UN HIGH COMMISSIONER FOR REFUGEES 
BACKGROUND GUIDE 2014 

Written By: Angela Shively, Rubai Aurora, David Godoy, Maximilian Jungmann 

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
David Godoy, Assistant Director

unhr.nya@nmun.org

Conference B
Rubai Aurora, Director
Maximilian Jungmann, Assistant Director

unhr.nvb@nmun.org

The NCCA/NMUN is a Non-Governmental Organization associated with the United Nations Department of Public Information and a 501(c)(3) nonprofit organization of the United States.
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

<table>
<thead>
<tr>
<th>Abbreviation</th>
<th>Full Form</th>
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<tbody>
<tr>
<td>AGD</td>
<td>Age, Gender and Diversity</td>
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<tr>
<td>AGDM</td>
<td>Age, Gender and Diversity Mainstreaming</td>
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<td>AMISOM</td>
<td>African Union Mission to Somalia</td>
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<td>AU</td>
<td>African Union</td>
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<tr>
<td>CERF</td>
<td>Central Emergency Relief Fund</td>
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<td>DESS</td>
<td>Division of Emergency Security and Supply</td>
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<tr>
<td>DPSM</td>
<td>Division of Program of Support and Management</td>
</tr>
<tr>
<td>DRC</td>
<td>Democratic Republic of Congo</td>
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<tr>
<td>ECOSOC</td>
<td>United Nations Economic and Social Council</td>
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<tr>
<td>FATA</td>
<td>Federally Administered Tribal Area</td>
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<td>GA</td>
<td>General Assembly</td>
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<td>HESPER</td>
<td>Humanitarian Emergency Settings Perceived Needs Scale</td>
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<td>HIS</td>
<td>Health Information System</td>
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<tr>
<td>IARRM</td>
<td>Inter-Agency Rapid Response Mechanism</td>
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<td>IASC</td>
<td>Inter-Agency Standing Committee</td>
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<td>ICCPR</td>
<td>International Covenant on Civil and Political Rights</td>
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<td>ICESCR</td>
<td>International Covenant on Economic, Social and Cultural Rights</td>
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<td>IDP</td>
<td>Internally Displaced Persons</td>
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<td>IDRL</td>
<td>International disaster response laws</td>
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<tr>
<td>IED</td>
<td>Improvised explosive device</td>
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<td>IFRC</td>
<td>International Federation of Red Cross and Red Crescent Societies</td>
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<td>IHL</td>
<td>International humanitarian law</td>
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<td>IOM</td>
<td>International Organization for Migration</td>
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<td>KP</td>
<td>Khyber-Pukhtunkhw</td>
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<tr>
<td>NGO</td>
<td>Non-Governmental Organization</td>
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<td>OCHA</td>
<td>Office for the Coordination of Humanitarian Affairs</td>
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<td>OHCHR</td>
<td>Office of the High Commissioner for Human Rights</td>
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<td>SC</td>
<td>Security Council</td>
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<tr>
<td>SGBV</td>
<td>Sexual and gender-based violence</td>
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<td>SMS</td>
<td>Supply Management Service</td>
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<td>TA</td>
<td>Transformative Agenda</td>
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<td>TFG</td>
<td>Transitional Federal Government</td>
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<td>UDHCR</td>
<td>Universal Declaration of Human Rights</td>
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<td>UN</td>
<td>United Nations</td>
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<td>UNAIDS</td>
<td>Joint United Nations Programme on HIV/AIDS</td>
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<td>UNDAC</td>
<td>United Nations Disaster Assessment and Coordination</td>
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<td>UNDP</td>
<td>United Nations Development Programme</td>
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<td>UNFPA</td>
<td>United Nations Population Fund</td>
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<td>UNHCR</td>
<td>United Nations High Commissioner for Refugees</td>
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<td>UNICEF</td>
<td>United Nations Children’s Fund</td>
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<td>UN-WATER</td>
<td>UN-Water</td>
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<td>WASH</td>
<td>Water, Sanitation and Hygiene</td>
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<td>WFP</td>
<td>World Food Program</td>
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<td>WHO</td>
<td>World Health Organization</td>
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<td>WWI</td>
<td>World War I</td>
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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. 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. 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. There are approximately 30 million persons of concern to UNHCR consisting of refugees, displaced persons, and asylum seekers. Many of these people are located in Asia and Africa where UNHCR operations are assisting refugees to restart their lives. Over the last two decades, UNHCR has increasingly been heavily involved in providing assistance to Internally Displaced Persons (IDPs). IDPs are persons that have been forced to flee from their homes but remain inside their country’s boundaries. 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. As a result, the Economic and Social Council (ECOSOC) created the Guiding Principles on International Displacement in July 1998. 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. By 2011, UNHCR was actively providing basic humanitarian assistance to 14.7 million IDPs in 26 countries, therein working significantly beyond its original mandate.

