



MODEL UNITED NATIONS

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DIRECTORS WELCOME LETTER:



Dear Delegates and Faculty Advisors,

It is my pleasure to welcome you to the American University of Sharjah Model United Nations (AUSMUN) 2020. This conference has been the home of fruitful debate, practical resolutions, dedicated moderators, spectacular delegates, and diligent advisory and executive boards for the past twelve years and is continuing to do so for its thirteenth year. With 1000 delegates registered from more than 45 national and international educational institutions, this conference will be the biggest one yet!

This year's theme 'Embracing Diversity, Shaping the Future' has been designed to capture the essence of issues that surround our globalized society. Even though we have come this far in time, there has been little to no improvement in accepting diversity as portrayed by the latest atrocities in several countries around the world. However, the future can be successfully shaped for us, the youth, only by embracing diversity in every sector of life and we hope to draw attention to this.

This background guide has been formulated by our hard-working chairs and the research team to provide delegates with the starting point of their preparation for this three-day conference. The guide is initially divided into two sections based on the two topics and is further split into logical components. Firstly, the Summary and History section acts as an introduction to the issue by highlighting important events, terms, history, and global implications. Secondly, the Discourse on the Issue section establishes a link between the issue, its implications, significance, and the United Nations Charter. Lastly, the Past International Organization (IO) Actions and Latest Developments section elaborates on the previous action that has been taken and latest development in terms of the last actions taken with regards to the issue. At the end of each issue, delegates will find sections of Questions the Discussions and Resolutions Should Address and Suggestions for Further Research that aim to streamline the process of delegate's research. However, in order to grab a better understanding of the topic and be able to position yourself better to participate during the conference, it is advised to go beyond the background guide since this guide does not encapsulate enough information to be sufficient for every country and is only a brief introduction to the issues at hand. It is highly encouraged for delegates to view the 'Delegate Handbook' on the AUSMUN website and the 'How to Research' video on YouTube created by AUSMUN.

Finally, I would like to extend my sincerest gratitude to all the contributors to this background guide. It is the collaborative work of the Moderators, AUSMUN Research Team, and the AUSMUN Media Team. On behalf of them all, I truly hope that this guide will be of great help to you.

All the very best for the conference and if you have any queries or concerns, please do not hesitate to contact me at research@ausmun.com.

Sincerely,
Manaswi Madichetty
Director of Research
AUSMUN 2020

MODERATORS WELCOME LETTER:



Vadim Rikunov

Lynn Basel



Irene Franco

Anushna Bagchi



Dear delegates!

It is our utmost pleasure to welcome you to the 13th annual American University of Sharjah Model United Nations 2020 (AUSMUN) Conference. This year, the United Nations Human Rights Council committee's agenda is aiming to tackle and resolve critical issues through your interaction, cooperation, and communication, during our committee's debate.

The United Nations Human Rights Council (UNHRC) - was established by the UN General Assembly on March 15, 2006 replacing the UN Commission on Human Rights. Its mission is to promote and protect human rights around the world. The members of the General Assembly elect the members who occupy the UNHRC's 47 seats. The term of each seat is three years, and no member may occupy a seat for more than two consecutive terms. The seats are distributed among the UN's regional groups as follows: 13 for Africa, 13 for Asia, 6 for Eastern Europe, 8 for Latin America and the Caribbean (GRULAC), and 7 for the Western European and Others Group (WEOG).

The UNHRC can decide at any time to hold a special session to address human rights violations and emergencies, at the request of one-third of the member states. To date there have been 28 special sessions. Some key areas of consideration with regards to researching the topics should include your country's national capabilities and limitations, discourse, the mitigation of conflict, and human rights violations, as well as the oversight and monitoring mechanisms of the situation. Moreover, due to the nature of these topics, the delegates' research and resolutions must be very detailed in nature and focus on the operationalization of concepts. Finally, due to the divisive nature of the majority of the topics discussed in the committee, the most effective ideas should focus on international cooperation.

However, we primarily believe that the target of the conference is to ascertain that all delegates learn new information, improve their skills, and enjoy their time. We urge all delegates to contribute to the debate and engage in productive conversation with other delegates. Most importantly, enjoy!

