; International Covenant on Economic, Social, and Cultural Rights (A/RES/2200 (XXI))*, 1966.

<sup>103</sup> *Ibid.*

shelter, clean drinking water, emergency health care, blankets, and household items among other forms of aid.<sup>104</sup> The Office for the Coordination of Humanitarian Affairs (OCHA) is the UN organ that provides initial humanitarian assistance during a complex crisis by coordinating a response, advocating for humanitarian issues, and developing policy.<sup>105</sup> OCHA coordinates during a complex crisis primarily through the Inter-Agency Standing Committee, which is chaired by the Emergency Relief Coordinator, with the participation of humanitarian partners such as the World Food Program (WFP), United Nations Development Programme, Food and Agriculture Organization of the United Nations (FAO), WHO, and the International Committee of the Red Cross among others.<sup>106</sup>

The UNHCR also assists with the registration of refugees, education and counseling, and the administration of refugee camps.<sup>107</sup> When refugees are able to return to their places of origin, the UNHCR assists with transportation, aid packages, and reintegration programs.<sup>108</sup> If returning home is not a viable option for refugees, UNHCR also facilitates resettlement and local integration programs.<sup>109</sup> Once refugees are resettled and integrated into the local communities, Member States, regional organizations, NGOs, and community organizations share in the responsibility of providing assistance to refugees and ensuring equal rights.<sup>110</sup> International cooperation in ensuring equal rights is fundamental, as refugees fleeing a complex crisis are especially vulnerable to food shortages, lack of shelter, gender-based violence, and other atrocities.

### ***Case Study: The Complex Crisis in Syria***

The complex crisis in Syria has resulted in the largest refugee crisis the world has witnessed since the 1940s. Mass protests erupted across Syria in March 2011, which triggered a brutal crackdown by the Syrian government and the beginning of a humanitarian disaster.<sup>111</sup> The United States Agency for International Development (USAID) estimates that 3.9 million Syrians have fled to other countries as refugees and that 7.6 million Syrians are internally displaced.<sup>112</sup> The crisis expanded as non-state actors such as Jabhat al-Nusra and the Islamic State of Iraq and al-Sham (ISIS) also began attacking civilians. Violations of international humanitarian law and war crimes such as indiscriminate attacks on civilians, the use of prohibited weapons, kidnapping, torture, rape, and gender-based violence have been committed by government forces and non-state actors.<sup>113</sup> Syrians are fleeing to surrounding countries such as Jordan, Lebanon, Turkey, Iraq, and Egypt, which do not have the infrastructure to provide equal rights such as access to food, shelter, health care, and education to these refugees.<sup>114</sup>

The international community has responded in a number of ways to the Syrian refugee crisis. The UNHCR and OCHA developed the Syrian Humanitarian Assistance Response Plan (SHARP) to coordinate humanitarian assistance to those affected by the Syrian complex crisis. In 2014, the SHARP helped administer food assistance to an average of 4.43 million Syrians each month, and provided educational services to a total of 3.1 million and community services to a total of 1.2 million Syrians.<sup>115</sup> USAID partnered with WFP to provide emergency food assistance to nearly 2 million refugees each month.<sup>116</sup> WHO reached more than 13.8 million people in 2014 with emergency medical supplies, treatment, and equipment.<sup>117</sup> In 2014, the United Nations Children's Fund provided more than 900,000 Syrian children in neighboring countries with psychosocial support and trained more than 18,000 individuals in child protection and gender-based violence awareness.<sup>118</sup> Through international cooperation, UN agencies, Member States, and NGOs have worked together to find innovative approaches to ensuring equal rights for refugees affected by the Syrian crisis.

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<sup>104</sup> UNHCR, *Assistance*.

<sup>105</sup> UNHCR, *Coordination in Complex Emergencies*.

<sup>106</sup> *Ibid.*

<sup>107</sup> UNHCR, *Assistance*.

<sup>108</sup> *Ibid.*

<sup>109</sup> *Ibid.*

<sup>110</sup> UNHCR, *Resettlement*.