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. 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. 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. 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. UNHCR’s main purpose is to address the needs of refugees worldwide by providing humanitarian aid along with protection and asylum processes. 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. The

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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.
5 UNHCR, Global Appeal 2013 Update [Website], 2013.
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.
10 Ibid.
14 UNHCR, Protecting Refugees and the Role of the UNHCR, [Website], 2007-2008, p. 17.
16 Ibid., p. 2.
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

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¹⁹ Ibid.
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.
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.
³³ UNHCR, *Partnership in Protection* [Website], 2013.
³⁵ Ibid.
³⁷ Ibid.
humanitarian assistance in several locations that varies from cities, remote camps, border areas. UNHCR provides camps to refugees, as well as food supplies, transport, and even basic education and psychological treatment.

Recent Sessions

UNHCR’s recent work has largely been focused on helping refugees that were displaced due to conflicts. Syria, for example, is receiving aid from UNHCR to meet urgent humanitarian needs of children and also with the resettlement of 2 million IDPs. Internal conflicts are also creating multitude of refugees in Mali, Burkina Faso, Mauritania, the Democratic Republic of Congo (DRC), Ethiopia, Kenya and South Sudan. UNHCR remains committed to strengthening emergency responses and coordination, especially for refugees displaced due to natural disasters and internal conflicts. Severe flooding in Pakistan in 2010 is a prominent example of contemporary emergency humanitarian coordination, response and assistance motivated by a natural disaster. UNHCR is also working with IDPs in Somalia where millions of Somalis were displaced due to famine and drought that occurred in 2011. 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. 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.

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. UNHCR, today, is able to work alongside other partners and negotiate with countries to cooperate in protecting and giving assistance to refugees. The Commission’s dedicated work has benefited millions of people. 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


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

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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.
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.
46 UNHCR, Emergency Response, [Website], 2013.
49 Loescher, The UNHCR and World Politics: A Perilous Path, 2001, pp. 4-5.
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.


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.


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.


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


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 Refugees

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.” 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 Côte d’Ivoire. Emergency preparedness and response are defined as a core function of UNHCR.

Due to an increase of factors that exacerbate conflict situations, climate change and population growth have increased internal displacement. 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. Annually, there is a larger amount of displacement caused by natural disaster than as a result of conflict. 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. Between 2005 and 2010 it was reported that UNHCR provided essential operational support in over 15 out of the 58 recorded disasters.

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. 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. UNHCR’s most substantial involvement in disaster response has been in floods, tsunamis, and earthquakes. 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.

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.
53 Ibid., p. 51.
54 Ibid., p. 51.
56 Ibid., p. 2.
59 Ibid., p. 28.
60 UNHCR, Climate Change, Natural Disaster and Humanitarian Displacement: UNHCR Perspective, 2009, p. 3.
61 Ibid., p. 7.
63 Ibid., p. 45.
for the United Nations system on response to natural disasters that emphasizes the humanitarian aid aspect. 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. It also provides a policy guide for natural disaster prevention, preparedness, and leadership amongst United Nations entities, governments and other international organizations.

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. It calls for action on those involved in “complex emergencies” or “armed conflict” to increase their assistance to refugees and IDPs. 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. The IASC published handbook on displacement has a special annex for natural disaster response, in attempt to highlight its importance. 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).

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. 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. 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.

