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UN HIGH COMMISSIONER FOR REFUGEES BACKGROUND GUIDE 2014

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NATIONAL MODEL UNITED NATIONS



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THE 2014 NATIONAL MODEL UNITED NATIONS

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Dear Delegates,

Welcome to the 2014 National Model United Nations in New York (NMUN•NY) Conference and welcome to our committee, the United Nations High Commissioner for Refugees (UNHCR). Your Director for Conference A, Angela Shively, is completing her BA with Honors in Political Science and Communications with a minor in International Studies (Pre-Law) in Texas. Your Director for Conference B, Rubai Aurora, is an international development professional and a Masters of Public Administration candidate, with a focus in International Development Management at George Washington University. David Godoy, Assistant Director for Conference A, is studying Political Science with an emphasis in International Relations. He aspires to pursue diplomacy professionally and currently teaches Portuguese as a second language. Maximilian Jungmann, Assistant Director for Conference B, is pursuing his MA in Political Science and Sociology with an emphasis in International Relations at the University of Heidelberg.

This year's topics under discussion for UNHCR are:

- I. Advancing Emergency Response for Displaced Populations Affected By Conflict and Natural Disaster
- II. Improving Public Health Systems for Refugees and Other Forcibly Displaced Persons
- III. Providing Humanitarian Assistance to Refugees from and Internally Displaced Persons in Somalia

At NMUN•NY 2014, we are simulating the Executive Committee (ExCom) of UNHCR in terms of composition and size; however delegates are not limited to the strict mandate of ExCom in terms of its role as a budgetary and administrative body. On the contrary, for the purposes of NMUN•NY 2014, and in line with the educational mission of the conference, the committee has the ability to make programmatic and policy decisions on issues and topics within the mandate of UNHCR in line with the overall function of the organization.

We hope you will find this Background Guide useful as it serves to introduce you to the topics for this committee. It is not meant to replace further research and we highly encourage you explore in-depth your countries' policies as well as use the Annotated Bibliography and Bibliography to further your knowledge on these topics. In preparation of the conference, each delegation will be submitting a [position paper](#). Please refer to the following pages for details regarding the position paper submission process. 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.

If you have any questions concerning your preparation for the Committee or the Conference itself, feel free to contact the substantive staff listed below or the Under-Secretaries-General for Human Rights and Humanitarian Affairs, Meg Martin (Conference A) and Juliane Bade (Conference B). You can reach either USG by e-mailing usg.hr_ha@nmun.org.

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

Sincerely,

Conference A

Angela Shively, *Director*
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Conference B

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NMUN•NY Position Paper Guidelines

Due 1 March 2014

Each committee topic should be addressed in a succinct policy statement representing the relevant views of your assigned country, Non-Governmental Organization (NGO), or expert role. You should identify and address international and regional conventions, treaties, declarations, resolutions, and programs of action that are relevant to the policy of your country or NGO. You should also include recommendations for action to be taken by your committee. A delegate's role as a Member State, Observer State, or NGO should affect the way a position paper is written. To understand these differences, please refer to the [Delegate Preparation Guide](#). It may also be helpful to view a [Sample Position Paper](#).

A position paper should be submitted for each assigned committee.

- The two page position paper should cover all the topics in the background guide, not a separate paper for each topic.
- Do not submit papers for committees not assigned to your country/NGO (see matrix for [Conf. A](#) or [Conf. B](#)).
- No more than two delegates can represent a single country/NGO in a committee. If you assign two delegates to represent a country/NGO on a committee, they submit one position paper jointly, not separate position papers from each individual.

Please pay careful attention to the following guidelines when drafting and submitting your position papers. Only those delegations that follow the guidelines and meet the submission deadline will be eligible for [position paper awards](#).

All papers must be typed and formatted according to the standards below:

- Length must not exceed two pages
- Margins must be set at 1 inch or 2.54 cm. for the whole paper
- Font must be Times New Roman sized between 10 pt. and 12 pt.
- Country/NGO name, school name, and committee name must be clearly labeled on the first page
- Agenda topics must be clearly labeled in separate sections
- National symbols (headers, flags, etc.) are deemed inappropriate for NMUN position papers

Please note that position papers must be comprised of entirely original writing. **The NMUN Conference will not tolerate plagiarism**, including copying from Committee Background Guides. Violation of this policy may result in dismissal from the conference. Although United Nations documentation is considered within the public domain, the conference does not allow the verbatim re-creation of these documents.

How to Submit Your Position Papers

Position papers need to be submitted by email in .pdf or .doc formats. As proof of submission, include yourself as an email recipient. Please use the committee name, your assignment, Conference A or B, and delegation/school name in both the email subject line and in the filename (example: GA1_Cuba_Conf A_State College).

1. Send one complete set of all position papers for each of your country/NGO assignments to the Deputy Secretary-General for the conference you are attending:

Conference A: positionpapers.nya@nmun.org

Conference B: positionpapers.nyb@nmun.org

2. Send a copy of your position paper for each assigned committee to the corresponding committee email address listed on the [Committee Background Guides page](#).

Your delegation may wish to submit a copy of their position papers to the permanent mission of the country/NGO headquarters along with an explanation of the conference. This is encouraged if requesting a [briefing](#).

Many, many papers will be read by the Secretariat. Your patience and cooperation in adhering to the above guidelines is greatly appreciated.

Abbreviations

AGD	Age, Gender and Diversity
AGDM	Age, Gender and Diversity Mainstreaming
AMISOM	African Union Mission to Somalia
AU	African Union
CERF	Central Emergency Relief Fund
DESS	Division of Emergency Security and Supply
DPSM	Division of Program of Support and Management
DRC	Democratic Republic of Congo
ECOSOC	United Nations Economic and Social Council
FATA	Federally Administered Tribal Area
GA	General Assembly
HESPER	Humanitarian Emergency Settings Perceived Needs Scale
HIS	Health Information System
IARRM	Inter-Agency Rapid Response Mechanism
IASC	Inter-Agency Standing Committee
ICCPR	International Covenant on Civil and Political Rights
ICESCR	International Covenant on Economic, Social and Cultural Rights
IDP	Internally Displaced Persons
IDRL	International disaster response laws
IED	Improvised explosive device
IFRC	International Federation of Red Cross and Red Crescent Societies
IHL	International humanitarian law
IOM	International Organization for Migration
KP	Khyber-Pukhtunkhw
NGO	Non-Governmental Organization
OCHA	Office for the Coordination of Humanitarian Affairs
OHCHR	Office of the High Commissioner for Human Rights
SC	Security Council
SGBV	Sexual and gender-based violence
SMS	Supply Management Service
TA	Transformative Agenda
TFG	Transitional Federal Government
UDHR	Universal Declaration of Human Rights
UN	United Nations
UNAIDS	Joint United Nations Programme on HIV/AIDS
UNDAC	United Nations Disaster Assessment and Coordination
UNDP	United Nations Development Programme
UNFPA	United Nations Population Fund
UNHCR	United Nations High Commissioner for Refugees
UNICEF	United Nations Children's Fund
UN-WATER	UN-Water
WASH	Water, Sanitation and Hygiene
WFP	World Food Program
WHO	World Health Organization
WWI	World War I

Committee History

Introduction

In the aftermath of the Second World War, the prevalence of refugees, displaced persons, and asylum-seekers demanded the attention of the international community. The Second World War left multilevel geographical and economic devastation and rendered millions of people alienated from basic essential needs and fundamental human rights—bereft of protection from international law or emergency response systems to provide humanitarian assistance.¹ With the signing of the *Universal Declaration of Human Rights* (1948), the international community acknowledged the right of refugees and displaced persons to seek asylum and security from persecution.² The United Nations (UN) was inspired to address refugee-related issues from 1948 to 1950, and the General Assembly (GA) created the Office of the United Nations High Commissioner for Refugees (UNHCR) with resolution 319 (IV) on 3 December 1949.³ There are approximately 30 million persons of concern to UNHCR consisting of refugees, displaced persons, and asylum seekers.⁴ Many of these people are located in Asia and Africa where UNHCR operations are assisting refugees to restart their lives.⁵ Over the last two decades, UNHCR has increasingly been heavily involved in providing assistance to Internally Displaced Persons (IDPs).⁶ IDPs are persons that have been forced to flee from their homes but remain inside their country's boundaries.⁷ UNHCR's increased involvement in IDP situations is a response to a request from the UN Commission on Human Rights resolution 1992/73 on 5 March 1992.⁸ As a result, the Economic and Social Council (ECOSOC) created the *Guiding Principles on International Displacement* in July 1998.⁹ The Guiding Principles provide a framework for protection and assistance during displacement, guarantees a safe return for IDPs to their primary land, and support reintegration.¹⁰ By 2011, UNHCR was actively providing basic humanitarian assistance to 14.7 million IDPs in 26 countries, therein working significantly beyond its original mandate.¹¹

Mandate

On 14 December 1950, GA approved the first *Statute of the Office of the United Nations High Commissioner for Refugees* that contains the mandate, functions, rules and obligations of UNHCR.¹² Originally, UNHCR was intended to be a temporary body with a three-year period in which it would address refugee concerns from 1 January 1951 until 31 December 1953.¹³ Due to an increase in both the number of persons of concern and the scope of issues requiring further attention, UNHCR's mandate was extended for a five year period and renewed every five years until 22 December 2003 when GA adopted resolution 57/186; removing the requirement of the agency to renew its mandate.¹⁴ This new mandate, along with the *Convention Relating to the Status of Refugees* (1951), helped extend UNHCR's autonomy and jurisdiction over aid, activities and financial support.¹⁵ UNHCR's main purpose is to address the needs of refugees worldwide by providing humanitarian aid along with protection and asylum processes.¹⁶ The Statute has two main areas of focus: the first area is to work along UN Member States and other UN agencies to ensure that refugees have access to international protection under the auspices of the UN.¹⁷ The

¹ Betts, et. al., *UNHCR: The Politics and Practice of Refugee Protection*, 2012, p. 7.

² UN, General Assembly, *Universal Declaration of Human Rights*, (A/RES/3/217/A) [Resolution], 1948.

³ UN General Assembly, *Refugees and Stateless Persons*, (A/RES/319) [Resolution], 1949.

⁴ UNHCR, *State of the World's Refugees 2012: In Search of Solidarity*, 2012, p. 5.

⁵ UNHCR, *Global Appeal 2013 Update* [Website], 2013.

⁶ Weiss, Korn, *Internal Displacement: Conceptualization and its Consequences*, 2006, p. 1.

⁷ UN Economic and Social Council, *Guiding Principles on Internal Displacement* [Website], 1998, p. 5.

⁸ Weiss, Korn, *Internal Displacement: Conceptualization and its Consequences*, 2006, p. 11.

⁹ UN Economic and Social Council, *Guiding Principles on Internal Displacement* [Website], 1998, p. 5.

¹⁰ Ibid.

¹¹ UNHCR, *State of the World's Refugees 2012: In Search of Solidarity* [Website], 2012, p. 19.

¹² UN General Assembly, *Statute of the Office of the United Nations High Commissioner for Refugees* (A/RES/428/V) [Resolution], 1950.

¹³ Feller, *Refugee Protection in International Law: UNHCR's Global Consultations on International Protection*, 2003, part 1.1, p.10.

¹⁴ UNHCR, *Protecting Refugees and the Role of the UNHCR*, [Website], 2007-2008, p. 17.

¹⁵ Betts, et al., *UNHCR: The Politics and Practice of Refugee Protection*, 2012, p. 14.

¹⁶ Ibid., p. 2.

¹⁷ UN General Assembly, *Statute of the Office of the United Nations High Commissioner for Refugees* (A/RES/428/V) [Resolution], 1950, p. 6.

second area of focus is to assist refugees in finding permanent solutions, whether they be reintegrated in their own country of origin or resettled into a host country.¹⁸

Governance, Structure and Membership

UNHCR's Statute states that the agency works under the authority of GA.¹⁹ UNHCR reports annually to GA through ECOSOC and the agency's activities must follow directives of both primary organs.²⁰ The Executive Committee (ExCom) was created by ECOSOC resolution 672 (XXV) on 30 April 1958.²¹ ExCom works as a subsidiary organ of GA and is composed of 87 Member States.²² It creates and reviews programs, approves funds and budgets, and considers the work of the Standing Committee.²³ The Standing Committee, created in October 1995, is a subsidiary body for ExCom.²⁴ It reviews current events and issues and adopts conclusions when it meets tri-annually.²⁵ UNHCR is led by the High Commissioner, Deputy High Commissioner, and Assistant High Commissioners for Protection and Operations who are responsible for the implementation of the mandate and the agency's obligations.²⁶ Such obligations include working to protect refugees and negotiating with countries on issues involving refugee prevention and protection.²⁷ These leaders oversee and manage multiple divisions and bureaus, as well as almost 8,000 employees across 126 countries.²⁸ The current High Commissioner is António Guterres.²⁹ Most of UNHCR's work as a collective body is done outside of its Executive Committee (ExCom) and Standing Committee in its regional offices, branch offices, sub-offices, and field offices where employees are actively engaged in addressing the many needs of persons of concern.³⁰

Functions and Powers

UNHCR is able to function today due to funds donated from a variety of donors, mostly Member States.³¹ The High Commissioners are very effective in working with states to either raise funds or create new ways to protect refugees.³² UNHCR works closely with partners in order to fulfill its Statute more effectively, and the agency has two main types of partners: Implementing and Operational Partners.³³ Implementing partners are particular government departments or agencies, including other UN organizations, which receive funding from UNHCR and help implement the agency's projects.³⁴ Operational Partners work with UNHCR in assisting refugees inclusive of governmental organizations, inter-governmental organizations, non-governmental organizations and UN agencies.³⁵ The UNHCR's mandate to resolve the refugee problems and protect persons of concern causes the agency to focus its work in the field.³⁶ Most of UNHCR's work is done in the field where 85% of the agency's funds are used to provide basic needs, durable solutions, security, protection, community empowerment, and durable solutions for refugees.³⁷ The Agency works, alongside with its partners, to promote and provide protection to refugees and basic

¹⁸ UN General Assembly, *Statute of the Office of the United Nations High Commissioner for Refugees (A/RES/428/V)* [Resolution], 1950, p. 6.

¹⁹ Ibid.

²⁰ Betts, et. al., *UNHCR: The Politics and Practice of Refugee Protection*, 2012, p. 106

²¹ UN Economic and Social Council, *Establishment of the Executive Committee of the Programme of the United Nations High Commissioner for Refugees (E/RES/672)* [Resolution], 1958.

²² UNHCR, *Governance and Organization* [Website], 2013.

²³ UNHCR, *The Executive Committee's Origins and Mandate* [Website], 2013.

²⁴ UNHCR, *ExCom Structure and Meetings* [Website], 2013.

²⁵ UNHCR, *The Executive Committee's Structure and Meetings* [Website], 2013.

²⁶ UNHCR, *Overall Organizational Structure* [Website], 2013.

²⁷ UN General Assembly, *Statute of the Office of the United Nations High Commissioner for Refugees (A/RES/428)* [Resolution], 1950, p. 7.

²⁸ UNHCR, *Governance and Organization* [Website], 2013.

²⁹ UNHCR, *The High Commissioner* [Website], 2013.

³⁰ UNHCR, *Governance and Organization* [Website], 2013.

³¹ UNHCR, *Fund Raising: Counting on Contributors* [Website], 2013.

³² Betts, et. al., *UNHCR: The Politics and Practice of Refugee Protection*, 2012, p. 111.

³³ UNHCR, *Partnership in Protection* [Website], 2013

³⁴ UNHCR, *Partnership: An Operations Management Handbook for UNHCR's Partners* [Website], 2003, p. 30.

³⁵ Ibid.

³⁶ UNHCR, *Global Appeal 2013 Update: Identifying Needs and Funding Requirements* [Website], 2013, p. 72

³⁷ Ibid.

humanitarian assistance in several locations that varies from cities, remote camps, border areas.³⁸ UNHCR provides camps to refugees, as well as food supplies, transport, and even basic education and psychological treatment.³⁹

Recent Sessions

UNHCR's recent work has largely been focused on helping refugees that were displaced due to conflicts.⁴⁰ Syria, for example, is receiving aid from UNHCR to meet urgent humanitarian needs of children and also with the resettlement of 2 million IDPs.⁴¹ Internal conflicts are also creating a multitude of refugees in Mali, Burkina Faso, Mauritania, the Democratic Republic of Congo (DRC), Ethiopia, Kenya and South Sudan.⁴² UNHCR remains committed to strengthening emergency responses and coordination, especially for refugees displaced due to natural disasters and internal conflicts.⁴³ Severe flooding in Pakistan in 2010 is a prominent example of contemporary emergency humanitarian coordination, response and assistance motivated by a natural disaster.⁴⁴ UNHCR is also working with IDPs in Somalia where millions of Somalis were displaced due to famine and drought that occurred in 2011.⁴⁵ UNHCR is currently working with NGOs and internal partners in Somalia to aid IDPs by providing secure transportation, food, water, tents, medical care, and by helping them reestablish their lives.⁴⁶ Additionally, UNHCR is working with the public health issue in several refugee camps where diseases are hard to control due to the movement spreading rapidly diseases such as HIV/AIDS and malaria in refugee camps.⁴⁷

Conclusion

UNHCR is currently providing services to over 35 million people and assumes responsibility for assisting an average of 2,000 new refugees every day.⁴⁸ UNHCR, today, is able to work alongside other partners and negotiate with countries to cooperate in protecting and giving assistance to refugees.⁴⁹ The Commission's dedicated work has benefited millions of people.⁵⁰ UNHCR has provided the opportunity for disenfranchised persons to reestablish and live secure and peaceful lives, and, further, continues to provide these things universally. Unfortunately, there remain large numbers of people experiencing crisis situations who are in desperate need of immediate assistance, and more persons of concern to UNHCR develop every day.

Annotated Bibliography

Betts, A., G. Loesche, J. Milner. (2012). *UNHCR: The Politics and Practice of Refugee Protection Into the Twenty-first Century*. Second edition. Routledge Global Institutions Series. Routledge, New York, NY.

This book is a part of a series that is intended to help readers gain a better understanding of the history, structure and activities of international organizations. In this volume, it is specific about UNHCR and clearly explains the origin of the agency, as well as its action during the WWI and WWII, the changes in the committee's mandate and the new challenges that it currently faces. It gives an analysis of UNHCR growth and expansion, as well as its efforts to receive more funding and support.

Loescher, G. (2001). *The UNHCR and World Politics: A Perilous Path*. Oxford University Press, New York.

Loescher gives a very detailed analysis of the origin and main mandate of UNHCR and its political influence in the world since its creation. Loescher explains the need to have an international organization that takes care of refugees and the creation of UNHCR. He continues

³⁸ UNHCR, *Protection: A Safety Net* [Website], 2013.

³⁹ UNHCR, *Emergency Response*, [Website], 2013.

⁴⁰ UNHCR, *High Commissioner's Opening Statement to the 63rd Session of ExCom in Geneva*, 2012, p. 4.

⁴¹ UNHCR, *Global Appeal 2013 Update: Stretching the Limits: The Syrian Arab Republic* [Website], 2013.

⁴² UNHCR, *Global Appeal 2013 Update: Responding to Emergencies* [Website], 2013.

⁴³ UNHCR, *High Commissioner's Opening Statement to the 63rd Session of ExCom in Geneva*, 2012, p. 4.

⁴⁴ Ibid.

⁴⁵ UNHCR, *Global Appeal 2013 Update: Somalia* [Website], 2013.

⁴⁶ UNHCR, *Emergency Response*, [Website], 2013.

⁴⁷ UNHCR, *Global Factsheets 2011: Public Health, Nutrition, HIV and WASH Annual Country Factsheets* [Website], 2012.

⁴⁸ UNHCR, *Global Appeal 2013 Update: UNHCR Mission Statement* [Website], 2013.

⁴⁹ Loescher, *The UNHCR and World Politics: A Perilous Path*, 2001, pp. 4-5.

⁵⁰ UNHCR, *Global Appeal 2013 Update: Mission Statement* [Website], 2013.

by giving an analysis of the agency's actions internationally and its struggle to gain more institutional autonomy. Loescher details the agency's expansion from the Cold War till the present day.

United Nations High Commissioner for Refugees. (2010). *Statute of the Office of the United Nations High Commissioner for Refugees*. Retrieved July 1, 2013 from: <http://www.unhcr.org/3b66c39e1.html>

This Statute is a valuable source for delegates that contain the basics rules and procedures of UNHCR. The Statute starts explaining about the history of UNHCR, the functions and obligations of the High Commissioner. It emphasizes the structure and mandate of UNHCR, and as well to whom the agency reports. The document also provides a brief explanation about the organization and finances of UNHCR as well as some references that can help delegates in their research.

United Nations High Commissioner for Refugees. (2012, October 1). *High Commissioner's Opening Statement to the 63rd Session of ExCom in Geneva*. Retrieved July 31, 2013 from: <http://www.unhcr.org/506987c99.html>

This document contains the Opening speech from António Guterres, current High Commissioner for UNHCR, in the 63rd session of ExCom. The speech is a valuable resource for delegate as they learn more about the current operations, partners, projects and plans of UNHCR. In his speech, the High Commissioner addresses several topics concerning refugees and UNHCR, such as the agency's operation in Ethiopia, Mali, the DRC and several other countries in Africa, the Middle East and Central Asia. The High Commissioner also mentions UNHCR partners like UNICEF and IOM and he gives an account of the plans and future projects of UNHCR and as well as other issues that still need to be discussed and resolved such as millions of Somalis refugees that are yet in need of assistance.

United Nations High Commissioner for Refugees (2013). *Global Appeal 2013 Update* [Website]. Retrieved July 1, 2013 from: <http://www.unhcr.org/ga13/index.xml>

This publication is an annual document released by UNHCR. This publication contains a summary of the current UNHCR operations throughout the world. It gives to the reader basic information and facts about UNHCR as well as statistics comprising the number of persons of concern, the annual budget, and locations of UNHCR operations, staff members and NGOs that are working as partners. The Global Appeal is a valuable guide for delegates to know basic and important information about UNHCR and major operations of the agency. The publication also contains several chapters that focus on all the different areas of the world, facilitating the acquisition of information.

Bibliography

Be Betts, A., G. Loesche, J. Milner. (2012). *UNHCR: The Politics and Practice of Refugee Protection. Second Edition*. Routledge. New York, NY.

Cohen, R. (1998). *Recent Trends in Protection and Assistance for Internally Displaced People, in Internally Displaced People: Global Survey*. London: Earthscan.

Feller, E. (2003). *Refugee Protection in International Law: UNHCR's Global Consultations on International Protection*. Cambridge University Press. Cambridge (United Kingdom); New York (NY); Geneva.