Regards,
The UNHRC Chairs.



UNHRC

The United Nations Human Rights Council

Topic I

Countering Toxic Narratives About Refugees And Migrants: Promoting Tolerance And Eradicating Xenophobia

1. Summary & History

Recent years have seen a significant rise in the number of refugees and migrants across the globe. According to research by the United Nations University, there are 68.5 million displaced people worldwide, out of which 25.4 million are refugees forced to leave their countries of residence. The pressing issue of refugee movement from nation to nation has caused a severe human rights crisis where migrants are not treated in a similar manner to ordinary citizens. On frequent occasion refugees face discrimination by the host country's citizens and are not provided with the same working and living opportunity as citizens or normal expats. This inappropriate treatment is generally termed as xenophobia, or "dislike or prejudice against people from other nations". Recent research in Europe shows that its citizens openly blame refugees for instabilities in their countries, higher rates of unemployment and even terroristic threats (Bailliet, n.d). The United Nations Human Rights Council sees this discrimination against forcibly displaced peoples as a direct infringement upon the fundamental human rights of equality and evokes a need for appropriate solutions.

Since the very beginning of the modern concept of "refugees", which primarily began with immigration from conflict zones of the Middle East, prejudice against immigrants has been a prominent issue in host countries. Nations like Turkey and Germany, which were the first to open their borders to migrants, have quickly seen a rise in social deterrence towards refugees immediately after the immigration program has been established. There have been a large number of cases when refugees were refused the right to freedom, work, education, healthcare and other fundamental human rights because of their ethnicity. The issue of xenophobia has escalated over the years, with South Africa currently undergoing an investigation about recent reports of violence against foreign owners of businesses in the region.

The UN Protection of Refugees Paper summarizes the various causes of xenophobia by surveying the citizens of the host countries. In most cases, reasons for disrespect and discrimination against migrants has been their "hostile takeover of employment opportunities", "social crimes" committed by certain refugee groups, as well as external burden unwillingly borne by host country governments. The problem has escalated to the point when international action must be taken to prevent serious consequences. Today, a staff of 9,700 people working in the UNHRC has aided over 59 million refugees across 126 countries, but significant action can only take place with international support by governments. With over 33,000 people fleeing their country daily because of national instability and persecution, the world requires a long-lasting solution to the crisis to ensure that every person has access to equal rights in our society ((Bailliet, n.d).

2. Discourse on the Issue

Many states tend to ignore their duty of providing asylum, which leads to outbursts of racism and discrimination against the refugees. According to Volker Turk, the director of UNHCR's interna-

tional protection, “xenophobia and racism are often at the root of discrimination against asylum seekers” (United Nations High Commissioner for Refugees, n.d.). This negative attitude of society and the state towards refugees is unacceptable and must find a resolution in the near future. After 145 Member States ratified and signed the UN Convention Relating to the Status of Refugees, it is the duty of all nations to promote and protect the rights of refugees, rather than infringe upon them. Furthermore, the 1967 Protocol also declares similar rights of asylum seekers that are prohibited to be infringed upon, which was ratified by 146 Member States. In addition, refugees are people similar in nature to ordinary citizens and hence they possess equal rights as declared by the Universal Declaration of Human Rights.

Rising xenophobia does not just violate these rights, but also causes international deterrence and social instability that results in lower levels of cooperation. Recent cases of xenophobia in the African region have caused outrage in parts of South Africa, which have found it inappropriate for both the citizens and the refugees to display such violence against one another. Despite the negative impacts of such discrimination, there has been little significant international action taken to prevent xenophobia. With over 6.7 million Syrian refugees across Turkey, Lebanon, Jordan, Egypt and parts of Europe, minorities are discriminated against and denied jobs, education and health-care. The issue becomes only worse as more countries face crisis that results in emigration.