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. 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. Previously, UNHCR has claimed the maximum responsibility in providing relief efforts in Pakistan, Philippines, Myanmar and

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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/2007/3) [Resolution], 2007, 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.
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.\textsuperscript{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.\textsuperscript{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.\textsuperscript{79} UNHCR is authorized by the UN General Assembly and ExCom to assist other groups including internally displaced persons under special circumstances.\textsuperscript{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.\textsuperscript{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.\textsuperscript{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.\textsuperscript{83} Depending on the individual situations, the three protections mandated agencies (UNHCR, UNICEF and OHCHR) determine the cluster lead based on capabilities and jurisdiction.\textsuperscript{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”.\textsuperscript{85} UNHCR has limited involvement in the coordination efforts of the United Nations Disaster Assessment and Coordination (UNDAC) and UNDAC’s risk assessment activities.\textsuperscript{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.\textsuperscript{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.\textsuperscript{88} The 2010 proposals for involvement focus on advanced involvement at the country level.\textsuperscript{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.\textsuperscript{90} This was mainly achieved by creating self-contained Supplementary Programmes and Supplementary Budgets for IDPs.\textsuperscript{91}

\textsuperscript{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.


\textsuperscript{79} Ibid., p. XVI.

\textsuperscript{80} Ibid., p. XI.

\textsuperscript{81} Ibid., p. 18.

\textsuperscript{82} Ibid., p. 18.


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


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

\textsuperscript{89} Ibid., p. 16.

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

\textsuperscript{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. 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”.

Significant progress has been made in strategic planning for emergency response systems that include the AGD approach. Additional revisions to policy and guidelines under the emergency response guidelines have been made according the AGD perspective and its increased use in the strategic planning. 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. 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. 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.

On a broader scale, the UNHCR web portal has been designed to reflect age and sex disaggregated data for emergency response. 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.

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.

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. 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. Additionally, in 2012 through collaboration with Luxembourg, UNHCR was able to gain access to sophisticated communication technology for increasing efficiency of relief efforts.

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93 Ibid., p. 1.
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.
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). Additionally, the eCentre in Tokyo focuses on developing field-based training programmes and has prioritized training on natural disaster response systems. 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). 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. 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. 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).

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.

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-Pukhtunkhwa (KP) where over 1.4 million IDPs were registered with the government. These populations suffered previous displacement due to tribal conflicts and human rights abuses from militant groups and government forces. 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. It is estimated that the July 2010 floods affected more than 20 million people and submerged one fifth of the country. 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. 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.

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. Working with local partner non-governmental organizations (NGOs), UNHCR also facilitated the establishment of small “tent villages” for displaced families. 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. 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 Ibid., p. 56.
111 Ibid., p. 56.
112 Entwisle, The world turned upside down; A review of protection risks and UNHCR’s role in natural disasters, 2013, p. 3.
114 Ibid., p. 1.
115 Ibid., p. 4.
117 Ibid., p. 1.
118 Ibid., p. 1.
119 Ibid.
120 UNHCR, UNHCR Steps up assistance to Pakistan flood victims, 2011.
million increase in funds for relief efforts. 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.

**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. 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. In an attempt to further define UNCHR’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. 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. Additionally, an increased reliance and collaboration with NGOs, and government agencies to ensure full reach and not exhaust UNHCR resources, is also essential.

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 landmines. Additionally, UNCHR can play a major role in other legal documentation and identification issues. The growing role in UNCHR 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. UNCHR’s increasing expertise in enhancing response according to its AGD approach can contribute heavily to the systems as well. Most importantly, a change in the role of UNCHR requires strategically allocating funds from the UNCHR’s budget and gaining access to external funds through CERF and Flash Appeals.

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 UNHCHR’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**


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.

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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.
124 Ibid., p. 52.
125 Ibid., p. 9.
127 Ibid., p. 42.
129 Ibid., p. 13.
130 Ibid., p. 3.
131 Ibid., p. 48.

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.


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.


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.


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.

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 UNHRC in natural disaster emergency response.

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.

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.


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.


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**


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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). However, refugees are facing considerable challenges of access to these public health systems. 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. 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.

International and Regional Framework

The basic rights of refugees are rooted in the Convention relating to the Status of Refugees (1951). 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. 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. Among others, the Convention discusses general provisions, the juridical status of stateless persons and administrative measures.