Inter-Agency Standing Committee. (2010, June). *Handbook for the Protection of Internally Displaced Persons* [Website]. Retrieved 23 July 2013 from: <http://www.refworld.org/docid/4790cbc02.html>

Loescher, G. (2001). *The UNHCR and World Politics: A Perilous Path*. Oxford University Press, New York.

Orchard, P. (2006, December). *It's Always Darkest Before the Dawn: Displacement, Institutional Development and the Normative Environment. The Case of the League of Nations and the United Nations* [Website]. Retrieved July 31, 2013 from: <http://repository.forcedmigration.org/pdf/?pid=fmo:5371>

United Nations Economic and Social Council. (1998, July 22). *Guiding Principles on Internal Displacement* [Website]. Retrieved 31 July 2013 from: <http://www.unhcr.org/43ce1cff2.html>

United Nations, Economic and Social Council, Resolution 672 (XXV). (1958, April 30). *Establishment of the Executive Committee of the Programme of the United Nations High Commissioner for Refugees*. [Resolution] Retrieved 23 July 2013 from: <http://www.unhcr.org/3ae69eccc.html>

United Nations, General Assembly, Third Session. (1948, December 10). *Universal Declaration of Human Rights (A/RES/3/217)* [Resolution]. Retrieved 23 July 2013 from: <http://www.un.org/en/documents/udhr/>

United Nations, General Assembly, Fourth Session. (1949, December 3). *Refugees and Stateless Persons (A/RES/3/19)* [Resolution]. Retrieved 23 July 2013 from: <http://www.refworld.org/docid/3b00f1ed34.html>

United Nations, General Assembly, Fifth Session. (1950, December 14). *Statute of the Office of the United Nations High Commissioner for Refugees (A/RES/428 (V))* [Resolution]. Retrieved 23 July 2013 from: <http://www.unhcr.org/3b66c39e1.html>

United Nations, General Assembly, Fifth Session. (1950, December 14). *Convention Relating to the Status of Refugees (A/RES/429 (V))* [Resolution]. Retrieved 23 July 2013 from: <http://www.ohchr.org/EN/ProfessionalInterest/Pages/StatusOfRefugees.aspx>

United Nations, General Assembly, Twenty-first Session. (1966, December 16). *Protocol Relating to the Status of Refugees (A/RES/21/2198)* [Resolution]. Retrieved 23 July 2013 from: <http://www.unhcr.org/3b66c2aa10.pdf>

United Nations High Commissioner for Refugees. (February 2003). *Partnership: An Operations Management Handbook for UNHCR's Partners* [Website]. Retrieved 10 October 2013 from: <http://www.unhcr.org/4a39f7706.pdf>

United Nations High Commissioner for Refugees. (2007). *Protecting Refugees and the Role of the UNHCR, 2007-2008* [Website]. Retrieved 23 July 2013 from: <http://www.unhcr.org/49eef142.html>

United Nations High Commissioner for Refugees. (2012, October 1). *High Commissioner's Opening Statement to the 63rd Session of ExCom in Geneva*. Retrieved 31 July 2013 from: <http://www.unhcr.org/506987c99.html>

United Nations High Commissioner for Refugees. (2012, October 22). *Emergency Response* [Website]. Retrieved 31 July 2013 from: <http://www.unhcr.org/pages/503352e46.html>

United Nations High Commissioner for Refugees. (2013). *Global Appeal 2013 Update* [Website]. Retrieved 1 July 2013 from: <http://www.unhcr.org/ga13/index.xml>

United Nations High Commissioner for Refugees. (2013). *Global Appeal 2013 Update: Responding to Emergencies* [Website]. Retrieved 31 July 2013 from: <http://www.unhcr.org/50a9f810b.html>

United Nations High Commissioner for Refugees. (2013). *Global Appeal 2013 Update: Stretching the Limits: The Syrian Arab Republic* [Website]. Retrieved 1 July 2013 from: <http://www.unhcr.org/51b1d618b.html>

United Nations High Commissioner for Refugees. (2013). *Governance and Organization* [Website]. Retrieved 14 October 2013 from: <http://www.unhcr.org/pages/49c3646c80.html>

United Nations High Commissioner for Refugees. (2013). *Overall Organizational Structure* [Website]. Retrieved 14 October 2013 from: <http://www.unhcr.org/4bffd0dc9.html>

United Nations High Commissioner for Refugees. (2013). *Partnership in Protection* [Website]. Retrieved 14 October 2013 from: <http://www.unhcr.org/pages/49c3646c296.html>

United Nations High Commissioner for Refugees. (2013). *Protection: A Safety Net* [Website]. Retrieved 9 October 2013 from: <http://www.unhcr.org/pages/49c3646cc8.html>

United Nations High Commissioner for Refugees. (2013). *The Executive Committee's Origins and Mandate* [Website]. Retrieved 31 July 2013 from: <http://www.unhcr.org/pages/49c3646c86.html>

United Nations High Commissioner for Refugees. (2013). *The High Commissioner* [Website]. Retrieved 14 October 2013 from: <http://www.unhcr.org/pages/49c3646c8.html>

Weiss, Korn. (2006). *Internal Displacement: Conceptualization and its consequences*. Routledge, New York, NY.

I. Advancing Emergency Response for Displaced Populations Affected by Conflict and Natural Disaster

“...while the nature of forced displacement is rapidly evolving, the responses available to the international community have not kept pace. This has created a number of serious protection gaps, particularly in the context of mixed movements, large-scale complex emergencies and environmentally-related displacement.”- Mr. António Guterres, United Nations High Commissioner for Refugees⁵¹

Introduction

The Office of the United Nations High Commissioner for Refugees (UNHCR) defines an emergency as “any situation in which the life or well-being of refugees and people of concern to UNHCR, will be threatened unless immediate and appropriate action is taken, and which demands an extraordinary response and exceptional measures.”⁵² UNHCR doubled its deployment between 2010 and 2011 in response to the global conflicts for the Middle East and North Africa and additional emergency situations in areas such as Pakistan and Cote d’Ivoire.⁵³ Emergency preparedness and response are defined as a core function of UNHCR.⁵⁴

Due to an increase of factors that exacerbate conflict situations, climate change and population growth have increased internal displacement.⁵⁵ As of 2011, Internally Displaced Persons (IDPs) are the largest group receiving aid from UNHCR services, with over 14.7 million people in 27 countries in addition to 10.5 million refugees.⁵⁶ Annually, there is a larger amount of displacement caused by natural disaster than as a result of conflict.⁵⁷ It was established by the 2011 *Nansen Principles* that the international community will focus on increasing better response systems to displacement caused by environmental factors, including a shortage of natural resources in conflict-affected areas.⁵⁸ Between 2005 and 2010 it was reported that UNHCR provided essential operational support in over 15 out of the 58 recorded disasters.⁵⁹

The number of natural disasters has doubled in under a decade, therefore increasing the need for UNHCR to engage in climate and natural disaster response.⁶⁰ While there is little contention in UNCHR’s role in responding to refugee and IDP emergencies under resource related conflict, responsibility under natural disaster response is not pre-defined and is often determined on a “case-by-case basis”, which has led to inefficient response times and planning.⁶¹ UNHCR’s most substantial involvement in disaster response has been in floods, tsunamis, and earthquakes.⁶² UNCHR interventions have been in response to mass displacement and loss of basic human rights by providing resources such as food, water and shelter. Further, UNHCR has provided assistance by engaging its humanitarian relief systems, straining its resources due to the ambiguous roles or responsibilities and unallocated funding for natural disaster response.⁶³

International and Regional Framework

United Nations General Assembly (GA) resolution 46/182 of 19 December 1991 on “strengthening of the coordination of humanitarian emergency assistance of the United Nations” has become the defining operation guide

⁵¹ UNHCR, *Intergovernmental Meeting at Ministerial Level to mark the 60th anniversary of the 1951 Convention relating to the Status of Refugees and the 50th anniversary of the 1961 Convention on the Reduction of Statelessness*, 2011.

⁵² UNHCR, *UNHCR Global Appeal 2012-2013*, 2013, p. 51.

⁵³ *Ibid.*, p. 51.

⁵⁴ *Ibid.*, p. 51.

⁵⁵ UNHCR, *The State of the World’s Refugees, In Search of Solidarity*, 2012, p. 2.

⁵⁶ *Ibid.*, p. 2.

⁵⁷ *Ibid.*, p. 26.

⁵⁸ *Ibid.*, p. 26.

⁵⁹ *Ibid.*, p. 28.

⁶⁰ UNHCR, *Climate Change, Natural Disaster and Humanitarian Displacement: UNHCR Perspective*, 2009, p. 3.

⁶¹ *Ibid.*, p. 7.

⁶² Entwisle, *The world turned upsidedown; A review of protection risks and UNHCR’s role in natural disasters*, 2013, p. 8.

⁶³ *Ibid.*, p. 45.

for the United Nations system on response to natural disasters that emphasizes the humanitarian aid aspect.⁶⁴ It establishes the Inter-Agency Standing Committee (IASC) in collaboration with the United Nations Disaster Relief Coordinator and the Central Emergency Relief Fund (CERF) under the Secretary-General's office.⁶⁵ It also provides a policy guide for natural disaster prevention, preparedness, and leadership amongst United Nations entities, governments and other international organizations.⁶⁶

The 2012 United Nations Economic and Social Council (ECOSOC) resolution on “strengthening humanitarian coordination in response to natural disasters” emphasizes the role of the IASC and specifically calls out for all UN agencies to take increasing responsibility and to incorporate age, sex and disability considerations into their efforts.⁶⁷ It calls for action on those involved in “complex emergencies” or “armed conflict” to increase their assistance to refugees and IDPs.⁶⁸ ECOSOC resolution 2011/8 of 21 July 2011, in addition to underlining the role of the IASC, emphasizes the importance of increased funding in flash appeals and CERF, encouraging the financial involvement of the private sector and civil society.⁶⁹ The IASC published handbook on displacement has a special annex for natural disaster response, in attempt to highlight its importance.⁷⁰ It outlines the necessary action and the fundamental human right documents applicable, including the *Universal Declaration of Human Rights* (UDHR) (1948), the 1966 *International Covenant on Civil and Political Rights* (ICCPR) and the *International Covenant on Economic, Social and Cultural Rights* (ICESCR).⁷¹

Non-binding but essential guidance frameworks include the 2006 *IASC Operational Guidelines on Human Rights and Natural Disasters*, 1998 *Guiding Principles on Internal Displacement*, 2005 *Framework for National Responsibility* and the 2009 *Framework for Durable Solutions for Internally Displaced Persons*.⁷² The handbook emphasizes the importance of age and gender sensitive approaches, citing that women are more likely to die from a natural disaster and children are more likely to be exposed to violence or exploitation.⁷³ *IASC Operational Guidelines* address that the loss of human rights through natural disasters is similar to those in conflict areas, especially in the event of natural disasters in areas of armed conflict and therefore falls into protection agency purviews as well.⁷⁴

In 2011, a decision by UNHCR Executive Committee (ExCom) promoted aggressive action on this topic and created a pilot program for a more “predictable” role in natural disaster response.⁷⁵ ExCom strongly emphasized that, while involvement in natural disaster response is a growing need, it does not fall explicitly under the UNHCR mandate, and therefore requires careful consideration and should be conducted at the inter-agency level.⁷⁶ Previously, UNHCR has claimed the maximum responsibility in providing relief efforts in Pakistan, Philippines, Myanmar and

⁶⁴ UN General Assembly, *Strengthening of the coordination of humanitarian emergency assistance of the United Nations* (A/RES/46/182) [Resolution], 1991.

⁶⁵ Ibid.

⁶⁶ Ibid.

⁶⁷ Ibid.

⁶⁸ UN Economic and Social Council, *Strengthening of the coordination of emergency humanitarian assistance of the United Nations* (E/RES/2012/3) [Resolution], 2012, p. 4-5.

⁶⁹ UN Economic and Social Council, *Strengthening of the coordination of emergency humanitarian assistance of the United Nations* (E/RES/2011/8) [Resolution], 2011, p. 8; UN OCHA, *Humanitarian Financing – Appeals System* [Website]; UN OCHA, *Central Emergency Response Fund* [Website].

⁷⁰ IASC, *Handbook for IDPs*, 2010, p. 482.

⁷¹ IASC, *Handbook for IDPs*, 2010, p. 482; UN General Assembly, *Universal Declaration of Human Rights* (A/RES/217 A (III)), 1948; UN General Assembly, *International Covenant on Civil and Political Rights* (A/RES/2200 (XXI)), 1966; UN General Assembly, *International Covenant on Economic, Social and Cultural Rights* (A/RES/2200 (XXI)), 1966.

⁷² IASC, *Handbook for IDPs*, 2010, p. 483; IASC, *Protecting Persons Affected by Natural Disasters: IASC Operational Guidelines on Human Rights and Natural Disasters*, 2006; UN OCHA, *Guiding Principles on Internal Displacement*, 1998; Brookings Institution – University of Bern, *Addressing Internal Displacement: Framework for National Responsibility*, 2005; UN Human Rights Council, *Framework for Durable Solutions for Internally Displaced Persons* (A/HRC/13/21/Add.4), 2009.

⁷³ IASC, *Operational Guidelines on the Protection of Person's in Situations of Natural Disaster*, 2011, p. 1.

⁷⁴ Ibid., p. 1.

⁷⁵ UNHCR ExCom, *UNHCR's role in support of an enhanced humanitarian response for the protection of persons affected by natural disasters* (EC/62/SC/CRP.19), 2011, p. 2.

⁷⁶ Ibid., p. 3-4.

Sri Lanka, and continues to provide the primary support for natural disaster relief in Pakistan, Philippines and Myanmar.⁷⁷

Role of the United Nations System

The 1951 *Convention relating to the Status of Refugees* does not address displacement caused by natural disasters or other environmental issues, nor is there another international agreement protecting displaced populations in non-conflict situations.⁷⁸ However, the UNHCR *2007 Emergency Handbook* defines a refugee emergency as any situation in which the life or well-being of refugees will be threatened.⁷⁹ UNHCR is authorized by the UN General Assembly and ExCom to assist other groups including internally displaced persons under special circumstances.⁸⁰ The Handbook emphasizes that UNHCR only engages in response to natural disaster IDP situations under extreme circumstances and upon invitation of the national government.⁸¹ Additionally, UNHCR is mandated to engage in an IDP situation under a “complex-emergency”, where international intervention is necessary in a situation where there is a complete lack of government capability due to a conflict and/or a natural disaster.⁸²

UNHCR is an essential partner in the IASC, Sub-working group on Preparedness and the Inter-Agency Rapid Response Mechanism’s (IARRM) Technical Steering Group. In 2005, the “Cluster Approach” restructured the leadership roles of select UN agencies who respond to emergency situations, designating UNHCR as the lead for emergency shelter, camp coordination and management and protection of groups in situations caused by conflict, while the International Organization for Migration (IOM) and the International Federation of Red Cross and Red Crescent Societies (IFRC) lead natural disaster response.⁸³ Depending on the individual situations, the three protections mandated agencies (UNHCR, UNICEF and OHCHR) determine the cluster lead based on capabilities and jurisdiction.⁸⁴ The 2005 “Cluster Approach” collaborates the efforts of UNHCR, United Nations Children’s Fund (UNICEF), Office of the High Commissioner for Human Rights (OHCHR) and others including UNAIDS, IOM and IFRC, and designates different organizations as leads for specific response systems in emergencies, thereby creating “cluster leads”.⁸⁵ UNHCR has limited involvement in the coordination efforts of the United Nations Disaster Assessment and Coordination (UNDAC) and UNDAC’s risk assessment activities.⁸⁶

The guiding principles established by the ExCom decided that UNHCR would not be involved extensively in natural disaster response, but only assist in coordination efforts.⁸⁷ It is under the purview of the ExCom to determine the funding allocations for disaster response within the operational budget, and can be designated according to circumstances.⁸⁸ The 2010 proposals for involvement focus on advanced involvement at the country level.⁸⁹ At the time of the introduction of the Cluster Approach, the High Commissioner decided to mainstream IDPs into UNHCR’s operations and budgets, while ensuring that resources meant for refugees were not deflected to IDPs.⁹⁰ This was mainly achieved by creating self-contained Supplementary Programmes and Supplementary Budgets for IDPs.⁹¹

⁷⁷ UNHCR ExCom, *UNHCR’s role in support of an enhanced humanitarian response for the protection of persons affected by natural disasters (EC/62/SC/CRP.19)*, 2011, p. 4.

⁷⁸ UNHCR, *The State of the World’s Refugees, In Search of Solidarity: A Synthesis*, 2012, p. 28.

⁷⁹ *Ibid.*, p. XVI.

⁸⁰ *Ibid.*, p. XI.

⁸¹ *Ibid.*, p. 18.

⁸² *Ibid.*, p. 18.

⁸³ UNHCR, *Handbook for Emergencies*, 2012, p. 104.

⁸⁴ IASC, *Handbook for IDPs*, June 2010, p. 499.

⁸⁵ UNHCR ExCom, *UNHCR’s Role in Support of an Enhanced Humanitarian Response to Situations of Internal Displacement (EC/58/SC/CRP.18)*, 2007, p. 2.

⁸⁶ Azorbo, et al., *Earth, wind and fire: A review of UNHCR’s role in recent natural disaster, 2010*, p. 4.

⁸⁷ UNHCR Executive Committee, *UNHCR’s Roles in Support of an Enhanced Humanitarian Response to Situations of Internal Displacement (EC/58/SC/CRP.18)*, 2007, p. 3.

⁸⁸ Azorbo et al., *Earth, wind and fire: A review of UNHCR’s role in recent natural disaster, 2010*, p. 8-10.

⁸⁹ *Ibid.*, p. 16.

⁹⁰ Azorbo et al., *Earth, wind and fire: A review of UNHCR’s role in recent natural disaster, 2010*, p. 31.

⁹¹ *Ibid.*, p. 31.

Age, Gender and Diversity Mainstreaming in Emergencies

UNHCR's *Age, Gender and Diversity (AGD) Approach Forward Plan 2011-2016* is a five year plan to ensure that the agency as whole is fully inclusive in not only organizational structure but in program implementation as well.⁹² The four elements (1) Integration of Age, Gender and Diversity Approach into all Actions, At all Levels; (2) Specific Actions to Enhance the Protection of Women and Children with Specific Needs; (3) Specific Actions to Enhance the Protection of Children, including Adolescents; and (4) Specific Actions to Enhance the Protection of other Persons with Specific Needs are designed to achieve the overarching goal of "Equal Outcomes for All Persons of Concern".⁹³

Significant progress has been made in strategic planning for emergency response systems that include the AGD approach.⁹⁴ Additional revisions to policy and guidelines under the emergency response guidelines have been made according to the AGD perspective and its increased use in the strategic planning.⁹⁵ Special emphasis has been placed on responding to child protection needs and sexual and gender-based violence (SGBV) in emergency response focusing on SGBV prevention and response support missions, including providing extensive training for field staff.⁹⁶ Other examples include increasing access to protection for the elderly in areas like Jordan to facilitate their ability or register for refugee status and receive aid.⁹⁷ Additionally, in the case of the disaster situation in Haiti, UNHCR has made efforts through consultations to include gender-based needs in its response guidelines and has supported separate housing and facilities for women and girls.⁹⁸

On a broader scale, the UNHCR web portal has been designed to reflect age and sex disaggregated data for emergency response⁹⁹. Additionally, a gender specialist adviser from the IASC Gender Standby Capacity (GenCap) was intergraded into the planning process for the "Gender Marker" under the UNHCR-led Global Clusters.¹⁰⁰

Improving Logistics Response Coordination

There is a growing need for UNHCR to improve its coordination efforts in emergency response situations, particularly in the face of increasingly complex environments, such as those seen over the last year in South Asia and the Middle East and North Africa. UNHCR's resources, supply and personnel were not sufficient enough to respond with out heavily engaging in logistical coordination efforts with partner organizations, illustrating a need to refocus on strengthening and operationalizing the coordination mandate of the organization.¹⁰¹

In 2012, UNHCR began the *Joint Standby Partnership Review* with the leading relief agencies: the United Kingdom's Department for International Development, the Swedish Civil Contingencies Agency (MSB), the Norwegian Refugee Council and RedR Australia.¹⁰² On a regional level, UNHCR engaged in a project to increase the role of civil society organizations by enhancing their management and coordination capacities in emergency situations.¹⁰³ Additionally, in 2012 through collaboration with Luxembourg, UNHCR was able to gain access to sophisticated communication technology for increasing efficiency of relief efforts.¹⁰⁴

⁹² Groves, *Global Analysis 2012-2013: UNHCR Accountability Framework for Age, Gender and Diversity Mainstreaming and Target Actions*, 2013, p. 1.

⁹³ *Ibid.*, p. 1.

⁹⁴ *Ibid.*, p. 26.

⁹⁵ *Ibid.*, p. 28.

⁹⁶ *Ibid.*, p. 29.

⁹⁷ *Ibid.*, p. 35.

⁹⁸ Human Rights Center, *Safe Haven; Sheltering Displaced Persons from Gender-Based Violence; Haiti*, p. 38.

⁹⁹ Groves, *Global Analysis 2012-2013: UNHCR Accountability Framework for Age, Gender and Diversity Mainstreaming and Target Actions*, 2013, p. 36.

¹⁰⁰ *Ibid.*, p. 36.

¹⁰¹ UN Committee for Programme and Coordination, *Evaluation of the Office for the Coordination of Humanitarian Affairs: Report of the Office of Internal Oversight Services (E/AC.51/2013/3)*, 2013.

¹⁰² UNHCR, *Global Appeal 2013 Update*, p. 28.

¹⁰³ UNHCR, *Global Appeal 2013 Update*, p. 28.

¹⁰⁴ *Ibid.*, p. 29.