<sup>111</sup> Amnesty International, *Left Out in the Cold*, 2014, p. 2.

<sup>112</sup> USAID, *Crisis in Syria*.

<sup>113</sup> Amnesty International, *Left Out in the Cold*, 2014, p. 5.

<sup>114</sup> UNHCR, *UNHCR and Host Countries Seek More Help to Cope with Syria Refugee Crisis*, 2014.

<sup>115</sup> UNOCHA, *Updated Overview: 2015 Syria Response Plan and 2015-2016 Regional Refugee and Resilience Plan*, 2015, p. 4.

<sup>116</sup> USAID, *Syria - Complex Emergency*, 2015.

<sup>117</sup> *Ibid.*

<sup>118</sup> *Ibid.*

However, more work must be done as neighboring countries continue to shoulder much of the refugee burden. Amnesty International states that 95% of the total numbers of Syrian refugees are located in five countries: Turkey, Lebanon, Jordan, Iraq, and Egypt.<sup>119</sup> The Za'atari refugee camp in Jordan is now the country's fourth largest city and one in every five people in Lebanon is a Syrian refugee.<sup>120</sup> Although some Syrian refugees have fled to Europe, the total number (150,000) is smaller than the amount of refugees that entered Turkey in the span of one week in September 2014.<sup>121</sup> The UNHCR has found that Lebanon is facing increased unemployment, decreased government revenue, and an overall decrease in economic activity as a result of the influx of Syrian refugees since 2011.<sup>122</sup> Similarly, Jordan is facing economic strain, a lack of available public services such as health care, and shortages of water and food.<sup>123</sup> Turkey also bears a huge burden due to the cost of taking in Syrian refugees as it pays 95% of the costs of housing citizens who have fled Syria and has received little funding assistance from the international community.<sup>124</sup>

Facing the huge financial burden of taking in more Syrian refugees, many of the bordering Member States have placed restrictions on the amount of Syrian refugees that can enter their countries. In a 2013 report, Amnesty International found that Jordanian border authorities would not let certain groups enter Jordan, would close the border for extended periods of time, and would forcibly return refugees to Syria.<sup>125</sup> As of late 2013, Lebanon has also begun to place restrictions strictly enforce entrance requirements on Syrian refugees entering the country.<sup>126</sup> In light of the strained health care system in Turkey, Syrian refugees are often denied equal access to healthcare and have also been denied entry into the country if they do not have a passport.<sup>127</sup> This poses a huge problem as Syrian refugees are denied equal rights to water, sanitation, food, shelter, and health care. The international community has made progress in ensuring equal rights to refugees during complex crises but improvement can be made. In 2013, the UN launched the Syria Regional Response Plan, its largest appeal for humanitarian support in history. The plan requested that Member States, NGOs, and international agencies give \$3 billion in emergency assistance for Syrian refugees, with extra money set aside for the governments of Lebanon and Jordan. The European Commission, the United States of America, and Kuwait have provided the largest amount of financial assistance to the plan, but as of May 2015, the third phase of the plan is only funded at 43%.

### **Conclusion**

The international community must focus attention on how to protect refugees and ensure equal rights during complex crises. The case study of the complex crisis in Syria illustrates how a complex crisis not only affects the refugees in that Member State, but also affects the societies and citizens of the surrounding Member States. What are solutions to the issue of funding for refugees during a complex crisis? How can the UNHCR build more effective partnerships with NGOs and local humanitarian groups in order to more effectively address this issue? What can the UNHCR do to ensure that Member States are not stuck shouldering the burden of a refugee crisis alone? Further research should look into how Member States can work with NGOs and international agencies to ensure equal rights for refugees affected by complex crises. Cognizant of the funding requirements for ensuring equal rights to refugees, delegates should research alternative and innovative funding mechanisms.

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<sup>119</sup> Amnesty International, *Left Out in the Cold*, 2014.

<sup>120</sup> UNHCR, *Jordan*; Amnesty International, *Left Out in the Cold*, 2014.