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.” However, the Millennium Development Goals directly address the public health situation of refugees and other forcibly displaced persons. 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. 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. 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.

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.” 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

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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.\textsuperscript{147} UNHCR’s Policy Development and Evaluation Service addresses policy changes, evaluation and research projects with specific AGD focus.\textsuperscript{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.\textsuperscript{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.\textsuperscript{150} This guidance seeks to ensure that UNHCR staff and implementing partners have AGD competence through relevant training and other capacity building.\textsuperscript{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.\textsuperscript{152} The overall objective of UNHCR’s programs is to minimize mortality and morbidity rates among displaced populations.\textsuperscript{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.\textsuperscript{154} This approach has been successfully used to monitor the health situation in refugee camps and other settings in the Darfur region.\textsuperscript{155}

Additionally, UNHCR serves an integral role in the multi-agency effort of the Joint United Nations Programme on HIV/AIDS (UNAIDS).\textsuperscript{156} Under the UNAIDS division of labor, UNHCR is the lead agency for addressing HIV among refugees and internally displaced persons.\textsuperscript{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.\textsuperscript{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.\textsuperscript{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.\textsuperscript{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.\textsuperscript{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

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

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

\textsuperscript{149} Ibid., p. 27.

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

\textsuperscript{151} Ibid., p. 30.

\textsuperscript{152} UNHCR, *Public Health* [Website].

\textsuperscript{153} Ibid.


\textsuperscript{155} Ibid., p. 75.

\textsuperscript{156} UNAIDS, *UNAIDS Cosponsors* [Website].

\textsuperscript{157} UNAIDS, *UNHCR* [Website].

\textsuperscript{158} Ibid.


\textsuperscript{160} Ibid.

violence and the establishment of the Health Information System (HIS). The system has been set up as “a standardized tool to design, monitor and evaluate refugee public health and HIV programs.” 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.” 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.

**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.” It requires staff, funds, information, supplies, transport, communications as well as general guidance and direction. 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. 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. With regard to WHO’s categories, health systems for refugees and other forcibly displaced persons around the world cannot be called well-functioning. Many people are still threatened by a number of diseases such as HIV/AIDS, malaria or tuberculosis. 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.

Due to their social and civil status, most refugees are not involved in decisions affecting their access to healthcare. 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. 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. 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.

**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. 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.
materials. Its programs further incorporate prevention of mother-to-child transmission, antiretroviral therapy and post-exposure prophylaxis programs. 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. 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. 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.

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. 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. 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. 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. 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.

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. 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.” According to UNHCR, communicable diseases brought on in part by malnutrition are responsible for millions of preventable deaths each year. FAO estimates that at least 870 million people in the world are suffering from hunger. Millennium Development Goal 1 sets the target to half the proportion of people who suffer from hunger from 1990 to 2015. 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. 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.

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

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179 Ibid.
180 UNHCR, Laboratory Services in UNHCR-Supported Primary Health Care Facilities: Principles and Guidelines, 2011.
182 UNHCR, UNHCR’s Strategic Plan for HIV and AIDS, 2008, p. 2.
184 Ibid.
185 Ibid., p. 6.
186 Ibid.
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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].
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 diseases.
diseases.\textsuperscript{213} To counter this issue, UNHCR introduced the public health guidelines for \textit{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.\textsuperscript{214} Furthermore, UNHCR formulated explicit and detailed guidelines on laboratory services for refugees and other forcibly displaced persons.\textsuperscript{215} In the \textit{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.\textsuperscript{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.\textsuperscript{217}

\textbf{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.\textsuperscript{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.\textsuperscript{219} Additionally, Many are confronted with insufficient access to water and sanitation, unhygienic living conditions, and overall poor housing.\textsuperscript{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.\textsuperscript{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.\textsuperscript{222} UNHCR’s initiatives particularly address refugee’s right to education with special regard to public health services, water and sanitation.\textsuperscript{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.\textsuperscript{224}