UNHCR engages in capacity-building programs with governments and civil society to strengthen response systems through its Division of Emergency Security and Supply (DESS).¹⁰⁵ Additionally, the eCentre in Tokyo focuses on developing field-based training programmes and has prioritized training on natural disaster response systems.¹⁰⁶ In recent efforts, UNHCR has enhanced its supply capabilities by increasing supply hubs to a total of seven (Copenhagen, Accra, Douala, Isaka, Nairobi, Amman and Dubai) managed by UNHCR's Supply Management Service (SMS).¹⁰⁷ Other capacity-building plans for internal operations include the increased role and responsibilities of Field Security Advisors and the capacity to engage both in coordination and analytical assessments of the situation.¹⁰⁸ UNHCR has taken extra efforts in reforming Information Management systems in emergency response in the specific areas that include "population figures, geographic referential data" and streamlining collection and dissemination methods.¹⁰⁹ These methods were specifically implored in the assessment of emergency response to the ongoing conflict in Cote d'Ivoire in coordination with the Office for the Coordination of Humanitarian Affairs (OCHA).¹¹⁰

UNHCR's expertise in protection and response to conflict related refugee and IDP emergency situations allows it to provide extensive support to national governments and other agencies, therefore has an ability to play a major role in natural disaster response and preparedness.¹¹¹

Case Study: Pakistan

The 2010 devastating floods in Pakistan not only created an IDP situation, it exacerbated the pre-existing IDP distress due to the regional conflict—specifically in the Federally Administered Tribal Area (FATA) and Khyber-Pukhtunkhw (KP) where over 1.4 million IDPs were registered with the government.¹¹² These populations suffered previous displacement due to tribal conflicts and human rights abuses from militant groups and government forces.¹¹³ Humanitarian organizations including the World Health Organization (WHO) and OCHA have reported severe under-registration of IDPs and calculate with numbers 25-50% higher than official records.¹¹⁴ It is estimated that the July 2010 floods affected more than 20 million people and submerged one fifth of the country.¹¹⁵ The flooding occurred due to an unprecedented amount of rainfall attributed to climate change and weak natural disaster response systems, especially in conflict-affected areas.¹¹⁶ The floods in Pakistan resulted in over 1,900 casualties, 1.8 million homes were destroyed and over 7 million people became homeless or displaced.¹¹⁷

UNHCR operations provided immediate assistance in the provinces such as the Southern Sindh and others most affected by the floods by supplying tents and emergency kits.¹¹⁸ Working with local partner non-governmental organizations (NGOs), UNHCR also facilitated the establishment of small "tent villages" for displaced families.¹¹⁹ In addition, UNHCR conducted assessments of the major issues faced by flood victims and was able to identify specific issues that made it harder for them to receive aid, including women-led households and the elderly with disabilities.¹²⁰ In direct response to the increased need for humanitarian assistance, UNCHR appealed for a US \$80

¹⁰⁵ UNHCR, *UNHCR Global Appeal 2012-2013*, 2013, p. 52.

¹⁰⁶ *Ibid.*, p. 52.

¹⁰⁷ *Ibid.*, p. 53.

¹⁰⁸ *Ibid.*, p. 53.

¹⁰⁹ UNHCR, *Statistical Yearbook 2011*, 2011, p. 56.

¹¹⁰ *Ibid.*, p. 56.

¹¹¹ Entwisle, *The world turned upside down; A review of protection risks and UNHCR's role in natural disasters*, 2013, p. 3.

¹¹² Internal Displacement Monitoring Centre, *Pakistan: Flooding worsens situation for people displaced by conflict in north-west*, 2010, p. 1.

¹¹³ *Ibid.*, p. 1.

¹¹⁴ *Ibid.*, p. 4.

¹¹⁵ Refugees International, *Confronting Climate Displacement: Learning from Pakistan's Floods*, 2010, p. 1.

¹¹⁶ *Ibid.*, p. 1.

¹¹⁷ *Ibid.*, p. 1.

¹¹⁸ UNHCR, *UNHCR Steps up assistance to Pakistan flood victims*, 2011.

¹¹⁹ *Ibid.*

¹²⁰ UNHCR, *UNHCR Steps up assistance to Pakistan flood victims*, 2011.

million increase in funds for relief efforts.¹²¹ UNHCR sustained efforts by creating more than 30,000 transitional shelters and innovating methods of providing electricity to remote areas where few relief efforts reach.¹²²

Conclusion

Current challenges that are faced by UNHCR increasing its involvement in emergency response include the appropriate scope of operation/involvement and the fact that UNHCR staff is not formally incorporated into disaster risk reduction programs participated by The International Federation of Red Cross and Red Crescent Societies (IFCR) and OCHA personnel.¹²³ An increased understanding and coordination of how to engage with national defense forces and national disaster response action plans, including engaging civil society needs to be incorporated in further guidelines for engagement.¹²⁴ In an attempt to further define UNHCR's role in natural disaster response, the ExCom has decided that in the event that UNHCR is appointed the country lead for a disaster response, it will take the front in ensuring protection methods have been implemented and engage completely in risk management, especially for those who fall under marginalized groups, including women and elderly.¹²⁵ Moving forward requires refining adequately allocating resources, taking the lead in the cluster approach, defining time frames and determining the financials. Using Flash Appeals to fund major disasters, addressing time frames and exit strategies can also manage cost concerns.¹²⁶ Additionally, an increased reliance and collaboration with NGOs, and government agencies to ensure full reach and not exhaust UNHCR resources, is also essential.¹²⁷

Pre-existing conflict-affected areas require special risk assessments that are under the purview of UNHCR, for example, the assistance required in Sri Lanka involved working in areas with landmines¹²⁸. Additionally, UNHCR can play a major role in other legal documentation and identification issues.¹²⁹ The growing role in UNHCR disaster response is also due to the extended amount of time in which populations are displaced to major disasters, which are more often extending to years of displacement.¹³⁰ UNHCR's increasing expertise in enhancing response according to its AGD approach can contribute heavily to the systems as well.¹³¹ Most importantly, a change in the role of UNHCR requires strategically allocating funds from the UNHCR's budget and gaining access to external funds through CERF and Flash Appeals.¹³²

Delegates should ask themselves the following questions: as ExCom reviews the established need for UNHCR to engage in natural disaster response, especially in conflicted affected areas, how should the formulation of the guidelines be addressed? As an ExCom Member State, do you support a proposal for UNHCR's mandate expansion to incorporate IDPs in both conflict and natural disaster affected areas or should it remain undefined and dealt with on a case-by-case basis?

Annotated Bibliography

Azorbo, M., B. Deschamp and S. Lohse. (2010). *Earth Wind and Fire. A review of UNHCR's role in recent natural disasters*. Retrieved 7 July 2013 from: <http://www.unhcr.org/4c1228e19.html>

This review examines the role of UNHCR in the IASC Cluster Approach and its shortcomings. It makes a strong case for increased UNHCR involvement in disaster response based on a growing need. Further, it addresses major institutional concerns including funding and makes recommendations for approaching those concerns.

¹²¹ UNHCR, *UNHCR Steps up Pakistan floods appeal to US\$120million*, 2012.

¹²² UNHCR, *One year after Pakistan floods, humanitarian efforts for victims continue*, 2011.

¹²³ Entwisle, *The world turned upside down; A review of protection risks and UNHCR's role in natural disasters*, 2013, p. 45.

¹²⁴ *Ibid.*, p. 52.

¹²⁵ *Ibid.*, p. 9.

¹²⁶ Azorbo, et al., *Earth, wind and fire; A review of UNHCR's role in recent natural disaster*, 2010, p. 39.

¹²⁷ *Ibid.*, p. 42.

¹²⁸ Entwisle, *The world turned upside down; A review of protection risks and UNHCR's role in natural disasters*, 2013, p. 13.

¹²⁹ *Ibid.*, p. 13.

¹³⁰ *Ibid.*, p. 3.

¹³¹ *Ibid.*, p. 48.

¹³² Azorbo, et al., *Earth, wind and fire; A review of UNHCR's role in recent natural disaster*, 2010, p. 48.

Entwisle, H. (2013). *The world turned upside down; A review of protection risks and UNHCR's role in natural disasters*. Retrieved 7 July 2013 from: <http://www.unhcr.org/51408d589.html>

This review details six case studies of natural disasters in which UNHCR played a significant role in providing humanitarian assistance. It provides good details and examples of concepts like "complex-emergency". Further, it provides extensive insight to the methods of the "cluster approach" which is essential for understanding the current operations protocol within the UN System.

Harper, E. (2009). *International Law and Standards Applicable in Natural Disaster Situations*. Retrieved 28 July 2013 from: http://www.idlo.int/publications/Natural_Disaster_Manual.pdf

While this document does not specifically refer to the activities of UNHCR, it is designed to address all international actors in natural disaster relief efforts. It provides an analysis of the legal gaps in disaster relief and the areas that require significant attention. The recommendations can be applied to UNHCR policy development on natural disaster intervention.

Inter-Agency Standing Committee. (2011). *Operational Guidelines on the Protection of Persons in Situations of Natural Disaster*. Retrieved 28 July 2013 from: <http://www.refworld.org/docid/4ecd1e733be.html>

This is an official document of the IASC that defines operating systems in emergency response. It focuses on defining priority areas of protection under basic human rights; food, shelter, livelihoods etc. Furthermore, it provides details, methods and types of activities for relief agencies to engage in order to ensure the realization of those rights.

United Nations, Economic and Social Council. (2012). *Strengthening of the coordination of emergency humanitarian assistance of the United Nations (E/RES/2012/3)* [Resolution]. Adopted on a proposal considered in plenary meeting (E/2012/L.11). Retrieved 1 July 2013 from:

http://www.un.org/ga/search/view_doc.asp?symbol=E/RES/2012/3

This extensive resolution details the main areas that the humanitarian aid organizations and Member States need to improve in regards to natural disaster response and preparedness. While it does not mention the role of UNHCR specifically, it does call upon the consortium of humanitarian aid agencies, including the Inter-Agency Standing Committee of which UNHCR is a lead member. The resolution serves as a substantial base for addressing gaps in emergency response concepts that can be expanded by the Executive Committee under the capabilities of UNHCR.

United Nations High Commissioner for Refugees, Executive Committee. (2011). *Questions and answers on UNHCR's Protection Cluster coordination role in natural disasters*. Retrieved 29 July 2013 from:

http://www.unhcr.org/cgi-bin/texis/vtx/home/opendocPDFViewer.html?docid=4d665a999&query=natural_disaster

This question and answer session is in response to the concerns regarding the pilot program to further engage UNHCR in disaster response. It addresses a wide range of concerns related to the mandate and the working relationships between UNHCR, UNICEF and other relief agencies. It sets the stage for further developing the policy and intervention guidelines for UNHCR in natural disaster emergency response.

United Nations High Commissioner for Refugees, Executive Committee, Standing Committee, Fifty-first meeting. (2011, June 6). *UNHCR's role in support of an enhanced humanitarian response for the protection of persons affected by natural disasters (EC/62/SC/CRP.19)*. Retrieved 1 July 2013 from: http://www.unhcr.org/cgi-bin/texis/vtx/home/opendocPDFViewer.html?docid=4df08ba39&query=natural_disaster

This deciding document of the Executive Committee details the role and capabilities that the UNHCR will have in natural disaster response. It clearly defines under what circumstances and capacity UNHCR will be involved in natural disaster response, limiting it to emergency situations. The language of the document also illustrates the complicated nature of expanding the UNHCR's mandate to provide assistance to IDPs in natural disaster situations. It provides an essential explanation of the current debate on the policy development that the governing body of the UNHCR is faced with in regards to addressing the need for the agency to engage in natural disaster relief.

United Nations High Commissioner for Refugees. (2012). *UNHCR Global Report 2012*. Retrieved 1 July 2013 from: <http://www.unhcr.org/51b1d61b0.html>

The UNHCR Global Report 2012 is an overview of the many different involvements and achievements of the agency over the past year. It is an excellent source for developments related to emergency response. This section of the report outlines the progress in increasing the efficiency of response networks in 2012.

United Nations High Commissioner for Refugees. (2012). *Handbook for Emergencies*. Retrieved 1 July 2013 from: <http://www.unhcr.org/472af2972.html>

The Handbook provides a good outline of the logistics of emergency response. Additionally, it addresses the specific areas that are most challenging or require capacity-building and collaboration efforts between the UNHCR and civil society. The Handbook also goes into methods of managing specific issues within emergency response including providing relief to victims of Sexual and Gender-Based Violence.

United Nations High Commissioner for Refugees. (2013). *Climate change, natural disasters and human displacement: a UNHCR perspective*. Retrieved 1 July 2013 from: <http://www.unhcr.org/4901e81a4.html>

This policy paper published by the agency significantly engages in the climate change debate and addresses the increasing need for UNHCR to engage in dealing with the humanitarian implications of climate change. It emphasizes the increasing relationship between climate change, natural disasters and displacement. It argues for an increased involvement of UNHCR in response to natural disasters.

Bibliography

Azorbo, M., B. Deschamp and S. Lohse. (2010). *Earth Wind and Fire a review of UNHCR's role in recent natural disasters*. Retrieved 7 July 2013 from: <http://www.unhcr.org/4c1228e19.html>

Brookings Institution – University of Bern, Project on Internal Displacement. (2005, April). *Addressing Internal Displacement: Framework for National Responsibility*. Retrieved 26 October 2013 from: http://www.brookings.edu/~media/research/files/reports/2005/4/national%20responsibility%20framework/04_national_responsibility_framework_eng.pdf

Entwisle, H. (2013). *The world turned upside down; A review of protection risks and UNHCR's role in natural disasters*. Retrieved 7 July 2013 from: <http://www.unhcr.org/51408d589.html>

Groves, L. (2013). *Global Analysis 2012-2013: UNHCR Accountability Frameworks for Age, Gender and Diversity Mainstreaming and Targeted Actions*. Retrieved 30 June 2013 from: [http://www.unhcr.org/cgi-bin/texis/vtx/home/opensslPDFViewer.html?docid=51c4569f9&query=Accountability Framework](http://www.unhcr.org/cgi-bin/texis/vtx/home/opensslPDFViewer.html?docid=51c4569f9&query=Accountability+Framework)

Harper, E. (2009). *International Law and Standards Applicable in Natural Disaster Situations*. Retrieved 28 July 2013 from: http://www.idlo.int/publications/Natural_Disaster_Manual.pdf
<http://www.unhcr.org/51c4569f9.html>

Human Rights Center, Sexual Violence Program, University of California Berkley School of Law. (2013). *Safe Haven: Sheltering Displaced Persons from Sexual and Gender-Based Violence*. Retrieved 1 July 2013 from: <http://www.unhcr.org/51b6e3239.pdf>

Inter-Agency Standing Committee. (2011). *Operational Guidelines on the Protection of Persons in Situations of Natural Disaster*. Retrieved 28 July 2013 from: <http://www.refworld.org/docid/4ecd1e733be.html>

Inter-Agency Standing Committee. (2010). *Handbook for IDPs*. Retrieved 28 July 2013 from: <http://www.refworld.org/docid/4790cbc02.html>

- Inter-Agency Standing Committee. (2006). *IASC Guidance Note on using the Cluster Approach to Strengthen Humanitarian Response*. Retrieved 28 July 2013 from: [http://clusters.humanitarianresponse.info/system/files/documents/files/IASC Guidance Note on using the Cluster Approach to Strengthen Humanitarian Response %28November 2006%29.pdf](http://clusters.humanitarianresponse.info/system/files/documents/files/IASC%20Guidance%20Note%20on%20using%20the%20Cluster%20Approach%20to%20Strengthen%20Humanitarian%20Response%28November%202006%29.pdf)
- Inter-Agency Standing Committee. (2006). *Protecting Persons Affected by Natural Disasters: IASC Operational Guidelines on Human Rights and Natural Disasters*. Retrieved 26 October 2013 from: http://www.brookings.edu/~media/research/files/reports/2006/11/natural%20disasters/11_natural_disasters.pdf
- Internal Displacement Monitoring Centre. (2010). *Pakistan: Flooding Worsens situation for people displaced by conflict in north-west*. Retrieved 7 July 2013 from: <http://www.refworld.org/docid/4c85e67b2.html>
- International Crisis Group. (2012). *Pakistan: No end to humanitarian crisis*. Retrieved 28 July 2013 from: <http://www.crisisgroup.org/en/regions/asia/south-asia/pakistan/237-pakistan-no-end-to-humanitarian-crisis.aspx>
- Refugees International. (2010). *Confronting Climate displacement: Learning from Pakistan's floods*. Retrieved 30 June 2013 from: <http://www.refworld.org/docid/4d5a5f3c2.html>
- United Nations, Committee for Programme and Coordination, Fifty-third session. (2013, February 20). *Evaluation of the Office for the Coordination of Humanitarian Affairs: Report of the Office of Internal Oversight Services (E/AC.51/2013/3)*. Retrieved 26 October 2013 from: http://www.un.org/ga/search/view_doc.asp?symbol=E/AC.51/2013/3
- United Nations, Economic and Social Council. (2011). *2011/8. Strengthening of the coordination of emergency humanitarian assistance of the United Nations (E/RES/2011/8)* [Resolution]. Retrieved 1 July 2013 from: <http://www.un.org/en/ecosoc/docs/2011/res%202011.8.pdf>
- United Nations, Economic and Social Council. (2012). *2012/3. Strengthening of the coordination of emergency humanitarian assistance of the United Nations (E/RES/2012/3)* [Resolution]. Retrieved 1 July 2013 from: http://www.un.org/ga/search/view_doc.asp?symbol=E/RES/2012/3
- United Nations, General Assembly. (1948, December 10). *Universal Declaration of Human Rights (A/RES/217 A (III))*. Retrieved 1 August 2012 from: <http://www.un.org/en/documents/udhr/>
- United Nations, General Assembly. (1966, December 16). *International Covenant on Civil and Political Rights (A/RES/2200 (XXI))*. Retrieved 1 August 2012 from: [http://undocs.org/A/RES/2200\(XXI\)](http://undocs.org/A/RES/2200(XXI))
- United Nations, General Assembly. (1966, December 16). *International Covenant on Economic, Social and Cultural Rights (A/RES/2200 (XXI))*. Retrieved 1 August 2012 from: [http://undocs.org/A/RES/2200\(XXI\)](http://undocs.org/A/RES/2200(XXI))
- United Nations, General Assembly. (1991). *Strengthening of the Coordination of Humanitarian Emergency Assistance of the United Nations (A/RES/46/182)* [Resolution]. Retrieved 28 July 2013 from: <http://www.un.org/documents/ga/res/46/a46r182.htm>
- United Nations High Commissioner for Refugees. (2008). *Organizational Development and Management*. Retrieved 28 July 2013 from: <http://www.unhcr.org/486c89a12.pdf>
- United Nations High Commissioner for Refugees. (2010). *Protecting Refugees & the Role of UNHCR*. Retrieved 1 July 2013 from: <http://www.unhcr.org/509a836e9.pdf>
- United Nations High Commissioner for Refugees. (2010). *UNHCR ups Pakistan floods appeal to US\$120 Million*. Retrieved 7 September 2013 from: <http://www.unhcr.org/4c73bb2a9.html>
- United Nations High Commissioner for Refugees. (2011). *UNHCR Global Report 2011*. Retrieved 1 July 2013 from: <http://www.unhcr.org/4fc8808c16.html>

United Nations High Commissioner for Refugees. (2011). *UNHCR steps up assistance to Pakistan flood victims*. Retrieved 7 September 2013 from: <http://www.unhcr.org/4e787e1d9.html>

United Nations High Commissioner for Refugees. (2011). *One year after Pakistan floods, humanitarian efforts for victims continue*. Retrieved 7 September 2013 from: <http://www.unhcr.org/4e314e639.html>

United Nations High Commissioner for Refugees. (2011) *Statement by Mr. António Guterres, United Nations High Commissioner for Refugees Intergovernmental Meeting at Ministerial Level to mark the 60th anniversary of the 1951 Convention relating to the Status of Refugees and the 50th anniversary of the 1961 Convention on the Reduction of Statelessness*. Retrieved 30 September 2013 from: <http://www.unhcr.org/4ecd0cde9.html>

United Nations High Commissioner for Refugees. (2012). *Handbook for Emergencies*. Retrieved 1 July 2013 from: <http://www.unhcr.org/472af2972.html>

United Nations High Commissioner for Refugees. (2012). *State of the World's Refugee's*. Retrieved 7 July 2013 from: <http://www.unhcr.org/4fc5ceca9.html>

United Nations High Commissioner for Refugees. (2012). *Thematic Compilation General Assembly and ECOSOC resolutions-Emergency Situations*. Retrieved 28 July 2013 from: <http://www.unhcr.org/3e96a1224.html>

United Nations High Commissioner for Refugees. (2012). *UNHCR Global Report 2012*. Retrieved 1 July 2013 from: <http://www.unhcr.org/51b1d61b0.html>

United Nations High Commissioner for Refugees. (2012). *UNHCR Global Appeal 2012-2013*. Retrieved 1 July 2013 from: <http://www.unhcr.org/4ec230ecb.html>

United Nations High Commissioner for Refugees. (2012). *UNHCR Statistical Yearbook 2011; Chapter 6*. Retrieved 7 July 2013 from: <http://www.unhcr.org/51628d9b9.html>

United Nations High Commissioner for Refugees. (2013). *Challenges related to climate change induced displacement*. Retrieved 14 July 2013 from: <http://www.unhcr.org/5151bf239.html>

United Nations High Commissioner for Refugees. (2013). *Climate change, natural disasters and human displacement: a UNHCR perspective*. Retrieved 1 July 2013 from: <http://www.unhcr.org/4901e81a4.html>

United Nations High Commissioner for Refugees. (2013). *Displacement The New 21st Century Challenge*. Retrieved 7 July 2013 from: <http://reliefweb.int/report/world/unhcr-global-trends-2012-displacement-new-21st-century-challenge>

United Nations High Commissioner for Refugees. (2013). *Emergency response to the Mali Situation Special Appeal*. Retrieved 1 July 2013 from: <http://www.unhcr.org/516ec53d9.html>

United Nations High Commissioner for Refugees. (2013). *Pakistan Fact Sheet 2013*. Retrieved 28 July 2013 from: <http://www.unhcr.org/5000210e9.html>

United Nations High Commissioner for Refugees. (2013). *UNHCR Global Appeal 2013 Update*. Retrieved 1 July 2013 from: <http://www.unhcr.org/50a9f810b.html>

United Nations High Commissioner for Refugees, Executive Committee. (2007). *UNHCR's Role in Support of an Enhanced Humanitarian Response to Situations of Internal Displacement*. Retrieved 1 July 2013 from: <http://www.unhcr.org/46641ff2.html>

United Nations High Commissioner for Refugees, Executive Committee. (2011). *Questions and answers on UNHCR's Protection Cluster coordination role in natural disasters*. Retrieved 29 July 2013 from: [http://www.unhcr.org/cgi-bin/texis/vtx/home/opensslPDFViewer.html?docid=4d665a999&query=natural disaster](http://www.unhcr.org/cgi-bin/texis/vtx/home/opensslPDFViewer.html?docid=4d665a999&query=natural%20disaster)

United Nations High Commissioner for Refugees, Executive Committee. (2011). *UNHCR's role in support of an enhanced humanitarian response for the protection of persons affected by natural disasters*. Retrieved 1 July 2013 from: [http://www.unhcr.org/cgi-bin/txis/vtx/home/opendocPDFViewer.html?docid=4df08ba39&query=natural disaster](http://www.unhcr.org/cgi-bin/txis/vtx/home/opendocPDFViewer.html?docid=4df08ba39&query=natural%20disaster)