<sup>121</sup> Amnesty International, *Left Out in the Cold*, 2014.

<sup>122</sup> UNHCR, *Countries Hosting Syrian Refugees: Solidarity and Burden-Sharing*, 2013, p. 7.

<sup>123</sup> UNHCR, *Countries Hosting Syrian Refugees: Solidarity and Burden-Sharing*, 2013, pp. 10-11.

<sup>124</sup> UNHCR, *Countries Hosting Syrian Refugees: Solidarity and Burden-Sharing*, 2013, p. 13.

<sup>125</sup> Amnesty International, *Growing Restrictions, Tough Conditions: The Plight of those Fleeing Syria to Jordan*, 2013, pp. 11-12.

<sup>126</sup> Amnesty International, *Growing Restrictions, Tough Conditions: The Plight of those Fleeing Syria to Jordan*, 2013, p. 24.

<sup>127</sup> Amnesty International, *Growing Restrictions, Tough Conditions: The Plight of those Fleeing Syria to Jordan*, 2013, pp. 24-25.

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*This is a recent study by the Civil Society Knowledge Center, which discusses the issue of aid coordination with regard to Syrian refugees in Lebanon. It was a very useful source because it helps to explain the refugee burden on a Member State, which borders Syria and accepts a large proportion of Syrian refugees. It focuses solely on Lebanon but can be a useful example of the issues that other Member States are facing.*

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*This is the most up to date version of UNOCHA's Syria response plan. It explains the coordination between Member States, the funding issues, and the most up to date statistics on the Syrian refugee crisis. It is also a very useful example of the type of response the UN has for protecting refugees during a complex crisis and may serve as a guide for other Member States in the future.*

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### III. Sustainable Environmental Management Practices in Refugee Affected Areas

*“A point has been reached in history when we must shape our actions throughout the world with a more prudent care for their environmental consequences. Through ignorance or indifference we can do massive and irreversible harm...through fuller knowledge and wiser action, we can achieve for ourselves and our posterity a better life in an environment more in keeping with human needs and hopes...”<sup>128</sup>*

- What new initiatives can be implemented during refugee crises to avoid long-term environmental degradation?
- What facets, beyond direct environmental damage, of a refugee crisis have a direct impact on the biodiversity of the host country?
- How can economic factors help mitigate the long-term effects of new refugee settlements?

#### **Introduction**

Refugee operations are often the result of a catalyst that has required many to flee their homes at a rapid pace. These types of situations entail decisions to be made quickly and efficiently; “camp sites must be found; shelters must be constructed; access routes may need to be built to enable delivery of food supplies and medication; people must be fed and provided with the basic needs for survival.”<sup>129</sup> Several of these decisions can have a lasting impact on the environment of the host Member State, either directly or indirectly.<sup>130</sup>

In addition, if the environment is not taken into consideration, the lasting effects of environmental degradation can be a leading factor in Member States not being willing to grant asylum to refugees.<sup>131</sup> As such, the topic of sustainable environmental management practices in refugee affected areas remains a critical element of refugee rights. The subsequent guide will explore important environmental issues related to refugee affected areas as well as the difficulties the UNHCR faces in coordination efforts; it will outline work at the international level that has been done on the topic as well as the role of the international system in providing sustainable solutions for these communities.

#### **International and Regional Framework**

From 5-16 June 1972 the UN held the first Conference on the Human Environment (UNCHE) in Stockholm, Sweden.<sup>132</sup> This conference was the first of its kind to draw attention to the link between human activities and the effects it can have on the environment.<sup>133</sup> As such, it laid the “foundation for environmental action at an international level” and highlighted the need for international cooperation since “many of the problems affecting the environment are global in nature.”<sup>134</sup> The *Stockholm Declaration* and Action Plan brought attention to the need to help Member States in the process of environmental conservation, especially less developed countries. The Declaration “contains 19 principles that represent an environmental manifesto for our time,” laying the groundwork for a new

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<sup>128</sup> United Nations, *Global Issues: Environment*.