\textbf{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.\textsuperscript{225} At least 870 million people worldwide do not have enough food to survive.\textsuperscript{226} Although access to water and sanitation is recognized as a fundamental human right, 783 million people are without clean drinking water.\textsuperscript{227} A large number of refugees and other forcibly displaced persons are subject to emotional traumata due to their experiences in their home countries.\textsuperscript{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 \textit{Convention Relating to the Status of Refugees (1951)} and fully implement its policies? Many challenges for public health systems for refugees or other

\begin{footnotesize}
\textsuperscript{213} UNHCR, \textit{Epidemic Preparedness and Response in Refugee Camp Settings}, 2011, p. 3.
\textsuperscript{214} Ibid.
\textsuperscript{215} UNHCR, \textit{Laboratory Services in UNCHR-Supported Primary Health Care Facilities: Principles and Guidelines}, 2011.
\textsuperscript{216} Ibid., p. 10.
\textsuperscript{217} UNHCR, \textit{Laboratory Services in UNCHR-Supported Primary Health Care Facilities: Principles and Guidelines} [Website].
\textsuperscript{218} Ibid., p. 11.
\textsuperscript{219} Ibid., p. 12.
\textsuperscript{220} Ibid., p. 13.
\textsuperscript{221} Ibid., p. 15.
\textsuperscript{222} Ibid., p. 15.
\textsuperscript{223} Ibid., p. 15.
\textsuperscript{224} Ibid., p. 12.
\textsuperscript{225} Ibid., p. 12.
\textsuperscript{226} Ibid., p. 15.
\textsuperscript{227} UNAIDS, \textit{AIDSinfo} [Website].
\textsuperscript{228} Ibid.
\textsuperscript{229} UNWATER, \textit{Drinking Water, Sanitation & Hygiene} [Website].
\textsuperscript{230} Meyer, \textit{UNHCR’s Mental Health and Psychosocial Support for Persons of Concern}, 2013, p. 11.
\end{footnotesize}
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


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.


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.


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.


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.

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.


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.


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.


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).


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.


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.

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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 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. More specifically, southern Somalia has experienced the most severe famine, highest population movement, and a number of obstacles to receiving humanitarian aid.

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. In January 2013, there were roughly 1.4 million IDPs and over 10 thousand asylum-seekers within Somali borders. Additionally, there were an estimated 1.2 million refugees from Somalia in other countries. 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. 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.

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. 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. It is at the discretion of that occupying authority or power to allow external organizations to provide humanitarian assistance within the occupied borders. IHL is comprised of The Hague Convention (1907), the four Geneva Conventions (1949) and their Additional Protocols I and II (1977). 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.” Further, it also “allows states to derogate from certain civil and political rights in times of public emergency which threatens the nation.” 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. In addition, as a supplement to existing international law, UN resolutions and guidelines should also

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230 Ibid.
231 UNHCR, 2013 UNHCR country operations profile—Somalia [Website], 2013.
232 Ibid.
233 Ibid.
234 Ibid.
235 Ibid.
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.\textsuperscript{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).\textsuperscript{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.\textsuperscript{245} The key treaty for international refugee law is the Convention Relating to the Status of Refugees (1951).\textsuperscript{246} The 1967 Protocol Relating to the Status of Refugees is of particular relevance, as is the Hyogo Framework for Action (2005).\textsuperscript{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.\textsuperscript{246} 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.’”\textsuperscript{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.\textsuperscript{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.\textsuperscript{250} 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).\textsuperscript{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.”\textsuperscript{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.\textsuperscript{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.\textsuperscript{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.\textsuperscript{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.\textsuperscript{257}

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\item \textsuperscript{243} Ibid., p. 8.
\item \textsuperscript{244} Ibid., p. 8.
\item \textsuperscript{245} Ibid., p. 9.
\item \textsuperscript{247} UN International Strategy for Disaster Reduction, Hyogo Framework for Action [Website], 2013.
\item \textsuperscript{249} Ibid., p. 9.
\item \textsuperscript{250} Ibid., p. 10.
\item \textsuperscript{251} Ibid., p. 10.
\item \textsuperscript{252} Ibid., p. 10.
\item \textsuperscript{253} Ibid., p. 10.
\item \textsuperscript{255} Ibid.
\item \textsuperscript{256} African Union, AMISOM—Home [Website], 2013.
\item \textsuperscript{257} African Union, AMISOM—About AMISOM [Website], 2013.
\end{itemize}
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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. 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.” 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.” 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. 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.