United Nations High Commissioner for Refugees, Executive Committee. (2012). *Age, gender and diversity approach*. Retrieved 1 July 2013 from: <http://www.unhcr.org/500e5504f.pdf>

United Nations High Commissioner for Refugees, Executive Committee. (2012) *Update on Budgets and funding for 2011 and 2012 (EC/SC/63/CRP.15)*. Retrieved 30 June 2013 from: <http://www.unhcr.org/500e57529.html>

United Nations Office of the High Commissioner for the Coordination of Human Rights. (1998). *Guiding Principles on Internal Displacement*. Retrieved 26 October 2013 from: <http://www.unhcr.org/43ce1cff2.html>

United Nations Office of the High Commissioner for the Coordination of Human Rights. (n.d.). *Humanitarian Financing – Appeals System* [Website]. Retrieved 26 October 2013 from: <http://www.unocha.org/what-we-do/humanitarian-financing/appeals-system>

United Nations, Human Rights Council, Thirteenth session. (2009, December 29). *Framework for Durable Solutions for Internally Displaced Persons (A/HRC/13/21/Add.4)*. Addendum to the Report of the Representative of the Secretary-General on human rights of internally displaced persons, Walter Kälin. Retrieved 26 October 2013 from: http://www2.ohchr.org/english/issues/idp/docs/A.HRC.13.21.Add.4_framework.pdf

United Nations Office of the High Commissioner for the Coordination of Human Rights. (n.d.). *Central Emergency Response Fund* [Website]. Retrieved 26 October 2013 from: <http://www.unocha.org/cerf/>

Women's Refugee Commission. (2012). *Incorporating Sexual and Reproductive Health into Emergency Preparedness and Planning*. Retrieved 1 July 2013 from: http://reliefweb.int/sites/reliefweb.int/files/resources/drr_report_2012_2-color_final.pdf

II. Improving Public Health Systems for Refugees and Other Forcibly Displaced Persons

Introduction

Improving public health systems for displaced persons is a principle responsibility of the United Nations High Commissioner for Refugees (UNHCR).¹³³ However, refugees are facing considerable challenges of access to these public health systems.¹³⁴ Although they possess the right to receive the same level of medical treatment as citizens, many refugees around the world still face a wide range of obstacles, which prevent them from receiving medical treatment.¹³⁵ While UNHCR is working together with other international relief organizations in order to improve the situation, public health systems for refugees are still hindered by an overall void of structure including information on and in public health systems, and the consequences of widespread diseases which threaten the development of public health services for refugees and other forcibly displaced persons.¹³⁶

International and Regional Framework

The basic rights of refugees are rooted in the *Convention relating to the Status of Refugees* (1951).¹³⁷ With regard to public health systems for refugees and other forcibly displaced persons, the Convention states that refugees should enjoy access to health services equivalent to that of the host population.¹³⁸ While the *Convention Relating to the Status of Stateless Persons* (1954) does not include a particular abstract on public health services for stateless persons, it still prescribes fundamental human rights like healthcare for people who are forced to leave their own country.¹³⁹ Among others, the Convention discusses general provisions, the juridical status of stateless persons and administrative measures.¹⁴⁰

The *Universal Declaration of Human Rights* (UDHR), which was adopted by the General Assembly (GA) in resolution 217/A in 1948, emphasizes in Article 25, “everyone has a right to [...] medical care and necessary social services, and the right to security in the event of unemployment, sickness, disability, widowhood, old age or other lack of livelihood in circumstances beyond his control.”¹⁴¹ However, the *Millennium Development Goals* directly address the public health situation of refugees and other forcibly displaced persons.¹⁴² Goal 1, which aims to eradicate extreme poverty and hunger, directly affects the health of persons of concern to UNHCR, since hunger can have severe influences on the health status of refugees.¹⁴³ UNHCR is directly involved in the achievements of Goal 3, which seeks to reduce child mortality, by improving public health systems for refugees and other forcibly displaced persons by improving public healthcare of children.¹⁴⁴ Goal 5, improving maternal health, and Goal 6, combating HIV/AIDS, malaria and other diseases, are key components of UNHCR’s work regarding the public health of displaced persons.¹⁴⁵

In 2004, UNHCR introduced the Age, Gender and Diversity (AGD) approach, which seeks to “ensure that all persons of concern enjoy their rights on an equal footing and are able to participate fully in the decisions that affect their lives and the lives of their family members and communities.”¹⁴⁶ The *Global Analysis 2012-2013 - Accountability Frameworks for Age, Gender and Diversity Mainstreaming and Targeted Actions* publication, written by an independent expert on behalf of UNHCR, briefly summarizes the basic principle of its Age Gender and Diversity Mainstreaming approach as “working together to end discrimination and ensure equal outcomes for

¹³³ UNHCR, *Public Health* [Website].

¹³⁴ Ibid.

¹³⁵ UNHCR, *Public Health* [Website].

¹³⁶ UNHCR, *Public Health* [Website].

¹³⁷ UN General Assembly, *Convention relating to the Status of Refugees (A/RES/429 (V))*, 1950.

¹³⁸ UNHCR, *Public Health* [Website].

¹³⁹ UN Economic and Social Council, *Statelessness (E/RES/526)* [Resolution], 1954.

¹⁴⁰ UN Economic and Social Council, *Statelessness (E/RES/526)* [Resolution], 1954.

¹⁴¹ UN General Assembly, *Universal Declaration of Refugees (A/RES/217/A)* [Resolution], 1948.

¹⁴² United Nations, *We can end poverty 2015: Millennium Development Goals* [Website].

¹⁴³ United Nations, *We can end poverty 2015: Millennium Development Goals* [Website].

¹⁴⁴ United Nations, *We can end poverty 2015: Millennium Development Goals* [Website].

¹⁴⁵ United Nations, *We can end poverty 2015: Millennium Development Goals* [Website].

¹⁴⁶ UNHCR, *UNHCR Age, Gender and Diversity Policy: Working with people and communities for equality and protection* [Website].

all.”¹⁴⁷ UNHCR’s Policy Development and Evaluation Service addresses policy changes, evaluation and research projects with specific AGD focus.¹⁴⁸ These projects include work on refugees and asylum seekers with disabilities and UNHCR’s role in the provision of mental health and psychosocial services.¹⁴⁹

In 2012, UNHCR, in cooperation with the World Food Program (WFP), developed operational guidance on refugee access to health insurance, mental health and cash-based interventions.¹⁵⁰ This guidance seeks to ensure that UNHCR staff and implementing partners have AGD competence through relevant training and other capacity building.¹⁵¹ Furthermore, the Division of Program of Support and Management (DPSM) section of UNHCR undertakes technical support missions in all areas of basic needs, which include among others HIV/AIDS, reproductive health, food security and nutrition, water and sanitation, shelter and settlements.

Role of the United Nations System

Within the United Nations (UN) system, UNHCR and the World Health Organization (WHO) are primarily responsible for addressing the health needs of refugees and other forcibly displaced persons. UNHCR perceives its primary role in planning, coordinating, monitoring and evaluating the current health situation for displaced populations under its jurisdiction.¹⁵² The overall objective of UNHCR’s programs is to minimize mortality and morbidity rates among displaced populations.¹⁵³ WHO accounts for several achievements in improving public health systems, particularly when it comes to strategic planning of actions in refugee camps. For example, in the *Health Cluster Guide* it allows precise mapping of health resources and services through characterizing locations and modalities, independently, in order to make a detailed analysis and monitoring of the health sector response.¹⁵⁴ This approach has been successfully used to monitor the health situation in refugee camps and other settings in the Darfur region.¹⁵⁵

Additionally, UNHCR serves an integral role in the multi-agency effort of the Joint United Nations Programme on HIV/AIDS (UNAIDS).¹⁵⁶ Under the UNAIDS division of labor, UNHCR is the lead agency for addressing HIV among refugees and internally displaced persons.¹⁵⁷ The agency promotes and supports the development of comprehensive HIV programs in cooperation with UNAIDS to ensure universal access to HIV prevention services and AIDS treatment.¹⁵⁸

The UN General Assembly has adopted several resolutions that address the public health of refugees and other forcibly displaced persons. Resolution 48/116 of 20 December 1993 supports the protection of refugees and programs, which are of particular importance in improving public health systems.¹⁵⁹ Further, in resolution 49/169 of 23 December 1994, UNHCR is encouraged to continue to undertake initiatives for refugee women, particularly with regard to reproductive health.¹⁶⁰ Report 96/1045 by the Executive Committee of the High Commissioner’s Programme to the General Assembly of 2 October 2007 introduced new strategies on improving the health and nutrition for refugees and other people of concern to UNHCR.¹⁶¹ These strategies include additional funds made available by the High Commissioner for projects on health, nutrition and the prevention of sexual and gender-based

¹⁴⁷ UNHCR, *UNHCR Accountability Frameworks for Age, Gender and Diversity Mainstreaming and Targeted Actions*, 2013.

¹⁴⁸ Groves, *Working Together to End Discrimination and Ensure Equal Outcomes for all*, 2012, p. 27.

¹⁴⁹ *Ibid.*, p. 27.

¹⁵⁰ UNHCR, *UNHCR Accountability Frameworks for Age, Gender and Diversity Mainstreaming and Targeted Actions*, 2013, p. 31.

¹⁵¹ *Ibid.*, p. 30.

¹⁵² UNHCR, *Public Health* [Website].

¹⁵³ *Ibid.*

¹⁵⁴ World Health Organization, *Health Cluster Guide*, 2009, p. 75.

¹⁵⁵ *Ibid.*, p. 75.

¹⁵⁶ UNAIDS, *UNAIDS Cosponsors* [Website].

¹⁵⁷ UNAIDS, *UNHCR* [Website].

¹⁵⁸ *Ibid.*

¹⁵⁹ UN General Assembly, *United Nations High Commissioner for Refugees (A/RES/48/116)* [Resolution], 1993.

¹⁶⁰ *Ibid.*

¹⁶¹ UN General Assembly, *Report of the thirty-ninth meeting of the Standing Committee (25-27 June 2007): Report of the High Commissioner (A/AC.96/1045)*, 2007.

violence and the establishment of the Health Information System (HIS).¹⁶² The system has been set up as “a standardized tool to design, monitor and evaluate refugee public health and HIV programs.”¹⁶³ It seeks to improve the health status of persons of concern through evidence-based policy formulation, improved management of health programs and direct actions that improve the health situation of refugees.¹⁶⁴ HIS includes a large database, which has been created in cooperation with the Centers for Disease Control and Prevention and the Information Management and Mine Action Program (iMAPP), which has evolved from an organization focused on land mines to one focused more broadly on humanitarian management organization.¹⁶⁵

Public Health Systems

According to the World Health Organization, a health system “consists of all the organizations, institutions, resources and people whose primary purpose is to improve health.”¹⁶⁶ It requires staff, funds, information, supplies, transport, communications as well as general guidance and direction.¹⁶⁷ WHO describes a functioning health system as a structure, which responds in a balanced way to a population’s needs and expectations by improving the health status of individuals, families and communities and defending the population against what threatens its health.¹⁶⁸ A well-functioning health system protects people against the financial consequences of ill-health, provides equitable access to people-centered care and makes it possible for people to participate in decisions affecting their health and health systems.¹⁶⁹ With regard to WHO’s categories, health systems for refugees and other forcibly displaced persons around the world cannot be called well-functioning.¹⁷⁰ Many people are still threatened by a number of diseases such as HIV/AIDS, malaria or tuberculosis.¹⁷¹ A considerable number of refugees, particularly in urban settings are not protected from the financial consequences of ill-health, due to lack of insurance or access to welfare programs.¹⁷²

Due to their social and civil status, most refugees are not involved in decisions affecting their access to healthcare.¹⁷³ Although UNHCR’s budget reached a record level in 2011, receiving over US\$2 billion in voluntary contributions, the agency requires more financial capabilities, since the voluntary contributions covered less than 60 % of needs identified by the agency.¹⁷⁴ Despite these issues, UNHCR accounts for a remarkable number of achievements in improving public health systems. The agency developed HIS in order to protect the health of refugees and to evaluate the actual health state of persons of concern.¹⁷⁵ UNHCR worked on guides and policy recommendations for a wide range of issues concerning public health systems for refugees. Its work on improving laboratory services in primary health care facilities, for example, has the objective to assure and control the quality of laboratory services through tests, laboratory guidelines and standard operating procedures.¹⁷⁶

Challenges of Public Health Systems for Refugees and Other Persons of Concern

HIV/AIDS and Malaria Control

UNHCR works to ensure access to AIDS treatment, care, prevention and support programs for the displaced populations.¹⁷⁷ UNHCR’s work in this area is based on control programs, which include rapid diagnostic tests, as well as early detection and prevention with culturally appropriate HIV information-education-communication

¹⁶² UN General Assembly, *Report of the thirty-ninth meeting of the Standing Committee (25-27 June 2007): Report of the High Commissioner (A/AC.96/1045)*, 2007.

¹⁶³ UNHCR, *Health Information System* [Website].

¹⁶⁴ *Ibid.*

¹⁶⁵ UNHCR, *HIS Database* [Website].

¹⁶⁶ World Health Organization, *Health systems* [Website].

¹⁶⁷ *Ibid.*

¹⁶⁸ World Health Organization, *Key components of a well functioning health system*, 2010, p. 1.

¹⁶⁹ *Ibid.*, p. 1.

¹⁷⁰ UNHCR, *The State of the World’s Refugees*, 2012, p. 22.

¹⁷¹ UNAIDS, *AIDSinfo*, [Website].

¹⁷² UNHCR, *Urban Refugee Health*, p. 1.

¹⁷³ UNHCR, *The State of the World’s Refugees*, 2012, p. 13.

¹⁷⁴ *Ibid.*, p. 30.

¹⁷⁵ UNHCR, *Health Information System* [Website].

¹⁷⁶ UNHCR, *Laboratory Services in UNHCR-Supported Primary Health Care Facilities: Principles and Guidelines*, 2011, p. 4.

¹⁷⁷ UNHCR, *The Displaced and HIV/AIDS* [Website].

materials.¹⁷⁸ Its programs further incorporate prevention of mother-to-child transmission, antiretroviral therapy and post-exposure prophylaxis programs.¹⁷⁹ The agency recognizes the necessity of improving laboratory services in UNHCR-supported primary health care facilities, which is pivotal in assessment of the current rate of infection.¹⁸⁰ UNHCR's *Essential Medicines and Medical Supplies: Policy and Guidance* lists criteria for medicine selection and distinguishes which essential medicine should be administered in emergency kits and general medication.¹⁸¹ The key objectives of UNHCR's *Strategic Plan for HIV and AIDS 2008 - 2012*, include: protection; coordination and integration; prevention; care, support and treatment; durable solutions; capacity building; and assessments, surveillance, monitoring, evaluation and operational research.¹⁸²

UNHCR has committed itself to support and promote malaria policies and control programs and seeks to reduce morbidity and mortality among refugees and other persons of concern.¹⁸³ In *UNHCR's Strategic Plan for Malaria Control*, the agency summarized its key goals and objectives to control malaria as well as strategies to achieve those goals.¹⁸⁴ These goals include the protection of the rights of persons of concern with specific reference to malaria, access to early diagnosis, prompt and effective treatment and prevention.¹⁸⁵ The agency further aims to effectively coordinate, advocate for and integrate malaria control policies and programs in a multi-sectorial approach for persons of concern.¹⁸⁶ Although new tools for effective treatment and prevention have been developed, Malaria continues to be the number one cause of illness and death among various refugee populations.¹⁸⁷

Nutrition and Food Security

In September 2005, the UN High Commissioner for Refugees, António Guterres, emphasized in a joint statement by UNHCR and the WFP that the health of all refugees strongly depends on their access to nutrition, because a lack of food security might lead them to desperate measures to feed themselves.¹⁸⁸ According to the Food and Agriculture Organization of the United Nations (FAO), "Food security exists when all people, at all times, have physical, social and economic access to sufficient, safe and nutritious food which meets their dietary needs and food preferences for an active and healthy life."¹⁸⁹ According to UNHCR, communicable diseases brought on in part by malnutrition are responsible for millions of preventable deaths each year.¹⁹⁰ FAO estimates that at least 870 million people in the world are suffering from hunger.¹⁹¹ Millennium Development Goal 1 sets the target to half the proportion of people who suffer from hunger from 1990 to 2015.¹⁹² UNHCR seeks to fulfill its role in improving access to food and nutrition by extending the capacity of UNHCR and its partners through training, standard guidelines, strategic plans, additional staffing, coordination and appropriate program practices.¹⁹³ In its *Strategic Plan for Nutrition and Food Security 2008 – 2012*, UNHCR emphasizes the importance of the protection of the right of persons of concern to sufficient food, the coordination and integration of existing food security programs, the prevention of malnutrition and food insecurity and evaluation and operational research on persons of concern's nutrition and food security status.¹⁹⁴

Water and Sanitation

Access to clean water and sanitation are fundamental human rights.¹⁹⁵ According to UNHCR, this fundamental human right needs to be guaranteed for refugees and asylum seekers.¹⁹⁶ Cooperation on water management

¹⁷⁸ UNHCR, *Ensuring Access to Health Care*, 2011, p. 14.

¹⁷⁹ *Ibid.*

¹⁸⁰ UNHCR, *Laboratory Services in UNHCR-Supported Primary Health Care Facilities: Principles and Guidelines*, 2011.

¹⁸¹ UNHCR, *UNHCR's Essential Medicines and Medical Supplies: Policy and Guidance*, 2011, p. 14.

¹⁸² UNHCR, *UNHCR's Strategic Plan for HIV and AIDS*, 2008, p. 2.

¹⁸³ UNHCR, *UNHCR's Strategic Plan for Malaria Control 2008-2012*, 2008, p. 7.

¹⁸⁴ *Ibid.*

¹⁸⁵ *Ibid.*, p. 6.

¹⁸⁶ *Ibid.*

¹⁸⁷ *Ibid.*, p. 2.

¹⁸⁸ UNHCR, *End food cuts for Africa's refugees, urge UNHCR and WFP* [Article].

¹⁸⁹ Food and Agriculture Organization of the UN, *Trade Reforms and Food Security*, 2003, p. 29.

¹⁹⁰ UNHCR, *Nutrition and Food Security* [Website].

¹⁹¹ Food and Agriculture Organization of the UN, *The FAO Hunger Map 2012*, 2013.

¹⁹² *Ibid.*

¹⁹³ UNHCR, *Nutrition and Food Security* [Website].

¹⁹⁴ UNHCR, *UNHCR'S Strategic Plan for Nutrition and Food Security*, 2008.

¹⁹⁵ UN General Assembly, *The human right to water and sanitation (A/RES/64/292)* [Resolution], 2010.

programs has been promoted by the United Nations, particularly through actions in the *International Year of Water Cooperation* in 2013, declared by General Assembly Resolution 65/154.¹⁹⁷

With its Water, Sanitation and Hygiene (WASH) program, UNHCR seeks to boost water and sanitation projects in operations around the world.¹⁹⁸ The agency's initiatives include the rehabilitation and upgrading of existing water and sanitation facilities, enhancement of technical capacity to monitor and improve the quality of services, and implementation of hygiene promotion activities.¹⁹⁹ UNHCR contributes to solving the issue by coordinating and ensuring the delivery of water and sanitation services to displaced persons and refugees in camp and urban settings.²⁰⁰ Despite UNHCR's and UN-Water's actions and policies, 783 million people are still without access to water.²⁰¹ UNHCR estimates that more than half of the world's refugee camps are "not able to provide the recommended minimum daily water requirement of 20 liters per person; while some 30% of camps do not have adequate waste disposal and latrine facilities."²⁰²

Emotional Trauma

Several humanitarian emergencies, as for instance the humanitarian response to the crisis in Bosnia-Herzegovina and Croatia or the consequences of the 2004 tsunami in Indonesia and other countries in South-Asia and the Pacific, have shown that many refugees deal with emotional traumata.²⁰³ As a consequence, a great variety of humanitarian organizations have developed and supported activities to address mental health and psychosocial needs of refugees.²⁰⁴ As UNHCR works in multiple areas, which have high rates of refugees suffering from trauma as for example in camps with a large population of political refugees, the agency included several approaches and interventions into its policies in order to improve refugee's mental health situation.²⁰⁵ Through its Health Unit, UNHCR is supporting the development of operational guidelines for mental health and psychosocial services, which mirror existing guidelines in areas such as referral health care and health insurance schemes for urban refugees.²⁰⁶ UNHCR's work in dealing with emotional traumata and providing better mental health further focuses on the prevention and repercussions of sexual and gender-based violence, child protection and education.²⁰⁷ According to UNHCR, guidelines on assessing mental health and psychosocial and resource needs in humanitarian settings were developed and rolled out in cooperation with WHO in 2012.²⁰⁸

Health Services for Camp Refugees

Many strategies, policies and programs for refugees focus on those living in refugee camps. In camps, refugees are located in isolated areas where organizations such as the International Federation of Red Cross and Red Crescent Societies or the Economic Community of West African States, provide and implement health services under the coordination and monitoring of UNHCR.²⁰⁹ UNHCR relies on these non-governmental organizations (NGOs) to implement projects, aid distribution, protection, logistics, shelter, water, sanitation, and nutrition services.²¹⁰ UNHCR's top priorities in refugee camps include monitoring and evaluation of the current health care provisions through HIS and other tools.²¹¹ Additionally, health education and prevention of diseases as HIV/AIDS or Malaria are pivotal aspects of UNHCR's activities in refugee camps.²¹² Due to the fact that many people are living with very limited space, living conditions in refugee camps present a favorable environment for epidemics of communicable

¹⁹⁶ UN Economic and Social Council, *Substantive Issues Arising in the Implementation of the International Covenant on Economic, Social and Cultural Rights, General Comment No. 15 (E/C.12/2002/11)*, 2003, p. 8.

¹⁹⁷ UN General Assembly, *International Year of Water Cooperation, 2013 (A/RES/65/154)* [Resolution], 2011.

¹⁹⁸ UNHCR, *Water, Sanitation and Hygiene (WASH)* [Website].

¹⁹⁹ Ibid.

²⁰⁰ UNHCR, *Water, Sanitation and Hygiene (WASH)* [Website].

²⁰¹ UNWATER, *Drinking Water, Sanitation & Hygiene* [Website].

²⁰² UNHCR, *Water, Sanitation and Hygiene (WASH)* [Website].

²⁰³ Meyer, *UNHCR's Mental Health and Psychosocial Support for Persons of Concern*, 2013, p. 21.