<sup>129</sup> UNHCR, *Refugee Operations and Environmental Management: Key principles for decision-making*, 2000.

<sup>130</sup> *Ibid.*

<sup>131</sup> *Ibid.*

<sup>132</sup> United Nations, *Declaration of the United Nations Conference on the Human Environment*, 1972.

<sup>133</sup> Buss, *United Nations Conference on the Human Environment*, 2007.

<sup>134</sup> *Ibid.*

environmental vision at the international level.<sup>135</sup> Moreover, the creation of the United Nations Environment Programme (UNEP) was a direct result of the conference.<sup>136</sup> UNEP's mandate is to work with Member States in order to assess environmental conditions in their nations as well as to expand the research in the field of environmental sustainability.<sup>137</sup>

In 1996, the UNHCR established Environmental Guidelines to consider in their operations, as it had become increasingly clear that certain refugee activities were causing damage to ecosystems around the world. These guidelines had several specific objectives in mind; the two main guidelines were to establish the ground work for integrating environmental considerations into existing guidelines, as well as to “serve as an awareness-raising tool for the UNHCR and other agencies involved with refugee and returnee operations.”<sup>138</sup> These guidelines outline UNHCR's environmental policy in all three phases of refugee assistance: the emergency phase, the care-and-maintenance phase and the durable-solutions phase.<sup>139</sup>

In 1983, the Secretary-General established the World Commission on Environment and Development. In 1987, it produced the *Report of the World Commission on Environment and Development: Our Common Future*, which once again drew attention to the need to focus on environmental degradation when facing any type of crisis situation. It states: “at a minimum, sustainable development must not endanger the natural systems that support life on Earth: the atmosphere, the waters, the soils, and the living beings.”<sup>140</sup> It drew attention to the need for a renewed focus on the integrated nature of societies by incorporating both economic and environmental factors in decision-making.<sup>141</sup>

Moreover, numerous additional conferences have been held on the topic of sustainable development and environmental degradation, such as the 1992 Earth Summit, as well as the 2002 World Summit on Sustainable Development, which led to the *Johannesburg Declaration on Sustainable Development*.<sup>142</sup> At the present time, the UN is working on developing a global post-2015 development agenda, which will be “guided by a set of Sustainable Development Goals (SDGs).”<sup>143</sup> The idea behind these goals comes from the United Nations Conference on Sustainable Development known as Rio+20, which occurred in 2012.<sup>144</sup> These goals aim to draw attention to the interlinked nature of the environment and the social and economic facets of society.<sup>145</sup>

### ***Role of the International System***

The primary role of the international system is to aid in coordination efforts for the sustainable management of new areas within which refugees are arriving.<sup>146</sup> A large number of international bodies participate in these efforts including the World Bank Group, the United Nations Industrial Development Organization (UNIDO), the FAO, the United Nations Human Settlements Programme, the United Nations Educational, Scientific and Cultural Organization, and UNEP as well as the UNHCR.<sup>147</sup> In addition, the UNHCR and other organizations have also established educational programs in refugee camps in order to explain the environmental impact they can have on their communities.<sup>148</sup> These types of grass-root approaches ensure that refugees are able to take ownership of their own areas and have been proven to have positive long-term effects.<sup>149</sup> Additionally, data analysis and the monitoring of programs must be conducted, in order to ensure the effectiveness of the environmental management tools being used in a specific area.<sup>150</sup>

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<sup>135</sup> United Nations, *Global Issues: Environment*.

<sup>136</sup> Buss, *United Nations Conference on the Human Environment*, 2007.

<sup>137</sup> UNEP, *About UNEP*.

<sup>138</sup> UNHCR, *Environmental Guidelines*, 2005.

<sup>139</sup> UNHCR, *Environmental Guidelines*, 1996.

<sup>140</sup> UNGA, *Report of the World Commission on Environment and Development: Our Common Future*, 1987.

<sup>141</sup> *Ibid.*

<sup>142</sup> United Nations, *Global Issues: Environment*.

<sup>143</sup> UNEP, *UNEP and the Post-2015 Agenda*, 2015.