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. Depending on the main issue of a crisis, a specific UN agency or organization is responsible for assuming the role of “lead agency.” However, the lead agency is not necessarily exclusively responsible for the burden of the crisis. 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. UNHCR is the assigned lead agency for camp coordination and management, emergency shelter, and protection. 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. 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. 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. 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. UNHCR currently has assistance from over 10 UN agencies and countless NGOs. UNHCR’s operational partners, in addition to the agencies involved

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258 Inter-Agency Standing Committee, IASC Principals Transformative Agenda [Website], 2013.
259 Ibid.
260 Ibid.
263 Ibid.
264 Ibid.
266 Ibid.
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).  

**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 The 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.  


282 Ibid., p. 25.  


285 Ibid., p. 27.  

286 Ibid..  

semi-permanent or transitional shelter within conflict, famine, and disaster situations.\textsuperscript{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.\textsuperscript{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.\textsuperscript{290} In the education settings that are available, there is an extremely high student to teacher ratio and a tremendous prevalence of gender inequality.\textsuperscript{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.\textsuperscript{292} Ethiopia and Yemen have received nearly a half a million refugees between them.\textsuperscript{293} Djibouti, Uganda, Egypt, Eritrea, and Tanzania are states that have also received large numbers of persons fleeing from Somalia.\textsuperscript{294} Somali refugees and IDPs are residing in a variety of urban, rural, camp, and non-camp settings.\textsuperscript{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.\textsuperscript{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.\textsuperscript{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.\textsuperscript{298} UNHCR’s work against SGBV is founded within \textit{Action Against Sexual and Gender-Based Violence: An Updated Strategy}.\textsuperscript{299} In 2012, UNHCR’s attempts to eliminate SGBV and to provide help for SGBV victims assisted around 33,000 persons of concern.\textsuperscript{300} Unfortunately, more than 150,000 individuals suffered grave consequences as SGBV victims.\textsuperscript{301} Maintaining peace and security within Somali borders and in the Horn of Africa region continues to be a difficult task.\textsuperscript{302}

\textbf{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.\textsuperscript{303} GA and ECOSOC have both reaffirmed strong consensus for \textit{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).\textsuperscript{304} GA also adopted resolution 66/135 (2012) regarding \textit{Assistance to refugees, returnees and displaced persons in Africa}.\textsuperscript{305} In addition to those, GA adopted resolution 66/120 (2012) for \textit{Strengthening humanitarian assistance, emergency relief and rehabilitation in response to the severe drought in the Horn of Africa}.

\textsuperscript{288} Ibid., p. 26.  
\textsuperscript{289} Ibid.  
\textsuperscript{290} Ibid., p. 27.  
\textsuperscript{291} Ibid.  
\textsuperscript{292} UNHCR, \textit{Refugees in the Horn of Africa: Somali Displacement Crisis} [Website], 2013.  
\textsuperscript{293} Ibid.  
\textsuperscript{294} Ibid.  
\textsuperscript{296} Ibid.  
\textsuperscript{297} UNHCR, \textit{The Implementation of UNHCR’s Policy on Refugee Protection and Solutions in Urban Areas: Global Survey 2012} [Report], 2013.  
\textsuperscript{299} UNHCR, \textit{Action Against Sexual and Gender-Based Violence: An Updated Strategy} [Report], 2011.  
\textsuperscript{301} Ibid.  
\textsuperscript{302} Ibid.  
\textsuperscript{304} UN General Assembly, \textit{Strengthening the coordination of emergency humanitarian assistance of the United Nations (A/RES/67/87)} [Resolution], 2013.  
\textsuperscript{305} UN General Assembly, \textit{Assistance to refugees, returnees and displaced persons in Africa (A/RES/66/135)} [Resolution], 2012.
region. 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. It has taken severe advantage of the weak central government in Somalia in order to fulfill its own violent, radical agenda. 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. 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. 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. 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 exports and to also halt small arms trading in the region. 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. 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. 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. 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.

**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. 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. 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

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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.
316 Ibid.
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**


_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._


_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._


_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._


_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._
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.

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.

UNHCR’s Web site for Somali 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.

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.

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.
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


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 speakers 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.