²⁰⁴ Ibid., p. 21.

²⁰⁵ Ibid., p. 48.

²⁰⁶ Ibid., p. 48.

²⁰⁷ Ibid., p. 8.

²⁰⁸ UNHCR, *UNHCR Global Report 2012, Working in Partnership*, 2012, p. 80.

²⁰⁹ UNHCR, *Urban Refugee Health*, p. 2.

²¹⁰ UNHCR, *History of UNHCR-NGO Partnership* [Website].

²¹¹ UNHCR, *Health Information System* [Website].

²¹² UNHCR, *Malaria Prevention and Control* [Website].

diseases.²¹³ To counter this issue, UNHCR introduced the public health guidelines for *Epidemic Preparedness and Response in Refugee Camp Settings* in which the agency's coordinating and planning role is explained and outbreak contingency and management plans are published.²¹⁴ Furthermore, UNHCR formulated explicit and detailed guidelines on laboratory services for refugees and other forcibly displaced persons.²¹⁵ In the *Laboratory Services in UNCHR-Supported Primary Health Care Facilities: Principles and Guidelines*, the agency clearly sets the required staff and workload for laboratory services in order to guarantee high quality of tests.²¹⁶ In late 2008, UNHCR formed a partnership with the United Nations Foundation's "Nothing But Nets" campaign, to help eliminate malaria deaths in refugee camps by distributing tens of thousands of long-lasting insecticide-treated mosquito nets in camps.²¹⁷

Health Services for Urban Refugees

While many displaced populations reside in camps almost half of the world's refugees are living in non-camp settings, including urban areas.²¹⁸ In urban areas the situation for refugees is different than in isolated camps, because people there are often required to independently seek health care services. Many refugees cannot afford to pay for medical treatment because they do not have insurance or financial means.²¹⁹ Additionally, Many are confronted with insufficient access to water and sanitation, unhygienic living conditions, and overall poor housing.²²⁰ Further, urban refugees are often confronted with a range of protection risks, including the threat of arrest and detention, harassment, exploitation, discrimination, inadequate shelter facilities.²²¹ It is important to note that not all nations are party to the 1951 Convention, which stipulates that hosting states should provide access health systems for the refugees they host.²²² UNHCR's initiatives particularly address refugee's right to education with special regard to public health services, water and sanitation.²²³ These initiatives include supporting national structures and population needs through the construction and rehabilitation of schools, water and sanitation facilities, teaching and learning material, as well as trainings for teachers.²²⁴

Conclusion

Despite a great variety of actions and initiatives by UNHCR and its partner organizations, refugees and other forcibly displaced persons still have to deal with several challenges concerning access and quality of public health systems. The number of people living with HIV is increasing rapidly.²²⁵ At least 870 million people worldwide do not have enough food to survive.²²⁶ Although access to water and sanitation is recognized as a fundamental human right, 783 million people are without clean drinking water.²²⁷ A large number of refugees and other forcibly displaced persons are subject to emotional traumata due to their experiences in their home countries.²²⁸

While looking for options to improve the current public health situation for refugees and other forcibly displaced persons, the following questions should be considered: How can cooperation between UNHCR and partner organizations regarding public health systems for persons of concern be strengthened? How can existing national approaches towards better public health systems be shared with the international community? What can technology and knowledge transfer look like? Do funds for services in refugee camps need to be increased and how should that be done? Is it possible that all nations of the international community sign the *Convention Relating to the Status of Refugees (1951)* and fully implement its policies? Many challenges for public health systems for refugees or other

²¹³ UNHCR, *Epidemic Preparedness and Response in Refugee Camp Settings*, 2011, p. 3.

²¹⁴ Ibid.

²¹⁵ UNHCR, *Laboratory Services in UNCHR-Supported Primary Health Care Facilities: Principles and Guidelines*, 2011.

²¹⁶ Ibid., p. 10.

²¹⁷ UNHCR, *Malaria Prevention and Control* [Website].

²¹⁸ UNHCR, *UNHCR Statistical Yearbook 2011*, 2012.

²¹⁹ UNHCR, *Urban Refugee Health*, p. 1.

²²⁰ Ibid., p. 1.

²²¹ UNHCR, *Designing appropriate interventions in urban settings*, 2011, p. 9.

²²² Ibid., p. 12.

²²³ Ibid., p. 15.

²²⁴ Ibid., p. 15.

²²⁵ UNAIDS, *AIDSinfo* [Website].

²²⁶ Ibid.

²²⁷ UNWATER, *Drinking Water, Sanitation & Hygiene* [Website].

²²⁸ Meyer, *UNHCR's Mental Health and Psychosocial Support for Persons of Concern*, 2013, p. 11.

forcibly displaced persons remain, but UNHCR's policies and programs in cooperation with its partner organizations and nations present elaborated approaches to improve the situation and are a first step towards a more equal access to public health systems.

Annotated Bibliography

Joint United Nations Programme on HIV/AIDS. (2013). AIDSinfo. *Data Tools* [Website]. Retrieved 22 July 2013 from: <http://www.unaids.org/en/dataanalysis/datatools/aidsinfo/>

On this website, UNAIDS published a virtual map on the epidemiological status of AIDS. It allows users to browse through most countries in the world and find information on the spread of HIV and AIDS in those countries. The map further contains information on the implementation of UNAIDS policies and programs and its consequences in the world. Since HIV/AIDS control for refugees and other persons of concern belongs to UNHCR's major working areas, this map reflects how the international situation develops and can therefore serve as one evaluation scheme for UNHCR's work in this area. The map further contains country specific information, which can be useful in order to collect information on specific nations of interest.

United Nations High Commissioner for Refugees. (2008). *UNHCR's strategic plan for HIV and AIDS*. Retrieved 22 July 2013 from: <http://www.unhcr.org/488495642.html>

UNHCR developed a strategic plan for HIV and AIDS in which its key initiatives in combating the spread of HIV infections and the consequences of AIDS are summarized. UNHCR's strategy focuses on the prevention and protection of HIV infections. In addition, the strategic plan contains policies on care, support and treatment of infected persons. As one of the major roles of UNHCR in almost all its public health activities lies in coordinating and cooperating with different actors as NGOs, coordination and integration of existing HIV policies and programs is another important aspect of this strategic plan. Another strategy is described as capacity building. UNHCR's goal is it to build and strengthen HIV knowledge and skills.

United Nations High Commissioner for Refugees. (2008). *UNHCR's Strategic Plan for Nutrition and Food Security 2008-2012*. Retrieved 22 July 2013 from: <http://www.unhcr.org/4885998c2.html>

This strategic plan of UNHCR summarizes the agency's policies on improving access to nutrition and food security for refugees and other forcibly displaced persons. Due to the fact that food security is a current issue, which affects the health of persons of concern, it is of importance for UNHCR's work. The document focuses on the general protection of refugee's food security and the prevention of malnutrition and food insecurity. Additionally, UNHCR wants to implement its coordinating and integrating role by strengthening and expanding strategic partnerships with key stakeholders. UNHCR further seeks to regularly monitor and evaluate persons of concern's nutrition and food security status.

United Nations High Commissioner for Refugees. (2008). *UNHCR's Strategic Plan for Malaria Control 2008-2012*. Retrieved 22 July 2013 from: <http://www.unhcr.org/488597e02.html>

In this strategic plan, UNHCR explains its major goals and objectives as well as its strategies and achievements concerning malaria control. The agency emphasizes its role in coordinating and integrating malaria control policies and programs in a multi-sectorial approach for persons of concern. Therefore, strategic partnerships with key stakeholders should be strengthened. Providing access to early diagnosis, prompt and effective treatment and prevention is another goal of the agency, which is described in this strategic plan. Similar to most of its strategic plans, UNHCR wants to develop durable solutions for this issue and seeks to build and strengthen specific malaria-related knowledge and skills. A last important goal belongs to the assessment, surveillance, monitoring and evaluation of the status of malaria. After describing the mentioned goals, this strategic plan explains UNHCR's strategies to achieve those goals and lists current achievements.

United Nations High Commissioner for Refugees. (2011). *UNHCR's Essential Medicines and Medical Supplies: Policy and Guidance 2011*. Retrieved 28 July 2013 from: <http://www.unhcr.org/4f707fa9.html>

In this document, UNHCR gives information on essential medicine selection, listing criteria for medicine selection and providing an essential medicine list. The document contains guidance for procurement of medicines and medical supplies. It further summarizes UNHCR's principals on medical supplies and gives an impression of UNHCR's approach towards medication and providing access to it. The guide is also meant to provide actors committed to improving persons of concern's access to medical treatment with a guide to the selection of appropriate medicine

United Nations High Commissioner for Refugees (2011). *UNHCR Age, Gender and Diversity Policy: Working with people and communities for equality and protection*. Retrieved 22 July 2013 from: <http://www.unhcr.org/4e7757449.html>

This website explains the rationale behind UNHCR's Age, Gender and Diversity Mainstreaming (AGDM) Policy. The website further discusses the core commitments and main elements of AGDM. AGDM is of high importance in all aspects of UNHCR's engagement, but particularly when it comes to public health. Non-discrimination and age, gender and diversity mainstreaming and promotion are implemented for example in UNHCR's initiatives to promote the reproductive health of women or field projects, which seek to support older refugees. Consequently, this website is a hub of information for further research on the AGDM approach and public health.

United Nations High Commissioner for Refugees. (2012). *The State of the World's Refugees In Search of Solidarity*. Retrieved 30 June 2013 from: <http://www.refworld.org/pdfid/5100fec32.pdf>

This book gives an overview of the current state of the world's refugees. It discusses legal, political and social issues which confront refugees in everyday life. At the beginning of the book, readers find an introduction into current trends of forced displacement. Among other aspects as education or employment, this book discusses the necessity of equal access to health services. It further explains possibilities to strengthen protection of refugees and other forcibly displaced persons and emphasizes that limited access to health and education systems constitute enormous protections risks. The book makes clear that particularly urban refugees face huge difficulties in obtaining health care and many refugees suffer post-traumatic stress disorder. The document further gives an example of successful efforts to improve health care for displaced persons: in Costa Rica, refugees can turn to the national health system for all emergency care, and destitute refugees may receive full coverage for their costs.

United Nations High Commissioner for Refugees. (2013). Health Information System (HIS). *Public Health* [Website]. Retrieved 22 July 2013 from: <http://www.unhcr.org/pages/49c3646ce0.html>

This website provides a variety of information on the Health Information System (HIS). HIS operates in 18 countries and monitors health services provided to approximately 1.5 million camp-based refugees. The website lists recent HIS strategies and policies, guidelines and assessment and monitoring methods. Furthermore, the website links to the HIS Database which is a large hub of information concerning public health systems around the globe. HIS Database has been developed by UNHCR, the Centers for Disease Control and Prevention, and iMMAP (www.immap.org).

United Nations High Commissioner for Refugees. (2013). *Public Health. What We Do: Assistance* [Website]. Retrieved 29 June 2013 from: <http://www.unhcr.org/pages/49c3646cdd.html>

On this website, UNHCR summarizes its programs and actions which aim to improve the public health situation for refugees and other forcibly displaced persons. Furthermore, the website provides readers with various documents and recommendations on the topic. Strategic plans, principles and guidelines as well as articles on public health are provided on this website. It further links to HIS and a separate website on reproductive health. In addition, information on malaria prevention and control, non-communicable diseases and mental health can be found via this website.

United Nations High Commissioner for Refugees. (2013). Water, Sanitation and Hygiene (WASH). *What We Do: Assistance* [Website], Retrieved 22 July 2013 from: <http://www.unhcr.org/pages/49c3646cef.html>

This website introduces the Water, Sanitation and Hygiene (WASH) program of the UNHCR. With regard to the challenge of improving access to potable water and fair this website contains

valuable information on the water issue and existing UNHCR programs and policies dealing with it. Since UNHCR acknowledges the fact that water and sanitation are fundamental human rights, the agency integrated several measures and policies on improving the situation. This website leads to UNHCR's past and recent policies and programs. It further links to relevant information on the work of other UN bodies as UNWATER, which are dealing with this issue.

Bibliography

- AbouZahr, C. & T. Boerma. (2005). Health information systems: the foundations of public health. *Bulletin of the World Health Organization*, 83 (8): 578-583.
- Betts, A., G. Loescher & J. Milner. (2011). *UNHCR: The Politics and Practice of Refugee Protection*. London, United Kingdom & New York, NY: Routledge.
- Burton, A. & F. John-Leader. (2009). *Are we reaching refugees and internally displaced persons?* *Bull World Health Organ* 2009, 87: 638-639.
- Connolly, M., M. Gayer, & S. Ottmani. (2007). *Tuberculosis Care and Control in Refugee and Displaced Populations. An interagency field manual*. World Health Organization. Retrieved 30 June 2013 from: http://whqlibdoc.who.int/publications/2007/9789241595421_eng.pdf
- Food and Agriculture Organization of the United Nations. (2003). *Trade Reforms and Food Security*. Retrieved 2 July 2013 from: <ftp://ftp.fao.org/docrep/fao/005/y4671e/y4671e00.pdf>
- Food and Agriculture Organization of the United Nations. (2012). *The FAO Hunger Map 2012*. Retrieved 2 July 2013 from: http://www.fao.org/fileadmin/templates/es/Hunger_Portal/webVersion.jpg
- Global Health Workforce Alliance, International Federation of Red Cross and Red Crescent Society, United Nations Children Fund, United Nations High Commissioner for Refugees & World Health Organization. (2011). *Joint Statement: Scaling up the community-based health workforce for emergencies*. Retrieved 30 June 2013 from: <http://www.unhcr.org/4eb940ea9.html>
- Groves, L. (2012). *Working Together to End Discrimination and Ensure Equal Outcomes for all. Global Analysis of 2011-2012 Accountability Frameworks for AGD and targeted actions*. Retrieved 28 July 2013 from: <http://www.unhcr.org/50066fd9.html>
- Joint United Nations Programme on HIV/AIDS. (2012). UNHCR. *UNAIDS Cosponsors* [Website]. Retrieved 22 September 2013 from: <http://www.unaids.org/en/AboutUNAIDS/UNAIDSCosponsors/UNHCR/>
- Joint United Nations Programme on HIV/AIDS. (2013). AIDSinfo. *Data Tools* [Website]. Retrieved 22 July 2013 from: <http://www.unaids.org/en/dataanalysis/datatools/aidsinfo/>
- Joint United Nations Programme on HIV/AIDS. (2013). UNAIDS Cosponsors. *About UNAIDS* [Website]. Retrieved 22 July 2013 from: <http://www.unaids.org/en/aboutunaid/unaidscosponsors/>
- Joint United Nations Programme on HIV/AIDS. (2013). *UNAIDS reports more than 7 million people now on HIV treatment across Africa—with nearly 1 million added in the last year—while new HIV infections and deaths from AIDS continue to fall* [Press Release]. Retrieved 22 July 2013 from: <http://www.unaids.org/en/resources/presscentre/pressreleaseandstatementarchive/2013/may/20130521prupdateafrica/#d.en.79754>
- Meyer, S. (2013). *UNHCR's Mental Health and Psychosocial Support for Persons of Concern*. Retrieved 3 September 2013 from: <http://www.unhcr.org/cgi-bin/texis/vtx/home/opendocPDFViewer.html?docid=51bec3359&query=mental%20health>

Setel, P., S. Macfarlane, S. Szreter, L. Mikkelsen, J. Prabhat, S. Stout and C. AbouZahr. (2007). *Who Counts? I: A scandal of invisibility: making everyone count by counting everyone*. Retrieved 30 June 2013 from: <http://www.unhcr.org/4b0ba6e39.html>

Thieren, Michel. (2005). Health Information Systems in Humanitarian Emergencies. *Bulletin of the World Health Organization*, 83: 584-589.

United Nations. (2013). Goal 1: Eradicate Extreme Poverty & Hunger. *Millennium Development Goals* [Website]. Retrieved 22 July 2013 from: <http://www.un.org/millenniumgoals/poverty.shtml>

United Nations. (2013). *We can end poverty 2013: Millennium Development Goals* [Website]. Retrieved 30 July 2013 from: <http://www.un.org/millenniumgoals/>

United Nations, Economic and Social Council. (2002, January 20). *Substantive Issues Arising in the Implementation of the International Covenant on Economic, Social and Cultural Rights, General Comment No. 15 (E/C.12/2002/11)*. Retrieved 2 July 2013 from: <http://www.unhcr.org/49d095742.html>

United Nations, General Assembly, Sixty-fourth session. (2010, August 3). *The human right to water and sanitation (A/RES/64/292)* [Resolution]. Retrieved 22 July 2013 from: http://www.un.org/ga/search/view_doc.asp?symbol=A/RES/64/292

United Nations, General Assembly, Sixty-fifth session. (2011, February 11). *International Year of Water Cooperation, 2013 (A/RES/65/154)* [Resolution]. Retrieved 22 July 2013 from: http://www.un.org/ga/search/view_doc.asp?symbol=A/RES/65/154

United Nations, General Assembly. (1950, December 14). *Convention relating to the Status of Refugees (A/RES/429 (V))*. Retrieved 26 October 2013 from: <http://www2.ohchr.org/english/law/refugees.htm>

United Nations High Commissioner for Refugees. (2005). *End food cuts for Africa's refugees, urge UNHCR and WFP* [Article]. Retrieved 2 July 2013 from: <http://www.unhcr.org/432832ab4.html>

United Nations High Commissioner for Refugees and World Health Organization. (2008). *Rapid Assessment of Alcohol and Other Substance Use in Conflict-affected and Displaced Populations: A Field Guide*. Retrieved 30 June 2013 from: <http://www.unhcr.org/50b4cf5e9.html>

United Nations High Commissioner for Refugees. (2008). *Public Health Facility Toolkit: Tools for Assessing, Monitoring and Evaluating the Quality of Public Health Services*. Retrieved 30 June 2013 from: <http://www.unhcr.org/47c3dfce2.html>

United Nations High Commissioner for Refugees. (2008). *UNHCR's Guiding Principles, 2008-2012*. Retrieved 22 July 2013 from: <http://www.unhcr.org/4885959c2.html>

United Nations High Commissioner for Refugees. (2008). *UNHCR's Strategic Plan for Nutrition and Food Security 2008-2012*. Retrieved 22 July 2013 from: <http://www.unhcr.org/4885998c2.html>

United Nations High Commissioner for Refugees. (2008). *UNHCR's strategic plan for HIV and AIDS*. Retrieved 22 July 2013 from: <http://www.unhcr.org/488495642.html>

United Nations High Commissioner for Refugees. (2008). *UNHCR's Strategic Plan for Malaria Control 2008-2012*. Retrieved 22 July 2013 from: <http://www.unhcr.org/488597e02.html>

United Nations High Commissioner for Refugees. (2009). *UNHCR's Principles and Guidance for Referral Health Care for Refugees and Other Persons of Concern*. Retrieved 30 June 2013 from: <http://www.unhcr.org/4b4c4fca9.html>.

United Nations High Commissioner for Refugees. (2010). *Public Health Equity in Refugee and Other Displaced*

Persons Settings. Retrieved 30 June 2013 from: <http://www.unhcr.org/4bdfel699.html>

United Nations High Commissioner for Refugees. (2010). *Convention and Protocol Relating to the Status of Refugees*. Retrieved 1 July 2013 from: <http://www.unhcr.org/3b66c2aa10.pdf>

United Nations High Commissioner for Refugees. (2011). *Ensuring Access to Health Care: Operational Guidance on Refugee Protection and Solutions in Urban Areas*. Retrieved 30 June 2013 from: <http://www.unhcr.org/4e26c9c69.html>

United Nations High Commissioner for Refugees. (2011). *Epidemic Preparedness and Response in Refugee Camp Settings Guidance for Public Health Officers*. Retrieved 30 June 2013 from: <http://www.unhcr.org/4fd5ed149.pdf>

United Nations High Commissioner for Refugees. (2011). *The 1951 Convention Relating to the Status of Refugees and its 1967 Protocol*. Retrieved 30 June 2013 from: <http://www.unhcr.org/4ec262df9.html>

United Nations High Commissioner for Refugees. (2011). *UNHCR's Essential Medicines and Medical Supplies: Policy and Guidance 2011*. Retrieved 28 July 2013 from: <http://www.unhcr.org/4f707faf9.html>

United Nations High Commissioner for Refugees. (2012). *Global Analysis (2012-2013), UNHCR Accountability Frameworks for Age, Gender and Diversity Mainstreaming and Targeted Actions. Protection*. Retrieved 22 July 2013 from: <http://www.unhcr.org/51c4569f9.html>

United Nations High Commissioner for Refugees. (2011). *Laboratory Services in UNHCR-Supported Primary Health Care Facilities: Principles and Guidelines*. Retrieved 30 June 2013 from: <http://www.unhcr.org/4f707fd49.html>

United Nations High Commissioner for Refugees. (2012). *A Guidance Note on Health Insurance Schemes for Refugees and other Persons of Concern to UNHCR*. Retrieved 30 June 2013 from: <http://www.unhcr.org/4f7d4cb1342.html>

United Nations High Commissioner for Refugees. (2012). *UNHCR Global Report 2012, Working in Partnership*. Retrieved 22 June 2013 from: <http://www.unhcr.org/51b1d61eb.html>

United Nations High Commissioner for Refugees. (2012). *Global Factsheets 2011: Public Health, Nutrition, HIV and WASH Annual Country Factsheets*. Retrieved 30 June 2013 from: <http://www.unhcr.org/cgi-bin/texis/vtx/home/opendocPDFViewer.html?docid=4fd5ed149&query=Nutrition,%20HIV%20and%20WASH>

United Nations High Commissioner for Refugees. (2012). *Strategic Plan Interim Progress Report 2008-2011: Interim progress report on the Public Health and HIV Strategic Plans 2008-2012*. Retrieved 30 June 2013 from: <http://www.unhcr.org/4fc613a69.html>

United Nations High Commissioner for Refugees. (2012). *The State of the World's Refugees In Search of Solidarity*. Retrieved 30 June 2013 from: <http://www.refworld.org/pdfid/5100fec32.pdf>

United Nations High Commissioner for Refugees. (2012). *UNHCR Statistical Yearbook 2011*. Retrieved 22 July 2013 from: <http://www.unhcr.org/516282cf5.html>

United Nations High Commissioner for Refugees. (2013). *UNHCR Age, Gender and Diversity Policy: Working with people and communities for equality and protection*. Retrieved 22 July 2013 from: <http://www.unhcr.org/4e7757449.html>

United Nations High Commissioner for Refugees. (2013). *Food Security* [Website]. Retrieved 22 June 2013 from: <http://www.unhcr.org/pages/4bb205da6.html>