<sup>144</sup> *Ibid.*

<sup>145</sup> *Ibid.*

<sup>146</sup> United Nations, *Global Issues: Environment*.

<sup>147</sup> *Ibid.*

<sup>148</sup> UNHCR, *The Environment – A Critical Time*, 2002.

<sup>149</sup> *Ibid.*

<sup>150</sup> UNHCR, *Refugee Operations and Environmental Management: Key principles for decision-making*, 2000.

### ***Key Environmental Issues***

There are several environmental concerns associated with setting up refugee camps, all of which fall within one of the following three phases: emergency, care-and-maintenance, and durable solutions.<sup>151</sup> As a means of addressing the challenges that stem from each one of these phases the UNHCR has developed a guidelines and technical support documents ranging from topics such as health care and sanitation to logistical needs of camps. As such, in order to address the environmental impact of refugee camps, specific guidelines were created to address a gap in environmental documentation. These principles “have been designed in a format that links sectorial activities, environmental impacts and preventive or remedial actions.”<sup>152</sup> What is more, they take into consideration certain basic assumptions, notably that “environmental impacts are an inevitable by-product of human existence” and that the “elimination of all adverse impacts is an impossibility,” however more can be done to help mitigate the impact that is felt in these areas.<sup>153</sup>

The environmental concerns brought forth by the UNHCR have been grouped into six categories.<sup>154</sup> The first is the deterioration of natural resources. This is the most obvious and well known of the environmental concerns.<sup>155</sup> The degradation to the surrounding area caused by refugee camps can lead to deforestation and soil erosion, as well as the contamination of the water supply due to poor sanitation within the camps.<sup>156</sup> This can then lead to the depletion of the natural resources within the area and by default to biological impoverishment, which may not be reversible.<sup>157</sup> The second is the irreversible impact on natural resources or the biodiversity of a region. As camps are set up near parks and conservation areas, the environmental damage can have lasting effects to the area, and the species that inhabit these locations.<sup>158</sup> The third is the impact on the health of the refugees. Poor sanitation and the burning of low-quality wood for fires can cause serious health concerns for individuals already weakened due to their travels, and disproportionately affects the youngest and oldest of the population.<sup>159</sup> The fourth is the impact on social conditions, as women are often the ones who must gather the wood for fires, thus spending an increasing amount of time away from the home.<sup>160</sup> The fifth is the social impact on the local populations, which is similar to those faced by refugees, with the added component of increased tension due to the scarcity of resources.<sup>161</sup> Lastly, the sixth is the economic impact that the arrival of refugees place on the local markets, including the effect of the environmental damage on the produce locals would be able to sell at the market, as well as the decrease in availability of certain items, such as fuel and medicine.<sup>162</sup>

### ***Difficulties in Implementation***

The UNHCR has drafted clear guidelines for the coordination of environmental protection efforts, which include the need to work within existing institutional structures of Member States and other aid organizations, to establish a clear point person or organization responsible for policy implementation, to allow qualified external agencies to adequately accomplish their work, including that of UNEP and the UNHCR, and to involve local communities as much as possible with new environmental efforts.<sup>163</sup> However, these measures are not always as easily put into practice in refugee affected areas due to the very volatile nature of refugee situations.

Acquiring information regarding the refugee affected area as quickly as possible, remains one of the biggest obstacles.<sup>164</sup> An environmental assessment of the location must be made in a timely manner in order to mitigate lasting effects. In addition, coordinating with the proper experts able to make the initial assessment is equally vital,

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<sup>151</sup> UNHCR, *Environmental Guidelines*, 1996.

<sup>152</sup> *Ibid.*

<sup>153</sup> *Ibid.*

<sup>154</sup> *Ibid.*

<sup>155</sup> *Ibid.*

<sup>156</sup> UNHCR, *Refugee Operations and Environmental Management: Key principles for decision-making*, 2000.

<sup>157</sup> UNHCR, *Environmental Guidelines*, 1996.