United Nations High Commissioner for Refugees. (2013). *Liquid treasure: The challenge of providing drinking*

water in a new refugee camp [Website]. Retrieved 22 July 2013 from: <http://www.unhcr.org/51d5443f9.html>

United Nations High Commissioner for Refugees. (2013). *Health Information System (HIS)* [Website]. Retrieved 22 July 2013 from: <http://www.unhcr.org/pages/4bb205da6.html>

United Nations High Commissioner for Refugees. (2013). *History of UNHCR-NGO Partnership* [Website]. Retrieved 5 September 2013 from: <http://www.unhcr.org/pages/49c3646c341.html>

United Nations High Commissioner for Refugees. (2013). *Malaria in Refugee Camps*. Retrieved 22 July 2013 from: <http://www.unhcr.org/456ac0d32.html>

United Nations High Commissioner for Refugees. (2013). *Malaria Prevention and Control* [Website]. Retrieved 30 July 2013 from: <http://www.unhcr.org/pages/49c3646ce9.html>

United Nations High Commissioner for Refugees. (2013). *Public Health* [Website]. Retrieved 29 June 2013 from: <http://www.unhcr.org/pages/49c3646cdd.html>

United Nations High Commissioner for Refugees. (2013). *The Displaced and HIV/AIDS* [Website]. Retrieved 22 July 2013 from <http://www.unhcr.org/pages/49c3646ce3.html>

United Nations High Commissioner for Refugees. (2013). *Urban Refugees* [Website]. Retrieved 30 July 2013 from: <http://www.unhcr.org/pages/4b0e4cba6.html>

United Nations High Commissioner for Refugees. (2013). *Water, Sanitation and Hygiene (WASH)* [Website]. Retrieved 22 July 2013 from: <http://www.unhcr.org/pages/49c3646cef.html>

United Nations High Commissioner for Refugees. (n.d.). *Urban Refugee Health* [Website]. Retrieved 22 July 2013 from: <http://www.unhcr.org/4b1397139.html>

UN-Water. (2013). *Drinking Water, Sanitation & Hygiene* [Website]. Retrieved 22 July 2013 from: http://www.unwater.org/statistics_san.html

World Health Organization. (2005). *Communicable disease control in emergencies: A field manual*. Retrieved 30 June 2013 from: http://www.who.int/hac/techguidance/pht/communicable_diseases/field_manual/en/

World Health Organization. (2009). *Health Cluster Guide: A Practical Guide for Country-level Implementation of the Health Cluster*. Retrieved 30 June 2013 from: <http://www.unhcr.org/50b61a0b9.html>

World Health Organization. (2010). *Key components of a well functioning health system*. Retrieved 24 September 2013 from: http://www.who.int/healthsystems/EN_HSSkeycomponents.pdf

World Health Organization & King's College London. (2011). *The Humanitarian Emergency Settings Perceived Needs Scale (HESPER): Manual with Scale*. Retrieved 30 June 2013 from: <http://www.unhcr.org/50b4cf069.html>

World Health Organization. (2013). *Health systems* [Website]. Retrieved 4 September 2013 from: <http://www.who.int/healthsystems/about/en/>

World Health Organization. (2013). *WHO issues new HIV recommendations calling for earlier treatment* [Website]. Retrieved 30 July 2013 from: http://www.who.int/mediacentre/news/releases/2013/new_hiv_recommendations_20130630/en/index.html

III. Providing Humanitarian Assistance to Refugees from and Internally Displaced Persons in Somalia

Introduction

Somalia's desperate need of humanitarian assistance due to ongoing conflict and environmental issues has impacted regional peace and security in the since 1991. From internal conflict and civil war to extreme drought and famine, mass numbers of Somalis have sought refuge from political strife, widespread violence, untenable living conditions, poverty, and malnutrition over the last several decades. In July of 2011, the Horn of Africa region experienced the worst drought in 6 decades, which ultimately perpetuated the exodus of more refugees and exacerbated the quantity of internally displaced persons (IDPs) in Somalia.²²⁹ More specifically, southern Somalia has experienced the most severe famine, highest population movement, and a number of obstacles to receiving humanitarian aid.²³⁰

The United Nations High Commissioner for Refugees (UNHCR), in cooperation with Somalia's Transitional Federal Government (TFG), several United Nations (UN) bodies, the African Union (AU), a number of UN Member States, and a variety of independent organizations are committed to improving the refugee and IDP crises in the Horn of Africa.²³¹ In January 2013, there were roughly 1.4 million IDPs and over 10 thousand asylum-seekers within Somali borders.²³² Additionally, there were an estimated 1.2 million refugees from Somalia in other countries.²³³ The total population of concern from the situation in Somalia is assumed to be around 2.5 million consisting of women, men and children with a multitude of needs facing an extensive number of life-threatening problems.²³⁴ After many years of instability in Somalia, the recently re-established TFG is not yet capable of independently providing humanitarian assistance to its civilians or resolving issues of national and international insecurity.²³⁵

International and Regional Framework

There are five main areas of international law and a large number of documents that contribute to the frameworks of humanitarian action.²³⁶ Four of the five areas of international law and their corresponding frameworks should be taken under consideration for humanitarian assistance in Somalia. International humanitarian law (IHL), the first of the four applicable areas, applies only during situations of armed conflict or occupation and obligates an occupying power to meet the needs of the civilian population.²³⁷ It is at the discretion of that occupying authority or power to allow external organizations to provide humanitarian assistance within the occupied borders.²³⁸ IHL is comprised of *The Hague Convention* (1907), the four *Geneva Conventions* (1949) and their *Additional Protocols I and II* (1977).²³⁹ There is also international human rights law, which aims to protect political and economic rights, freedom of movement, freedom from torture, and rights to "adequate standards of living."²⁴⁰ Further, it also "allows states to derogate from certain civil and political rights in times of public emergency which threatens the nation."²⁴¹ Most international human rights law is derived in part from the *Universal Declaration of Human Rights* (1948), *International Covenant on Civil and Political Rights* (ICCPR), *International Covenant on Economic, Social and Cultural Rights* (ICESCR) (1966), *Convention on the Prevention and Punishment of Genocide* (1948), *Convention on the Elimination of All Forms of Discrimination Against Women* (CEDAW) (1979), and regional IDP conventions.²⁴² In addition, as a supplement to existing international law, UN resolutions and guidelines should also

²²⁹ CRS, *Horn of Africa Region: The Humanitarian Crisis and International Response*, 2012, p. 2.

²³⁰ *Ibid.*

²³¹ UNHCR, *2013 UNHCR country operations profile—Somalia* [Website], 2013.

²³² *Ibid.*

²³³ *Ibid.*

²³⁴ *Ibid.*

²³⁵ United Nations Office for the Coordination of Humanitarian Affairs, *Somalia: Protection* [Website], 31 July 2013.

²³⁶ Haider, *International Legal Frameworks for Humanitarian Action: Topic Guide*, 2013, p. 6.

²³⁷ *Ibid.*, p. 6.

²³⁸ *Ibid.*, p. 7.

²³⁹ *Ibid.*, p. 7.

²⁴⁰ *Ibid.*, p. 8.

²⁴¹ *Ibid.*, p. 8.

²⁴² *Ibid.*, p. 8.

be taken into consideration under international human rights law.²⁴³ Examples of resolutions that have been cited and utilized as international legal tools on this topic include UN Security Council resolutions 1325 (2000), 1820 (2008), 1888 (2009), 1889 (2009), 1960 (2010), and 2106 (2013) on “women and peace and security” geared towards increasing women’s security and protection in situations of armed conflict, or the Guiding Principles on Internal Displacement (1998).²⁴⁴

International refugee law and the more recently recognized international disaster response laws (IDRL) are especially relevant to the current refugee and IDP situation in and around Somalia. International refugee law’s main purpose is to provide protection and assistance to civilians who have crossed international borders and are at risk of being, or already are, victims of persecution in the country of origin.²⁴⁵ The key treaty for international refugee law is the *Convention Relating to the Status of Refugees* (1951).²⁴⁶ The 1967 *Protocol Relating to the Status of Refugees* is of particular relevance, as is the *Hyogo Framework for Action* (2005).²⁴⁷ Along with the specified documents, all areas of international law are also comprised of international customary law, general principles of law, and previous judicial decisions and teachings.²⁴⁸ Under international refugee law and the *Convention on the Status of Refugees*, a “refugee” is defined as a person who is “externally displaced through a ‘well-founded fear of being persecuted for reasons of race, religion, nationality, [or for being a member to] a particular social group or political opinion.’”²⁴⁹ IDRL’s purpose is improving the framework umbrella of humanitarian assistance to populations suffering in or from natural disasters and applies to states and non-state contributors.²⁵⁰ Key sources of this law include international, regional and bilateral treaties on specific sectors such as health or transport, technical or mutual assistance, and agreements that regulate humanitarian aid between parties.²⁵¹ Other documents that IDRL is comprised of include UN resolutions, the International Law Commissioner’s *Draft Articles on the Protection of Persons in the Event of Disasters*, and non-binding documents such as the *Guidelines for the Domestic Facilitation and Regulation of International Disaster Relief and Initial Recovery Assistance* (2007).²⁵² Haider explains in *International Legal Frameworks for Humanitarian Action* that IDRL’s emphasis is on the importance of humanitarian aid rather than the right to aid and that “regulatory problems in the delivery of humanitarian assistance are exacerbated in disaster contexts due to the absence of an established comprehensive legal framework and an undeveloped coordination mechanism.”²⁵³

Outside of the UN system, the AU (and the previous entity of the Organization for African Unity) has made progress as a regional mechanism for refugees. In terms of legislation, the AU adopted the *African Convention on Refugees* as a supplement to UNHCR’s *Convention on the Status of Refugees*.²⁵⁴ The AU created its own Refugee Commission, which makes recommendations and reports to AU’s Executive Council about providing assistance and refugee relocation matters.²⁵⁵ The Refugee Commission works with the Committee for the Coordination of Assistance to Refugees, and also with the Division of Refugees, Displaced Persons and Humanitarian Affairs. Additionally, with regard to Somalia specifically, the AU established its own African Union Mission to Somalia (AMISOM) for all matters, particularly for issues of peace and security.²⁵⁶ Ultimately, AMISOM and UN support of Somali peace and security personnel training is effective, in some capacity, for containing and eliminating improvised explosive device (IED) attacks and civilian violence in IDP camps.²⁵⁷

²⁴³ Ibid., p. 8.

²⁴⁴ Ibid., p. 8.

²⁴⁵ Ibid., p. 9.

²⁴⁶ UNHCR, *The 1951 Convention Relating to the Status of Refugees and Its 1967 Protocol*, 2011.

²⁴⁷ UN International Strategy for Disaster Reduction, *Hyogo Framework for Action* [Website], 2013.

²⁴⁸ Haider, *International Legal Frameworks for Humanitarian Action: Topic Guide*, March 2013, p. 9.

²⁴⁹ Ibid., p. 9.

²⁵⁰ Ibid., p. 10.

²⁵¹ Ibid., p. 10.

²⁵² Ibid., p. 10.

²⁵³ Ibid., p. 10.

²⁵⁴ Yusuf & Ougergouz, *The African Union: Legal and Institutional Framework—A Manual on the Pan-African Organization*, 2012, p. 495.

²⁵⁵ Ibid.

²⁵⁶ African Union, *AMISOM—Home* [Website], 2013.

²⁵⁷ African Union, *AMISOM—About AMISOM* [Website], 2013.

The UN Inter-Agency Standing Committee (IASC) has gone to great efforts to negate beliefs such as those expressed by Huma Haider regarding the effectiveness of humanitarian aid protocols. Since 2005, IASC has been dedicated to improving emergency response, coordination and management internationally through its Humanitarian Reform process in conjunction with the Emergency Relief Coordinator.²⁵⁸ The Transformative Agenda (TA) was agreed on in 2011 and in December 2012, the “TA Protocols” were agreed upon in order to “set parameters for improved collective action in humanitarian emergencies.”²⁵⁹ The “TA Protocols” consist of five documents entitled: “Concept Paper on ‘Empowered Leadership’”; “Humanitarian System-Wide Emergency Activation: definitions and procedures”; “Responding to Level 3 Emergencies: What ‘Empowered Leadership’ looks like in practice”; “Reference Module for Cluster Coordination at the Country Level”; and “Responding to Level 3 Emergencies: The Humanitarian Programme Cycle.”²⁶⁰ In addition to outlining the TA, IASC and the Emergency Relief Coordinator, with the Office for the Coordination of Humanitarian Assistance (OCHA), aimed to find the shortfalls in humanitarian assistance and response amongst the UN system, various agencies, non-governmental organizations (NGOs), and countries across the world.²⁶¹ By preemptively devising an advance system for emergency response, IASC, OCHA, several UN bodies and organizations aim to respond, communicate, analyze, partner, and share responsibility and accountability through the “cluster approach” to provide humanitarian aid efficiently.²⁶²

Role of the United Nations System

The cluster approach is not intended to be an uncompromising plan of action. The system was designed to provide flexibility so that appropriate assistance is delivered according to the emergency or disaster.²⁶³ Depending on the main issue of a crisis, a specific UN agency or organization is responsible for assuming the role of “lead agency.”²⁶⁴ However, the lead agency is not necessarily exclusively responsible for the burden of the crisis.²⁶⁵ Typically, depending on the complexity of the situation and a predetermined assessment of the immediate demands, the lead agency will assess the crisis and report back to IASC and OCHA so that other cluster agencies may also step in and disburse assistance.²⁶⁶ UNHCR is the assigned lead agency for camp coordination and management, emergency shelter, and protection.²⁶⁷

Under the cluster approach, the United Nations Development Programme (UNDP) is the lead agency for crisis prevention and recovery while the World Food Programme (WFP) handles logistics and the United Nations Children’s Fund (UNICEF) takes the lead for nutrition, education, and water, sanitation and hygiene.²⁶⁸ The Food and Agriculture Organization of the United Nations (FAO) handles agriculture-based situations while the World Health Organization (WHO) takes charge of health crises.²⁶⁹ In disaster situations, the International Federation of Red Cross and Red Crescent Societies steps in to assist as a “convener” rather than a lead agency, and the International Organization for Migration (IOM) is specifically assigned situations involving natural disaster migrations.²⁷⁰ The cluster approach to crises management and humanitarian assistance provides a thorough, comprehensive methodology to delivering aid to persons, countries, and regions in desperate need of help without overwhelmingly taxing the resources of a single program or organization.²⁷¹ UNHCR currently has assistance from over 10 UN agencies and countless NGOs.²⁷² UNHCR’s operational partners, in addition to the agencies involved

²⁵⁸ Inter-Agency Standing Committee, *IASC Principals Transformative Agenda* [Website], 2013.

²⁵⁹ *Ibid.*

²⁶⁰ *Ibid.*

²⁶¹ Steets, et. al., *Cluster Approach Evaluation 2 Synthesis Report*, April 2010, p. 24.

²⁶² United Nations, *Global Issues—Refugees* [Website], 2013.

²⁶³ *Ibid.*

²⁶⁴ *Ibid.*

²⁶⁵ Steets, et. al., *Cluster Approach Evaluation 2 Synthesis Report*, April 2010, p. 24.

²⁶⁶ *Ibid.*

²⁶⁷ United Nations, *Global Issues—Refugees* [Website], 2013.

²⁶⁸ Inter-Agency Standing Committee, *Guidance Note on Using the Cluster Approach to Strengthen Humanitarian Response*, 2006, p. 3.

²⁶⁹ United Nations, *Global Issues—Refugees* [Website], 2013.

²⁷⁰ Inter-Agency Standing Committee, *Guidance Note on Using the Cluster Approach to Strengthen Humanitarian Response*, 2006, p. 3.

²⁷¹ *Ibid.*, p. 4

²⁷² UNHCR, *2013 UNHCR country operations profile—Somalia* [Website], June 2013.

with the cluster approach, include OCHA, the United Nations Population Fund (UNFPA), and the United Nations Human Settlements Programme (UN-Habitat).²⁷³

Humanitarian Assistance and Meeting the Essential Needs of Somali Refugees and IDPs

There are a range of diversified needs concerning Somali refugees, some of which exist in protracted refugee situations resulting from more than two decades of conflict and environmental crises in Somalia and the Horn of Africa.²⁷⁴ UNHCR strives to prevent “refoulement” for all refugees while meeting their basic and essential needs and assisting persons of concern to rebuild their lives in peace and with dignity through “durable solutions.”²⁷⁵ The Commission seeks to provide durable solutions by coordinating and managing the supply and provision of supplies to meet the immediate needs of persons of concern.²⁷⁶ The *Universal Declaration of Human Rights* (1948) expresses the rights of all persons to basic needs such as water, shelter and food.²⁷⁷ *The Convention Relating to the Status of Refugees* expands on these through various articles, but most specifically in Articles 20 through 24.²⁷⁸ The Convention expresses ten rights which are: the right not to face punishment for illegal border crossing; the right not to be expelled after seeking refuge in another state; the right to housing; the right to work, thereby earning money; the right to education; the right to humanitarian assistance and public relief as provided; the right to freedom of religion; the right to access the courts; the right to move or relocate freely within the state he or she is residing; and the right to receive identification papers and documents permitting travel.²⁷⁹ UNHCR and the UN have also provided protection from refoulement for refugees with the intention that they will not face deportation back to their country of origin after they have been determined to be a refugee.²⁸⁰ To elaborate, UNHCR outlines the essential needs of Somali refugees and IDPs as including: public health, both physically and mentally; addressing HIV/AIDS and reproductive health; water, sanitation and hygiene; nutrition and food security; shelter; and education.²⁸¹

Basic and Essential Needs

Most humanitarian assistance through UNHCR is directed towards meeting those essential needs of persons of concern. UNHCR partners with UN Member States’ national disease prevention and control programs.²⁸² UNHCR’s operational guide, *Ensuring Access to Healthcare*, represents successful program implementation for Somalis through providing mosquito nets and vaccines for the Malaria Strategic Plan (2008-2012) and also providing initial service packages for reproductive health.²⁸³ In 2012, UNHCR and its partners distributed well-over 55,000 packages of sanitary materials to Somali women and girls of reproductive age, but 70% of women and girls have gone without sanitary supplies.²⁸⁴ Most relevant to the recent severe drought and famine in and around Somalia, UNHCR along with the FAO and WFP aim to help Somalis under the Emergency Nutrition Network Partnership to combat starvation, malnutrition, and anemia.²⁸⁵ Additionally, a program has been initiated to feed infants in emergency situations as mothers in Somali refugee and IDP situations generally are not receiving enough nutrients to sustain themselves, let alone their infants.²⁸⁶ Regarding shelter, UNHCR and IASC partners aim to provide persons of concern in both camp and non-camp settings with tents, plastic sheeting, or any other material with which they may protect themselves from the elements and have some form of shelter.²⁸⁷ In addition to the provision of materials, humanitarian aid workers attempt to train and educate refugees and IDPs around construction techniques so that they may have a vocation and a better chance of finding work—even as UNHCR transitions them from short-term to

²⁷³ Ibid.

²⁷⁴ Long, *Unlocking Protracted Displacement Policy Overview*, 2011.

²⁷⁵ UNHCR, *The 1951 Convention Relating to the Status of Refugees and Its 1967 Protocol*, 2011.

²⁷⁶ UNHCR, *Protecting Refugees and the Role of UNHCR*, 2013.

²⁷⁷ UN General Assembly, *Universal Declaration of Human Rights (A/RES/217 A (III))*, 1948.

²⁷⁸ UNHCR, *The 1951 Convention Relating to the Status of Refugees and Its 1967 Protocol*, 2011.

²⁷⁹ United Nations, *World Refugee Day—Helping Refugees* [Website], 2013.

²⁸⁰ UNHCR, *Refugee Protection in International Law: The Scope and Content of the Principle of Non-Refoulement—Opinion*, 2003, p. 89.

²⁸¹ UNHCR, *Global Appeal 2012-2013*, 2012.

²⁸² Ibid., p. 25.

²⁸³ UNHCR, *Ensuring Access to Healthcare: Operational Guidance on Refugee Protection and Solutions in Urban Areas* [Report], 2011.

²⁸⁴ UNHCR, *Global Report 2012: Somalia*, 2012.

²⁸⁵ Ibid., p. 27.

²⁸⁶ Ibid..

²⁸⁷ Ibid., p. 26.

semi-permanent or transitional shelter within conflict, famine, and disaster situations.²⁸⁸ As the drought and famine in the Horn of Africa is attributed to climate change and environmental problems, UNHCR attempts draw on what environmentally-friendly resources are available in the area and may be easily utilized before bringing in outside resources for shelter.²⁸⁹ Approximately thirty per cent of children of concern in and around Somalia have no access to primary education and only one in five young adult refugees enrolls in secondary education.²⁹⁰ In the education settings that are available, there is an extremely high student to teacher ratio and a tremendous prevalence of gender inequality.²⁹¹

In terms of refugee displacement and migration, Kenya has historically been burdened with the highest number of Somalis at a total of over 471,000—especially since the southern part of Somalia has been plagued with concentrated conflict and emergency situations.²⁹² Ethiopia and Yemen have received nearly a half a million refugees between them.²⁹³ Djibouti, Uganda, Egypt, Eritrea, and Tanzania are states that have also received large numbers of persons fleeing from Somalia.²⁹⁴ Somali refugees and IDPs are residing in a variety of urban, rural, camp, and non-camp settings.²⁹⁵ In 2012, there were a total of 21,000 emergency shelters, 700 transitional shelters, and 300 permanent shelters provided to Somalis and more than 6,500 IDPs returned to their original areas of residence.²⁹⁶ A great number of these refugee and IDP shelters are located in urban areas and the implications of these urban shelters are such that UNHCR, UN, and other involved bodies and organizations have a more difficult time ensuring safety, providing equal assistance, and, most importantly, maintaining peace and security.²⁹⁷ Sexual and gender-based violence (SGBV) is an example of a major safety and equality issue that UNHCR is combating along with petty theft and violence to obtain assistance items.²⁹⁸ UNHCR's work against SGBV is founded within *Action Against Sexual and Gender-Based Violence: An Updated Strategy*.²⁹⁹ In 2012, UNHCR's attempts to eliminate SGBV and to provide help for SGBV victims assisted around 33,000 persons of concern.³⁰⁰ Unfortunately, more than 150,000 individuals suffered grave consequences as SGBV victims.³⁰¹ Maintaining peace and security within Somali borders and in the Horn of Africa region continues to be a difficult task.³⁰²

Obstructions to Providing Humanitarian Assistance

UN's General Assembly (GA), Economic and Social Council (ECOSOC), and Security Council (SC) have been and remain committed to providing humanitarian assistance to Somalis along with attempting to deter conflict and threats to peace and security since the early 1990's when destabilization started to occur.³⁰³ GA and ECOSOC have both reaffirmed strong consensus for *Strengthening the coordination of emergency humanitarian assistance of the United Nations*: GA did this with resolutions 66/119 (2012) and 67/87 (2013) and ECOSOC did as well with resolution 2012/3 (2012).³⁰⁴ GA also adopted resolution 66/135 (2012) regarding *Assistance to refugees, returnees and displaced persons in Africa*.³⁰⁵ In addition to those, GA adopted resolution 66/120 (2012) for *Strengthening humanitarian assistance, emergency relief and rehabilitation in response to the severe drought in the Horn of Africa*

²⁸⁸ Ibid., p. 26.

²⁸⁹ Ibid.

²⁹⁰ Ibid., p. 27.

²⁹¹ Ibid.

²⁹² UNHCR, *Refugees in the Horn of Africa: Somali Displacement Crisis* [Website], 2013.

²⁹³ Ibid.

²⁹⁴ Ibid.

²⁹⁵ UNHCR, *Global Report 2012*, 2012.

²⁹⁶ Ibid.

²⁹⁷ UNHCR, *The Implementation of UNHCR's Policy on Refugee Protection and Solutions in Urban Areas: Global Survey 2012* [Report], 2013.

²⁹⁸ UNHCR, *Global Report 2012: Somalia*, 2012.

²⁹⁹ UNHCR, *Action Against Sexual and Gender-Based Violence: An Updated Strategy* [Report], 2011.

³⁰⁰ UNHCR, *Global Report 2012: Somalia*, 2012.

³⁰¹ Ibid.

³⁰² Ibid.

³⁰³ United Nations, *United Nations Operation in Somalia I: Background* [Website], 2013.

³⁰⁴ UN General Assembly, *Strengthening the coordination of emergency humanitarian assistance of the United Nations (A/RES/67/87)* [Resolution], 2013.

³⁰⁵ UN General Assembly, *Assistance to refugees, returnees and displaced persons in Africa (A/RES/66/135)* [Resolution], 2012.

region.³⁰⁶ Most obstacles regarding humanitarian assistance to Somali IDPs and refugees can be connected to Al-Shabaab. Al-Shabaab is listed on SC counterterrorism list for sanctions against Al-Qaida and affiliated entities.³⁰⁷ It has taken severe advantage of the weak central government in Somalia in order to fulfill its own violent, radical agenda.³⁰⁸ The terrorist cell is responsible for intercepting countless drops of assistance supplies from humanitarian assistance organizations which were attempting to meet the basic and essential needs of refugees and IDPs, especially in southern Somalia.³⁰⁹ At one point, Member States contributing large amounts of money and supplies to humanitarian assistance efforts in the region discontinued their support so as not to sustain the Al-Qaida cell.³¹⁰ SC was moved to attempt to circumvent the gains made by the organization by approving and extending mandates for peace-keeping missions to work in and around Somalia.³¹¹ Al-Shabaab successfully intercepted relief supplies on land and in the Gulf of Aden, perpetuating maritime piracy off of the coast, and taking control of the environmental and economic resources of the country.³¹² SC adopted resolutions and implemented plans to halt coal mining and exports and to also halt small arms trading in the region.³¹³ With Security Council resolution 2111 (2013), the Council lifted the embargo on certain types of weapons in order to empower Somali military and peacekeepers to utilize these weapons in efforts to establish peace and stability.³¹⁴ In addition to violent and deadly attacks across the country and region, Somalis have suffered severe human rights violations such as child abductions and “recruitments” and a number of subsequent deaths.³¹⁵ Women and young adult females are still very susceptible to forms of SGBV such as rape because the act is seen as a “moral violation rather than a criminal one” and, therefore, violations go unpunished. Further, women engage in acts such as survival sex in hopes of accessing food, water, and other essential necessities.³¹⁶ Another example of a consequence of the instability is inaccessibility for WHO and UNICEF workers to administer Polio vaccines to over 600,000 children while there are more than 100 confirmed cases of Polio in the area.³¹⁷

Conclusion

Despite ongoing attacks against the UN Assistance Mission to Somalia, AMISOM, the UN Common Compound, and on-site humanitarian relief workers, UNHCR contributed significant information for consecutive reports to SC including the *Report of the United Nations Resident and Humanitarian Coordinator for Somalia*, the *Report of the Under-Secretary-General for Humanitarian Affairs and Emergency Relief Coordinator*, and, most notably, the *Report of the Secretary-General on Somalia* from September 2013 which updates SC and the international community on the status of humanitarian aid within the reporting period in Somalia.³¹⁸ In order for Somali refugees and IDPs to have access to the supplies and humanitarian assistance they require, more stability in matters of peace and security must be reached.³¹⁹ Communication must be enhanced and transportation of UNHCR resources must be regulated and secured. Maritime piracy must end in the Gulf of Aden and Al-Shabaab must no longer be able to intercept refugee and IDP supplies. Donors must believe that their support will truly arrive in the hands for who their contributions are intended and appeals must continue for contributions from the global community.

In what ways can UNHCR work, in accordance with its mandate to ensure supply, safe delivery, and appropriation of humanitarian assistance from the agency and its operational partners? How might UN bodies and members of the IASC Cluster Approach help ensure these things? Are there any ways in which supplies being delivered to IDPs and

³⁰⁶ UN General Assembly, *Strengthening humanitarian assistance, emergency relief and rehabilitation in response to the severe drought in the Horn of Africa region (A/Res/66/120)* [Resolution], 2012.

³⁰⁷ UN Security Council Committee pursuant to resolutions 1267 (1999) and 1989 (2011) concerning Al-Qaida and associated individuals and entities, *The List established and maintained by the Committee Pursuant to resolutions 1267 (1999) and 1989 (2011) with respect to individuals, groups, undertakings and other entities associated with Al-Qaida*, 2013.

³⁰⁸ UN Secretary-General, *Report of the Secretary-General on Somalia (S/2013/69)*, 2013

³⁰⁹ Ibid.

³¹⁰ CRS, *Horn of Africa Region: The Humanitarian Crisis and International Response*, 6 January 2012.

³¹¹ UN Secretary-General, *Report of the Secretary-General on Somalia (S/2013/69)*, 2013.

³¹² Ibid.

³¹³ Ibid.

³¹⁴ UN Security Council, *Resolution 2111 (2013) (S/RES/2111)*, 2013.

³¹⁵ UN Security Council, *Report of the Secretary-General on Somalia (S/2013/521)*, 2013.

³¹⁶ Ibid.

³¹⁷ UN Security Council, *Report of the Under-Secretary-General for Humanitarian Affairs and Emergency Relief Coordinator (S/2013/415)*, 2013.

³¹⁸ UN Security Council, *Report of the Secretary-General on Somalia (S/2013/521)*, 2013.

³¹⁹ Ibid.

refugees could be improved themselves or transported in a safer and more efficient way? Pursuant to SC resolution 2122 (2013), how may UNHCR empower women and children—amongst the millions of people of concern in and around Somalia, in spite of their refugee or IDP status—to defend themselves against SGBV and to actively participate in resolving and rebuilding from conflict, thereby sustainably developing the region and embracing durable solutions?

Annotated Bibliography

Haider, H. (2013, March 31). *International Legal Frameworks for Humanitarian Action: Topic Guide*. Retrieved 15 July 2013 from

<http://reliefweb.int/sites/reliefweb.int/files/resources/International%20Legal%20Frameworks%20for%20Humanitarian%20Action.pdf>

Huma Haider's guide for humanitarian action and the legal frameworks therein assist readers with a concise and informative understanding of international laws, especially regarding humanitarian assistance. As the rule of law is of the utmost importance, it is absolutely necessary to understand the principles of international laws in order to effectively and faultlessly participate in international humanitarian assistance efforts. This topic guide will help with forming an understanding of the frameworks and international laws. It will also assist in developing a more advanced and knowledgeable perspective for the substantive comparisons, arguments, and planning abilities of UNHCR.

United Nations, General Assembly, Sixty-sixth session. (2012, March 7). *Strengthening humanitarian assistance, emergency relief and rehabilitation in response to the severe drought in the Horn of Africa region (A/RES/66/120)* [Resolution]. Resolution adopted by the General Assembly. Retrieved 20 July 2013 from:

http://www.un.org/ga/search/view_doc.asp?symbol=A/RES/66/120

This resolution allows for a realization of the international community for the continuing desperate need for assistance to the Horn of Africa. Resolution 66/120 also calls upon a number of diverse entities to remain aware of and active in efforts to provide assistance to persons of concern in the region. Another advantage to studying this document is the allowance it provides for keeping all members of the international community accountable to each other, to the cause of providing assistance to Somalia and the region, and for keeping the mission of assistance, stabilization and development at the top of the international agenda.

United Nations, General Assembly, Sixty-seventh session. (2013, March 26). *Strengthening the coordination of emergency humanitarian assistance of the United Nations (A/RES/67/87)* [Resolution]. Resolution adopted by the General Assembly. Retrieved 15 July 2013 from: http://www.un.org/ga/search/view_doc.asp?symbol=A/RES/67/87

As a predetermined agenda topic for the 67th session of the General Assembly, the resulting resolution is a very detailed and inclusive call for rededication to humanitarian assistance and cross-cutting participation. Even though this topic is no longer specific to just Somalia and the Horn of Africa region, it includes 41 separate clauses that call for active participation from UN bodies, NGOs, Member States, and various other agencies and organizations. The request for all parts of the international community to stay engaged in humanitarian assistance endeavors and emergency response efforts is an inclusive invitation for donors, money managers, States, and all capable entities to remain alert, aware, and active in specialized ways so that they are prepared to contribute to ongoing and new assistance needs.

United Nations High Commissioner for Refugees. (2012). *UNHCR Global Appeal 2012-2013*. Retrieved 28 June 2013 from: <http://www.unhcr.org/ga12/index.xml>

UNHCR's yearly publication reviews the principles by which it operates and outlines UNHCR's intentions for the forthcoming year. It provides background information and progress made in the region as well as UNHCR's goals in order to motivate donations from the international community for humanitarian works around the world. It specifies the regional and national unique needs and outlines the parameters for meeting essential needs. This information helps in understanding the obstacles, progress, and efforts made by the UNHCR and its partners in areas experiencing conflict or devastated by natural disasters, in order to help people of concern.

United Nations High Commissioner for Refugees. (2012). *Global Report 2012* [Website]. Retrieved 15 July 2013 from: <http://www.unhcr.org/gr12/index.xml>

The annual Global Report explicitly and exclusively provides data for UNHCR's previous activities. It is necessary to remain abreast of the accomplishments and goals of the body's humanitarian assistance efforts, especially regarding persons of concern from and in Somalia. Information is provided here for the significant works of operational partners and the contributions from said partners and independent donors. The diverse needs of groups and regions are presented, methods of assistance are reviewed, and needs-based assessments are re-presented.

United Nations High Commissioner for Refugees. (2013). *Refugees in the Horn of Africa: Somali Displacement Crisis* [Website]. Retrieved on 28 June 2013 from: <http://data.unhcr.org/horn-of-africa/regional.php>

This Web site provides statistical data by country for the hosts of refugees and asylum-seekers from Somalia. It gauges the numbers of refugees in Kenya, Ethiopia, Yemen, Djibouti and others while also reporting the fluctuations due to recent migrations. In addition, information is provided for gender data, household sizes, and household numbers. Budgets, reports, and assessments are available here by host country. It is important to understand the burden host countries experience in order to provide the right supplies and the right quantities. Further, it is important to track the location of refugees in the area so that humanitarian workers in the field may strategically work with the lowest possible risk. These tools also assist UN bodies and NGOs in the decision-making processes of humanitarian aid.

United Nations High Commissioner for Refugees. (2013, June). *2013 UNHCR country operations profile—Somalia* [Website]. Retrieved on 28 June 2013 from: <http://www.unhcr.org/pages/49e483ad6.html>

UNHCR's Web site for Somalia refugee and IDP efforts is the first necessary access point for information related to humanitarian assistance. Of vital importance is a needs-based assessment and updates on the refugee and IDP situation in and around Somalia. Documents, resources and a plethora of information is available to survey in order to obtain an elementary to intermediate understanding of UNHCR-relevant works.

United Nations, Inter-Agency Standing Committee. (2006, November 24). *Guidance Note on Using the Cluster Approach to Strengthen Humanitarian Response*. Retrieved 15 July 2013 from:

<http://www.humanitarianinfo.org/iasc/pageloader.aspx?page=content-documents-defaultsearch&query=Cluster&mainbodyid=3>

For international humanitarian assistance and emergency response preparedness, it is of vital importance to have reinforced knowledge of the system by which responders and providers work. The cluster system delegates the responsibilities for providing specific types of aid to different UN bodies and international organizations. It is no longer enough to commit to assisting at some point after an emergency or crisis situation: the cluster system has become a valuable tool for responding and doing so with speed and agility. The better understanding of the cluster system that the international community and responders possess, the more effective and comprehensive the assistance may be.

United Nations, Secretary-General. (2013, January 31). *Report of the Secretary-General on Somalia (S/2013/69)*. Retrieved 15 July 2013 from:

<http://reliefweb.int/sites/reliefweb.int/files/resources/Report%20of%20the%20Secretary-General%20on%20Somalia.pdf>

The Secretary-General's report on Somalia in 2013 provides a thorough and comprehensive understanding of political, economic, social, and military atmospheres in and around Somalia in July 2013. A clearly defined recent history from the research and expertise of the Secretary-General, his staff and other UN sources provides logistical events and successes in humanitarian assistance as well as set-backs for Somalia and the region in stabilization, recovery and development. Finally, the report assist in determining the direction for which logistical planning for humanitarian assistance and stabilization should go next.

United Nations, Security Council, 709th Meeting. (2013, July 24). Resolution 2111 (2013) (S/RES/2111). Retrieved 23 August 2013 from: http://www.un.org/en/ga/search/view_doc.asp?symbol=S/RES/2111%282013%29

Security Council resolution 2111 (2013) reaffirms the need to observe Somalia and Eritrea based on unfavorable, destructive behavior attributed to Al-Shabaab in and around those states. Essentially, SC supports the Monitoring Group for Somalia and Eritrea, condemns violence of all matters, including SGBV, and reworks parameters of the embargo against certain weapons and ammunition. Furthermore, specifics relating to coal trade and matters of national security are discussed and must be understood in order to reach UNHCR's persons of concern and their ability to receive humanitarian assistance.

Bibliography

- African Union. (2013). *AMISOM—About AMISOM* [Website]. Retrieved on 20 July 2013 from: <http://amisom-au.org/about/amisom-background/#>
- African Union. (2013). *Amisom—Home* [Website]. Retrieved on 20 July 2013 from: <http://amisom-au.org/about/amisom-background/#>
- Congressional Research Service. (2013, January 6). *Horn of Africa Region: The Humanitarian Crisis and International Response* [Report]. Retrieved 28 June 2013 from: <http://www.fas.org/sgp/crs/row/R42046.pdf>
- Haider, H. (2013, March 31). *International Legal Frameworks for Humanitarian Action: Topic Guide*. Retrieved 15 July 2013 from <http://reliefweb.int/sites/reliefweb.int/files/resources/International%20Legal%20Frameworks%20for%20Humanitarian%20Action.pdf>
- Long, K. (2011, October). *Unlocking Protracted Displacement Policy Overview*. Retrieved 20 August 2013 from <http://www.rsc.ox.ac.uk/publications/rsc-reports/Unlocking-protracted-displacement-policy-overview.pdf>
- Steets, J., F. Grünwald, A. Binder, V. de Geoffroy, D. Kauffmann, S. Krüger, C. Meier & B. Sokpoh. (2010, April 1). *Cluster Approach Evaluation 2 Synthesis Report*. Retrieved 15 July 2013 from: <http://www.humanitarianinfo.org/iasc/pageloader.aspx?page=content-products-common&tempid=99>
- United Nations. (2013). *Global Issues—Refugees* [Website]. Retrieved 28 July 2013 from: <http://www.un.org/en/globalissues/refugees/>
- United Nations, (2013). *United Nations Operation in Somalia I (UNOSOM I): Background* [Website]. Retrieved on 28 June 2013 from: <http://www.un.org/en/peacekeeping/missions/past/unosom1backgr2.html>
- United Nations. (2013). *World Refugee Day—Helping Refugees* [Website]. Retrieved 20 July 2013 from: <http://www.un.org/en/events/refugeeday/helping.shtml>
- United Nations, Inter-Agency Standing Committee. (2006, November 24). *Guidance Note on Using the Cluster Approach to Strengthen Humanitarian Response*. Retrieved 15 July 2013 from: <http://www.humanitarianinfo.org/iasc/pageloader.aspx?page=content-documents-defaultsearch&query=Cluster&mainbodyid=3>
- United Nations, Inter-Agency Standing Committee. (2013). *IASC Principals Transformative Agenda* [Website]. Retrieved 15 July 2013 from: <http://www.humanitarianinfo.org/iasc/pageloader.aspx?page=content-template-default&bd=87>
- United Nations International Strategy for Disaster Reduction. (2013). *Hyogo Framework for Action* [Website]. Retrieved 14 October 2013 from: <http://www.unisdr.org/we/coordinate/hfa>
- United Nations, General Assembly, Sixty-seventh session. (2013, March 26). *Strengthening the coordination of emergency humanitarian assistance of the United Nations (A/RES/67/87)* [Resolution]. Resolution adopted by the General Assembly. Retrieved 15 July 2013 from: http://www.un.org/ga/search/view_doc.asp?symbol=A/RES/67/87

United Nations, General Assembly, Sixty-sixth session. (2012, March 7). *Strengthening humanitarian assistance, emergency relief and rehabilitation in response to the severe drought in the Horn of Africa region (A/RES/66/120)* [Resolution]. Resolution adopted by the General Assembly. Retrieved 20 July 2013 from: http://www.un.org/ga/search/view_doc.asp?symbol=A/RES/66/120

United Nations, General Assembly, Sixty-sixth session. (2012, March 17). *Assistance to refugees, returnees and displaced persons in Africa (A/RES/66/135)* [Resolution]. Resolution adopted by the General Assembly. Retrieved 20 June 2013 from: http://www.un.org/ga/search/view_doc.asp?symbol=A/RES/66/135

United Nations, General Assembly. (1948, December 10). *Universal Declaration of Human Rights (A/RES/217 A (III))*. Retrieved 1 August 2013 from: <http://www.un.org/en/documents/udhr/>

United Nations High Commissioner for Refugees. (2003, January 1). *Refugee Protection in International Law: The Scope and Content of the Principle of Non-Refoulement—Opinion*. Retrieved 20 July 2013 from: <http://www.unhcr.org/4a1ba1aa6.html>

United Nations High Commissioner for Refugees. (2007, November 1). *Internally Displaced People: Questions and Answers*. Retrieved 28 June 2013 from: <http://www.unhcr.org/405ef8c64.html>

United Nations High Commissioner for Refugees. (2008, July 1). *Guiding Principles and Strategic Plans 2008-2012* [Website]. Retrieved 28 June 2013 from: <http://www.unhcr.org/488600152.html>

United Nations High Commissioner for Refugees. (2011). *Action Against Sexual and Gender-Based Violence: An Updated Strategy*. Retrieved 13 October 2013 from: <http://www.refworld.org/pdfid/4e01ffeb2.pdf>

United Nations High Commissioner for Refugees. (2011). *Ensuring Access to Healthcare: Operational Guidance on Refugee Protection and Solutions in Urban Areas*. Retrieved 28 July 2013 from: <http://www.unhcr.org/4e26c9c69.pdf>

United Nations High Commissioner for Refugees. (2011, September). *The 1951 Convention Relating to the Status of Refugees and Its 1967 Protocol*. Retrieved 28 June 2013 from: <http://www.unhcr.org/4ec262df9.html>

United Nations High Commissioner for Refugees. (2012). *UNHCR Global Appeal 2012-2013* [Website]. Retrieved 28 June 2013 from: <http://www.unhcr.org/ga12/index.xml>

United Nations High Commissioner for Refugees. (2012). *Global Report 2012* [Website]. Retrieved 15 July 2013 from: <http://www.unhcr.org/gr12/index.xml>

United Nations High Commissioner for Refugees. (2012). *Global Report 2012: Somalia* [Website]. Retrieved 15 July 2013 from: <http://www.unhcr.org/gr12/index.xml>

United Nations High Commissioner for Refugees. (2013). *The Implementation of UNHCR's Policy on Refugee Protection and Solutions in Urban Areas: Global Survey 2012*. Retrieved 25 August 2013 from: <http://www.unhcr.org/516d658c9.html>

United Nations High Commissioner for Refugees. (2013). *Refugees in the Horn of Africa: Somali Displacement Crisis* [Website]. Retrieved 28 June 2013 from: <http://data.unhcr.org/horn-of-africa/regional.php>

United Nations High Commissioner for Refugees. (2013). *Protecting Refugees & The Role of UNHCR*. Retrieved 28 June 2013 from: <http://www.unhcr.org/509a836e9.html>

United Nations High Commissioner for Refugees. (2013, June). *2013 UNHCR country operations profile—Somalia* [Website]. Retrieved on 28 June 2013 from: <http://www.unhcr.org/pages/49e483ad6.html>

United Nations, Office for the Coordination of Humanitarian Affairs. (2013). *Somalia: Protection* [Website]. Retrieved 31 July 2013 from: <http://www.unocha.org/somalia/coordination/clusters/protection>

United Nations, Secretary-General. (2013, January 31). *Report of the Secretary-General on Somalia (S/2013/69)*. Retrieved 15 July 2013 from: <http://reliefweb.int/sites/reliefweb.int/files/resources/Report%20of%20the%20Secretary-General%20on%20Somalia.pdf>

United Nations, Security Council. (2013, July 12). *Letter dated 12 July 2013 from the Chair of the Security Council Committee pursuant to resolutions 751 (1992) and 1907 (2009) concerning Somalia and Eritrea addressed to the President of the Security Council: Report of the Under-Secretary-General for Humanitarian Affairs and Emergency Relief Coordinator (S/2013/415)* [Report]. Retrieved 30 September 2013 from: http://www.un.org/en/ga/search/view_doc.asp?symbol=S/2013/415

United Nations, Security Council, 7009th Meeting. (2013, July 24). *Resolution 2111 (2013) (S/RES/2111)*. Retrieved 23 August 2013 from: http://www.un.org/en/ga/search/view_doc.asp?symbol=S/RES/2111%282013%29

United Nations, Security Council. (2013, September 3). *Report of the Secretary-General on Somalia (S/2013/521)*. Retrieved 10 September 2013 from: http://www.un.org/en/ga/search/view_doc.asp?symbol=S/2013/521

United Nations, Security Council, Committee pursuant to resolutions 1267 (1999) and 1989 (2011) concerning Al-Qaida and associated individuals and entities. (2013, October 17). *The List established and maintained by the Committee Pursuant to resolutions 1267 (1999) and 1989 (2011) with respect to individuals, groups, undertakings and other entities associated with Al-Qaida*. Retrieved 18 October 2013 from: <http://www.un.org/sc/committees/1267/pdf/AQList.pdf>

Yusuf, A. & F. Ouguergouz. (2012). *The African Union: Legal and Institutional Framework—A Manual on the Pan-African Organization*. Leiden, The Netherlands: Martinus Nijhoff Publishers.