<sup>158</sup> *Ibid.*

<sup>159</sup> *Ibid.*

<sup>160</sup> *Ibid.*

<sup>161</sup> *Ibid.*

<sup>162</sup> *Ibid.*

<sup>163</sup> UNHCR, *Refugee Operations and Environmental Management: Key principles for decision-making*, 2000.

<sup>164</sup> UNHCR, *Framework for assessing, monitoring and evaluating the environment in refugee-related operations: Module 1 Introduction*, 2009.

and at times difficult given the time constraints associated with the arrival of new refugees to an area.<sup>165</sup> In fact, an environmental assessment is rarely done prior to a camp or settlement being created, as more basic needs take precedent such as food and shelter.<sup>166</sup> However, past examples of this lack of environmental awareness has demonstrated that it can be costly to reverse the negative effects of this oversight.<sup>167</sup> Additionally, given the state of affairs within refugee affected areas there is often a lack of “rigorous monitoring and periodic evaluations of environmental projects and programmes,” which can also lead to devastating environmental concerns.<sup>168</sup> What is more, programs can be expensive and difficult to undertake, given that rehabilitation efforts in African camps alone total over \$150 million a year, and there is a general lack of manpower and resources available to effectively carry out programs, creating an additional obstacle for refugee communities.<sup>169</sup>

### ***Projects***

The UNHCR has been able to make advancements in sustainable environmental management in many refugee affected areas.<sup>170</sup> “Projects range from the sophisticated-the use of satellite imagery to track the degradation of forests- to the most simple-employing burlap bags and discarded tin cans to grow vegetables in small corners of a crowded refugee camp.”<sup>171</sup> One such example is in the mid-1990s, in Zimbabwe where five camps were established. It soon became clear that there was a deforestation problem occurring.<sup>172</sup> As a result, a Fuelwood Crisis Consortium (FCC) was created and after careful analysis, a program of “stove dissemination, tree planting, and environmental awareness” was established.<sup>173</sup> Another such example was in 1999 in Thailand. For a number of reasons over 15,000 refugees were relocated to a reserve that was protected under Thai law.<sup>174</sup> The main challenge in this situation was attempting to prevent environmental degradation, especially soil erosion and water contamination of this reserve. In order to mitigate these risks the Engineering Environmental Services Section of the UNHCR created a program of mitigation and rehabilitation for the area. With the collective effort of several local non-governmental organizations (NGOs), they “set about improving drainage works, protecting the slopes and planting trees in communal areas before the onset of the rainy season.”<sup>175</sup> Following the initial work, they also set up environmental workshops, ensuring that the refugees in the area would be able to continue the work that had already begun.<sup>176</sup> The UNHCR is actively involved in operations in over 125 Member States, with the largest operations being conducted in Afghanistan, Colombia, Democratic Republic of the Congo, Mali, Pakistan, Syria, Jordan, Lebanon, Turkey, and Iraq.<sup>177</sup> Each area requires a different level of expertise and different types of environmental sustainability projects, due to unique environmental factors and circumstances.

### ***Conclusion***

As the number of refugees continues to increase worldwide, new environmental conservation efforts must be sought. An increase in cooperation amongst international organizations, NGOs, and local communities must be established, and world leaders must continue to address ongoing environmental concerns at meetings such as the High-level Political Forum on Sustainable Development that occurred 26 June to 8 July 2015.<sup>178</sup> The focus must not simply be on managing the crisis to the detriment of environmental assessments and program management, as the lasting effects of environmental degradation on the host country can have a permanent impact on their willingness to continue to open their borders to asylum seekers. It is clear that more work must be done in this area to aid Member States in developing adequate environmental strategies and to further develop the tools that environmental

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<sup>165</sup> UNHCR, *Framework for assessing, monitoring and evaluating the environment in refugee-related operations: Module 1 Introduction*, 2009.

<sup>166</sup> *Ibid.*

<sup>167</sup> *Ibid.*

<sup>168</sup> *Ibid.*

<sup>169</sup> UNHCR, *The Environment – A Critical Time*, 2002.