Rules of Procedure of the United Nations High Commissioner for Refugees (UNHCR)

Introduction

1. These rules shall be the only rules which apply to the Executive Committee of the United Nations High Commissioner for Refugees (hereinafter referred to as “the Committee”) and shall be considered adopted by the Committee prior to its first meeting.
2. For purposes of these rules, the Director, the Assistant Director(s), the Under-Secretaries-General, and the Assistant Secretaries-General, are designates and agents of the Secretary-General and Deputy Secretary-General, and are collectively referred to as the “Secretariat.”
3. Interpretation of the rules shall be reserved exclusively to the Deputy Secretary-General or her/his designate. Such interpretation shall be in accordance with the philosophy and principles of the National Model United Nations (NMUN) and in furtherance of the educational mission of that organization.
4. For the purposes of these rules, “President” shall refer to the chairperson or acting chairperson of the Committee, which can be any member of the Secretariat or their designate.
5. The practice of striving for consensus in decision-making shall be encouraged. NMUN also acknowledges it may sometimes be necessary for a Member State to abstain or vote against a resolution it cannot support for policy reasons.

I. SESSIONS

Rule 1 - *Dates of convening and adjournment*

The Committee shall meet every year in regular session, commencing and closing on the dates designated by the Secretary-General.

Rule 2 - *Place of sessions*

The Committee shall meet at a location designated by the Secretary-General.

II. AGENDA

Rule 3 - *Provisional agenda*

The provisional agenda shall be drawn up by the Deputy Secretary-General and communicated to the members of the Committee at least sixty days before the opening of the session.

Rule 4 - *Adoption of the agenda*

The agenda provided by the Deputy Secretary-General shall be considered adopted as of the beginning of the session. The order of the agenda items shall be determined by a majority vote of those present and voting.

The vote described in this rule is a procedural vote and, as such, observers are permitted to cast a vote. For purposes of this rule, those present and voting means those Member States and observers, in attendance at the meeting during which this motion comes to a vote. Should the Committee not reach a decision by conclusion of the first night’s meeting, the agenda will be automatically set in the order in which it was first communicated.

Rule 5 - Revision of the agenda

During a session, the Committee may revise the agenda by adding, deleting, deferring or amending items. Only important and urgent items shall be added to the agenda during a session. Debate on the inclusion of an item in the agenda shall be limited to three speakers in favor of, and three against, the inclusion. Additional items of an important and urgent character, proposed for inclusion in the agenda less than thirty days before the opening of a session, may be placed on the agenda if the Committee so decides by a two-thirds majority of the members present and voting. No additional item may, unless the Committee decides otherwise by a two-thirds majority of the members present and voting, be considered until a commission has reported on the question concerned.

For purposes of this rule, the determination of an item of an important and urgent character is subject to the discretion of the Deputy Secretary-General, or his or her designate, and any such determination is final. If an item is determined to be of such a character, then it requires a two-thirds vote of the Committee to be placed on the agenda. The votes described in this rule are substantive votes, and, as such, observers are not permitted to cast a vote. For purposes of this rule, —the members “present and voting” — means members (not including observers) in attendance at the session during which this motion comes to vote.

Rule 6 - Explanatory memorandum

Any item proposed for inclusion in the agenda shall be accompanied by an explanatory memorandum and, if possible, by basic documents.

III. SECRETARIAT

Rule 7 - Duties of the Secretary-General

1. The Secretary-General or her/his designate shall act in this capacity in all meetings of the Committee.
2. The Secretary-General, in cooperation with the Deputy Secretary-General, shall provide and direct the staff required by the Committee and be responsible for all the arrangements that may be necessary for its meetings.

Rule 8 - Duties of the Secretariat

The Secretariat shall receive and distribute documents of the Commission to the Members, and generally perform all other work which the Committee may require.

Rule 9 - Statements by the Secretariat

The Secretary-General or her/his designate, may make oral as well as written statements to the Committee concerning any question under consideration.

Rule 10 - Selection of the President

The Secretary-General or her/his designate shall appoint, from applications received by the Secretariat, a President who shall hold office and, *inter alia*, chair the Committee for the duration of the session, unless otherwise decided by the Secretary-General.

Rule 11 - Replacement of the President

If the President is unable to perform her/his functions, a new President shall be appointed for the unexpired term at the discretion of the Secretary-General or her/his designate.

IV. LANGUAGE

Rule 12 - Official and working language

English shall be the official and working language of the Committee during scheduled sessions (both formal and informal) of the Committee.

Rule 13 - Interpretation (oral) or translation (written)

Any representative wishing to address any body or submit a document in a language other than English shall provide interpretation or translation into English.

This rule does not affect the total speaking time allotted to those representatives wishing to address the body in a language other than English. As such, both the speech and the interpretation must be within the set time limit. The language should be the official language of the country you are representing at NMUN.

V. CONDUCT OF BUSINESS

Rule 14 - Quorum

The President may declare a meeting open and permit debate to proceed when representatives of at least one-third of the members of the Committee are present. The presence of representatives of a majority of the members of the Committee shall be required for any decision to be taken.

For purposes of this rule, members of the Committee means the total number of members (not including observers) in attendance at the first night's meeting (session).

Rule 15 - General powers of the President

In addition to exercising the powers conferred upon him or her elsewhere by these rules, the President shall declare the opening and closing of each meeting of the Committee, direct the discussions, ensure observance of these rules, accord the right to speak, put questions to vote and announce decisions. The President, subject to these rules, shall have complete control of the proceedings of the Committee and over the maintenance of order at its meetings. He or she shall rule on points of order. The President may propose to the Committee the closure of the list of speakers, a limitation on the speakers time and on the number of times the representative of each member may speak on an item, the adjournment or closure of the debate, and the suspension or adjournment of a meeting.

Included in these enumerated powers is the power to assign speaking times for all speeches incidental to motions and amendment. Further, the President is to use her/his discretion, upon the advice and at the consent of the Secretariat, to determine whether to entertain a particular motion based on the philosophy and principles of the NMUN. Such discretion should be used on a limited basis and only under circumstances where it is necessary to advance the educational mission of the Conference and is limited to entertaining motions.

Rule 16 - Authority of the Committee

The President, in the exercise of her or his functions, remains under the authority of the Committee.

Rule 17 - Voting rights on procedural matters

Unless otherwise stated, all votes pertaining to the conduct of business shall require a favorable vote by the majority of the members "present and voting" in order to pass.

For purposes of this rule, the members present and voting mean those members (including observers) in attendance at the meeting during which this rule is applied. Note that observers may vote on all procedural votes; they may, however, not vote on substantive matters (see Chapter VI). Every delegation must cast a vote in procedural votes. Further, there is no possibility to abstain or pass on procedural votes

Rule 18 - Points of order

During the discussion of any matter, a representative may rise to a point of order, and the point of order shall be immediately decided by the President in accordance with the rules of procedure. A representative may appeal against the ruling of the President. The appeal shall be immediately put to the vote, and the President's ruling shall stand unless overruled by a majority of the members present and voting. A representative rising to a point of order may not speak on the substance of the matter under discussion.

Such points of order should not under any circumstances interrupt the speech of a fellow representative. They should be used exclusively to correct an error in procedure. Any questions on order arising during a speech made by a representative should be raised at the conclusion of the speech, or can be addressed by the President, sua sponte (on her/his own accord), during the speech. For purposes of this rule, the members present and voting mean those members (including observers) in attendance at the meeting during which this motion comes to vote.

Rule 19 - Speeches

No representative may address the Committee without having previously obtained the permission of the President. The President shall call upon speakers in the order in which they signify their desire to speak. The President may call a speaker to order if his remarks are not relevant to the subject under discussion.

In line with the philosophy and principles of the NMUN, in furtherance of its educational mission, and for the purpose of facilitating debate, the Secretariat will set a time limit for all speeches which may be amended by the Committee through a vote if the President, at his or her discretion, decides to allow the Committee to decide. In no case shall the speaker's time be changed during the first scheduled session of the Committee. Consequently, motions to alter the speaker's time will not be entertained by the President. The content of speeches should be pertinent to the agenda as set by the Committee.

Rule 20 - List of Speakers

Members may only be on the list of speakers once but may be added again after having spoken. During the course of a debate, the President may announce the list of speakers and, with the consent of the Committee, declare the list closed. Once the list has been closed, it can be reopened upon by a vote of the Committee. When there are no more speakers, the President shall declare the debate closed. Such closure shall have the same effect as closure by decision of the Committee.

The decision to announce the list of speakers is within the discretion of the President and should not be the subject of a motion by the Committee. A motion to close the speakers list or reopen (if the list has already been closed) is within the purview of the Committee and the President should not act on her/his own motion.

Rule 21 - Right of reply

If a remark impugns the integrity of a representative's State, the President may permit that representative to exercise her/his right of reply following the conclusion of the controversial speech, and shall determine an appropriate time limit for the reply. No ruling on this question shall be subject to appeal.

For purposes of this rule, a remark that impugns the integrity of a representative's State is one directed at the governing authority of that State and/or one that puts into question that State's sovereignty or a portion thereof. All interventions in the exercise of the right of reply shall be addressed in writing to the Secretariat and shall not be raised as a point of order or motion. The reply shall be read to the Committee by the representative only upon approval of the Secretariat, and in no case after voting has concluded on all matters relating to the agenda topic, during the discussion of which, the right arose. The right of reply will not be approved should it impugn the integrity of another State.

Rule 22 - Suspension of the meeting

During the discussion of any matter, a representative may move the suspension of the meeting, specifying a time for reconvening. Such motions shall not be debated but shall be put to a vote immediately, requiring the support of a majority of the members present and voting to pass. Delegates should not state a purpose for the suspension.

This motion should be used to suspend the meeting for lunch or at the end of the scheduled board session time. Delegates should properly phrase this motion as "suspension of the meeting," and provide a length of time when making the motion.

Rule 23 - Adjournment of the meeting

During the discussion of any matter, a representative may move to the adjournment of the meeting. Such motions shall not be debated but shall be put to the vote immediately, requiring the support of a majority of the members present and voting to pass. After adjournment, the Committee shall reconvene at its next regularly scheduled meeting time.

As this motion, if successful, would end the meeting until the Committee's next regularly scheduled session the following year, and in accordance with the philosophy and principles of the NMUN and in furtherance of its educational mission, the President will not entertain such a motion until the end of the last meeting of the Committee.

Rule 24 - Adjournment of debate

During the discussion of any matter, a representative may move the adjournment of the debate on the item under discussion. Two representatives may speak in favor of, and two against, the motion, after which the motion shall be immediately put to the vote. The President may limit the time to be allowed to speakers under this rule.

Rule 25 - Closure of debate

A representative may at any time move the closure of debate on the item under discussion, whether or not any other representative has signified her/his wish to speak. Permission to speak on the motion shall be accorded only to two representatives opposing the closure, after which the motion shall be put to the vote immediately. Closure of debate shall require a two-thirds majority of the members present and voting. If the Committee favors the closure of debate, the Committee shall immediately move to vote on all proposals introduced under that agenda item.

Rule 26 - Order of motions

Subject to Rule 18, the motions indicated below shall have precedence in the following order over all proposals or other motions before the meeting:

1. To suspend the meeting;
2. To adjourn the meeting;
3. To adjourn the debate on the item under discussion;
4. To close the debate on the item under discussion.

Rule 27 - Proposals and amendments

Proposals and amendments shall normally be submitted in writing to the Secretariat. Any proposal or amendment that relates to the substance of any matter under discussion shall require the signature of twenty percent of the members of the Committee [sponsors].

The Secretariat may, at its discretion, approve the proposal or amendment for circulation among the delegations. As a general rule, no proposal shall be put to the vote at any meeting of the Committee unless copies of it have been

circulated to all delegations. The President may, however, permit the discussion and consideration of amendments or of motions as to procedure, even though such amendments and motions have not been circulated.

If the sponsors agree to the adoption of a proposed amendment, the proposal shall be modified accordingly and no vote shall be taken on the proposed amendment. A document modified in this manner shall be considered as the proposal pending before the Committee for all purposes, including subsequent amendments.

For purposes of this rule, all proposals shall be in the form of working papers prior to their approval by the Secretariat. Working papers will not be copied, or in any other way distributed, to the Committee by the Secretariat. The distribution of such working papers is solely the responsibility of the sponsors of the working papers. Along these lines, and in furtherance of the philosophy and principles of the NMUN and for the purpose of advancing its educational mission, representatives should not directly refer to the substance of a working paper that has not yet been accepted as a draft resolution during formal speeches. After approval of a working paper, the proposal becomes a draft resolution and will be copied by the Secretariat for distribution to the Committee. These draft resolutions are the collective property of the Committee and, as such, the names of the original sponsors will be removed. The copying and distribution of amendments is at the discretion of the Secretariat, but the substance of all such amendments will be made available to all representatives in some form. Should delegates wish to withdraw a working paper or draft resolution from consideration, this requires the consent of all sponsors.

Rule 28 - Withdrawal of motions

A motion may be withdrawn by its proposer at any time before voting has commenced, provided that the motion has not been amended. A motion thus withdrawn may be reintroduced by any member.

Rule 29 - Reconsideration of a topic

When a topic has been adjourned, it may not be reconsidered at the same session unless the Committee, by a two-thirds majority of those present and voting, so decides. Reconsideration can only be moved by a representative who voted on the prevailing side of the original motion to adjourn. Permission to speak on a motion to reconsider shall be accorded only to two speakers opposing the motion, after which it shall be put to the vote immediately. The President may limit the time to be allowed to speakers under this rule.

Rule 30 - Invitation to silent prayer or meditation

Immediately after the opening of the meeting and immediately preceding the closing of the final meeting, the President shall invite the representatives to observe one minute of silence dedicated to prayer or meditation with the motion to do so by a representative.

VI. VOTING

Rule 31 - Voting rights

Each member of the Committee shall have one vote.

This rule applies to substantive voting on amendments, draft resolutions, and portions of draft resolutions divided out by motion. As such, all references to member(s) do not include observers, who are not permitted to cast votes on substantive matters.

Rule 32 - Request for a vote

A proposal or motion before the Committee for decision shall be voted upon if any member so requests. Where no member requests a vote, the Committee may adopt proposals or motions without a vote.

For purposes of this rule, proposal means any draft resolution, an amendment thereto, or a portion of a draft resolution divided out by motion. Just prior to a vote on a particular proposal or motion, the President may ask if there are any objections to passing the proposal or motion by acclamation, or a

member may move to accept the proposal or motion by acclamation. If there are no objections to the proposal or motion, then it is adopted without a vote. Adoption by “acclamation” or “without a vote” is consistent not only with the educational mission of the conference but also the way in which the United Nations adopts a majority of its proposals.

Rule 33 - Majority required

1. Unless specified otherwise in these rules, decisions of the Committee shall be made by a majority of the members present and voting.
2. For the purpose of tabulation, the phrase “members present and voting” means members casting an affirmative or negative vote. Members which abstain from voting are considered as not voting.

All members declaring their representative States as “present and voting” during the attendance roll-call for the meeting during which the substantive voting occurs, must cast an affirmative or negative vote, and cannot abstain on substantive votes.

Rule 34 - Method of voting

1. The Committee shall normally vote by a show of placards, except that a representative may request a roll-call, which shall be taken in the English alphabetical order of the names of the members, beginning with the member whose name is randomly selected by the President. The name of each member shall be called in any roll-call, and one of its representatives shall reply “yes,” “no,” “abstention,” or “pass.”

Only those members who designate themselves as present or present and voting during the attendance roll-call, or in some other manner communicate their attendance to the President and/or Secretariat, are permitted to vote and, as such, no others will be called during a roll-call vote. Any representatives replying pass must, when requested a second time, respond with either a yes or no vote. A pass cannot be followed by a second pass for the same proposal or amendment, nor can it be followed by an abstention on that same proposal or amendment.

2. When the Committee votes by mechanical means, a non-recorded vote shall replace a vote by show of placards and a recorded vote shall replace a roll-call vote. A representative may request a recorded vote. In the case of a recorded vote, the Committee shall dispense with the procedure of calling out the names of the members.
3. The vote of each member participating in a roll-call or a recorded vote shall be inserted in the record.

Rule 35 - Explanations of vote

Representatives may make brief statements consisting solely of explanation of their votes after the voting has been completed. The representatives of a member sponsoring a proposal or motion shall not speak in explanation of vote thereon, except if it has been amended, and the member has voted against the proposal or motion.

All explanations of vote must be submitted to the President in writing before debate on the topic is closed, except where the representative is of a member sponsoring the proposal, as described in the second clause, in which case the explanation of vote must be submitted to the President in writing immediately after voting on the topic ends. Only delegates who are sponsors of a draft resolution that has been adopted with an unfriendly amendment, whom subsequently voted against the draft resolution may explain their vote.

Rule 36 - Conduct during voting

After the President has announced the commencement of voting, no representatives shall interrupt the voting except on a point of order in connection with the actual process of voting.

For purposes of this rule, there shall be no communication among delegates, and if any delegate leaves the Committee room during voting procedure, they will not be allowed back into the room until the Committee

has convened voting procedure. Should a delegate who is also serving as Head Delegate leave the room, they may reenter but they may not retake their seat and participate in the vote.

Rule 37 - Division of proposals and amendments

Immediately before a proposal or amendment comes to a vote, a representative may move that parts of a proposal or of an amendment should be voted on separately. If there are calls for multiple divisions, those shall be voted upon in an order to be set by the President where the most radical division will be voted upon first. If an objection is made to the motion for division, the request for division shall be voted upon, requiring the support of a majority of those present and voting to pass. Permission to speak on the motion for division shall be given only to two speakers in favor and two speakers against. If the motion for division is carried, those parts of the proposal or of the amendment which are approved shall then be put to a vote. If all operative parts of the proposal or of the amendment have been rejected, the proposal or amendment shall be considered to have been rejected as a whole.

For purposes of this rule, most radical division means the division that will remove the greatest substance from the draft resolution, but not necessarily the one that will remove the most words or clauses. The determination of which division is most radical is subject to the discretion of the Secretariat, and any such determination is final.

Rule 38 - Amendments

An amendment is a proposal that does no more than add to, delete from, or revise part of another proposal. Permission to speak on the amendment shall be given only to two speakers in favor and two speakers against.

An amendment can add, amend, or delete entire operative clauses, but cannot in any manner add, amend, delete, or otherwise affect preambular clauses or sub-clauses of operative clauses. The President may limit the time to be allowed to speakers under this rule. These speeches are substantive in nature.

Rule 39 - Voting on amendments

When an amendment is moved to a proposal, the amendment shall be voted on first. When two or more amendments are moved to a proposal, the amendment furthest removed in substance from the original proposal shall be voted on first and then the amendment next furthest removed there from, and so on until all the amendments have been put to the vote. Where, however, the adoption of one amendment necessarily implies the rejection of another amendment, the latter shall not be put to the vote. If one or more amendments are adopted, the amended proposal shall then be voted on.

For purposes of this rule, furthest removed in substance means the amendment that will have the most significant impact on the draft resolution. The determination of which amendment is furthest removed in substance is subject to the discretion of the Secretariat, and any such determination is final.

Rule 40 - Order of voting on proposals

If two or more proposals, other than amendments, relate to the same question, they shall, unless the Committee decides otherwise, be voted on in the order in which they were submitted.

Rule 41 - The President shall not vote

The President shall not vote but may designate another member of her/his delegation to vote in her/his place.

VII. CREDENTIALS

Rule 42 - Credentials

The credentials of representatives and the names of members of a delegation shall be submitted to the Secretary-General prior to the opening of a session.

Rule 43 - Authority of the General Assembly

The Committee shall be bound by the actions of the General Assembly in all credentials matters and shall take no action regarding the credentials of any member.

VII. PARTICIPATION OF NON-MEMBERS OF THE COMMITTEE

Rule 44 - Participation of non-Member States

The Committee shall invite any Member of the United Nations that is not a member of the Committee and any other State, to participate in its deliberations on any matter of particular concern to that State.

A sub-board or sessional body of the Committee shall invite any State that is not one of its own members to participate in its deliberations on any matter of particular concern to that State. A State thus invited shall not have the right to vote, but may submit proposals which may be put to the vote on request of any member of the body concerned.

If the Committee considers that the presence of a Member invited, according to this rule, is no longer necessary, it may withdraw the invitation. Delegates invited to the Committee according to this rule should also keep in mind their role and obligations in the Committee that they were originally assigned to. For educational purposes of the NMUN Conference, the Secretariat may thus ask a delegate to return to his or her board when his or her presence in the Committee is no longer required. Delegates may request the presence of a non-member of their board simply by informing the President that this is the desire of the body, there is no formal procedural process.

Rule 45 - Participation of national liberation movements

The Committee may invite any national liberation movement recognized by the General Assembly to participate, without the right to vote, in its deliberations on any matter of particular concern to that movement.

National liberation movements are only represented at NMUN in two ways: (1) if their delegation has been assigned explicitly the national liberation movement itself; or (b) should the Security Commission wish to hear from a representative of the movement in their deliberations, the Secretariat shall provide the appropriate representative.

Rule 46 - Participation of and consultation with specialized agencies

In accordance with the agreements concluded between the United Nations and the specialized agencies, the specialized agencies shall be entitled: a) To be represented at meetings of the Committee and its subsidiary organs; b) To participate, without the right to vote, through their representatives, in deliberations with respect to items of concern to them and to submit proposals regarding such items, which may be put to the vote at the request of any member of the Committee or of the subsidiary organ concerned.

NMUN does not assign delegations to Specialized Agencies.

Rule 47 - Participation of non-governmental organization and intergovernmental organizations

Representatives of non-governmental organizations/intergovernmental organizations accorded consultative observer status by the Economic and Social Council and other non-governmental organizations/intergovernmental organizations designated on an ad hoc or a continuing basis by the Committee on the recommendation of the Bureau, may participate, with the procedural right to vote, but not the substantive right to vote, in the deliberations of the Committee on questions within the scope of the activities of the organizations.

NMUN will assign delegations an NGO instead of a Member State upon request.