<sup>170</sup> UNHCR, *Environment in UNHCR*, 2000.

<sup>171</sup> UNHCR, *The Environment – A Critical Time*, 2002.

<sup>172</sup> UNHCR, *Refugee Operations and Environmental Management: Selected Lessons Learned*, 1997.

<sup>173</sup> *Ibid.*

<sup>174</sup> UNHCR, *Environment in UNHCR*, 2000.

<sup>175</sup> *Ibid.*

<sup>176</sup> *Ibid.*

<sup>177</sup> UNHCR, *About Us*.

<sup>178</sup> UN DESA, *High-level Political Forum on Sustainable Development*, 2015.

organizations have already established. Forgetting the lasting impact of refugee camps on the local population and environment remains a costly, and at times irreversible, mistake.

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*This site provides a comprehensive historical analysis of environmental sustainability and tracks the evolution of this topic through various UN conferences. It is an excellent starting point in order to understand the breath of this topic, as well as the historical impact that environmental concerns have had on new policies emerging at the international level. It also provides the links to all major UN conferences and documents that relate to the environment. This document can help delegates understand the work that has already been done in this field and gain a better understanding of new areas of focus that the UN has been assessing.*

United Nations Environment Programme. (2015). *UNEP and the Post-2015 Agenda* [Website]. Retrieved 24 May 2015 from: <http://www.unep.org/post2015/About/tabid/133025/Default.aspx>

*This website provides an overview of the Post-2015 Development Agenda as it pertains to environmental sustainability. Given the timeliness of these goals, it would be essential for delegates to understand what work is currently being done in terms of sustainability, as work is usually shared in crisis situations. Moreover, as UNEP is the leading environmental expert and often works in coordination with other organizations, such as the UNHCR, in order to manage environmental concerns, this website is a vital tool for future research. Delegates should use this website as a basis for understanding the most up-to-date work being done by the UN in terms of environmental protection and management in crisis situations.*

United Nations High Commissioner for Refugees. (2000). *Refugee Operations and Environmental Management: Key principles for decision-making* [Website]. Retrieved 22 May 2015 from: <http://www.unhcr.org/cgi-bin/texis/vtx/home/opendocPDFViewer.html?docid=3b03b24d4&query=environment>

*This document was written for policy makers in particular in order to aid them in their understanding of sustainable environmental management. As it is written by the UNHCR, the focus is placed on refugee affected areas and demonstrates the importance of cooperation amongst Member States and allied partners in order to tackle environmental concerns in emerging refugee crises worldwide. It can help delegates understand the obstacles that policy makers face when trying to implement environmentally sustainable policies in a refugee affected area.*

United Nations High Commissioner for Refugees. (2005). *Environmental Guidelines* [Website]. Retrieved 23 May 2015 from: <http://www.unhcr.org/3b03b2a04.html>

*The following document provides an overview of the UNHCR's environmental guidelines, as well as a detailed explanation of how these guidelines were constructed and how they are to be implemented. It summarizes the basic principles behind all environmental activity conducted by the UNHCR and provides operational guidelines for how to appropriately integrate environmental management into current UNHCR operations. This document can help delegates structure their positions and frame new ideas, in line with the work already being conducted by the UNHCR.*

United Nations High Commissioner for Refugees. (2009). *Framework for assessing, monitoring and evaluating the environment in refugee-related operations: Module 1 Introduction* [Website]. Retrieved 24 May 2015 from: <http://www.unhcr.org/cgi-bin/texis/vtx/home/opendocPDFViewer.html?docid=4a968ec59&query=environment>

*This document was constructed by the UNHCR as a toolkit for sustainable environmental management. It details the importance of considering the environment prior to any refugee camp being constructed, as well as a clear method to do so. It also provides key definitions of terms used in this type of research, as well as highlighting key actors that can be used to aid in this assessment, as well as UNHCR's role. This document provides delegates with a more comprehensive understanding of the steps related to establishing a refugee camp and how to mitigate the environmental impact of these camps.*



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