3. Past International Organization (IO) Actions & Latest Developments

The widespread issue of migration and refugee crisis has been tackled by several international organizations over the past years. This includes the UN Refugee Agency, the United Nations Human Rights Council and the International Organization for Migration. These organizations tackle the problem on the humanitarian, social and moral level, with over 16,000 personnel employed by the UN to assimilate refugees into their new places of residence (United Nations High Commissioner for Refugees, n.d.). On the economic and governmental level, the issue of migration and associated discrimination is being addressed by the Organization for Economic Co-operation and Development (OECD) as well as several EU State Agencies like FRONTEX.

The United Nations itself has addressed the issue of xenophobia in certain ways, each method different in effectiveness. The 1951 Convention Relating to the Status of Refugees and the following Protocol of 1967 have both outlined the rights possessed by asylum seekers but have done little to enforce subordination. After the establishment of the UN Refugee Agency, the issue of discrimination has declined as UN inspection teams actively protested for governments to raise barriers to education and employment for refugees, which was seen as a positive outcome.

Currently, it seems action is stirring within the UNHRC to raise sanctions against xenophobic states and to condemn all measures of such discrimination. A UN Special Rapporteur on freedom has recently evoked the need to eradicate xenophobia that is “toxic to democracy”, and that countries must invest more into education for immigrants (“Xenophobia, 2019). After several actions by International Organizations such as UNHCR, International Organization for Migration, and Amnesty International, to prevent the prejudicial treatment of asylum seekers, it has now become the mission of the United Nations Human Rights Council to resolve the problem. The Council is responsible for not only declaring the rights provided to refugees, but must now announce the consequences of not following the Convention and the methods of enforcing the resolution.

4. Questions the Discussions and Resolutions Should Address

- Could the activity of the refugees themselves be the primary cause of xenophobia towards them?
- What might be the impact of policies that are enforced on governments to provide services to

asylum seekers or refugees?

- What does your country recommend must be done by other Member States to improve treatment and living conditions of refugees in host countries?
- Can the UN Human Rights Council become a policy enforcing body? Will the transition have negative or positive impacts on promotion of international human equality?

5. *Suggestions for Further Research*

- Difficulties associated with overcoming long-term prejudice
- Impacts of xenophobia on international peace and stability
- Xenophobia in Western and Eastern Europe foreseeing the Syrian Refugee Crisis
- The War on Terror, refugee outflows and xenophobia

Topic II

Protecting the Rights Of Political Prisoners And Preventing Torture In Times Of Conflict

1. Summary & History

The torturing of political prisoners is one of the cruelest acts that go against human rights that are defined in today's world. The Oxford dictionary defines torture as: "the action or practice of inflicting severe pain on someone as a punishment or in order to force them to do or say something". Ill-treatment during detention, closure of avenues for legal redress, sexual abuse by detention officers, are only a few forms of torture faced by political prisoners. These prisoners have been imprisoned because they were found opposing some or many of their respective government's actions or beliefs. Today, many governments and its leaders do not consider these prisoners as their fellow human beings and have deprived them from their basic human rights. Countries such as Venezuela, Tibet and Saudi Arabia continue to torture their political prisoners. Even though we are in the year 2019, torture of political prisoners still cease to exist.

Recently, in Iran thousands of citizens have been arrested during a mass political protest against the government. The torture or these prisoners do not end in their areas of detention. According to The Human Rights Watch in the World Report of 2019, "Iranian courts, and particularly the revolutionary courts, regularly fell short of providing fair trials and used confessions likely obtained under torture as evidence in court" (2019). This is only one example of a country where this issue prevails. Even though, nearly the entire globe has ratified the UN Convention against Torture, the use of torture is still widely spread in these countries. Article 4 of this Convention, which was adopted in the General Assembly on 10 December 1984, states that "Each State Party shall ensure that all acts of torture are offences under its criminal law" (UNHRC).

The history of political prisoners' dates back to the 1700s and maybe even before. Most countries are only known to be torturing their political prisoners when someone well-known in a country gets imprisoned for opposing government views or when a country decides to grant an amnesty to political prisoners.

The laws exist, however, serious action from governments are lacking. The people of any country facing this issue can only raise their voice in order to alarm the leaders of the cruelty taking place, the rest is left to the world leaders to end this persecution. Political prisoners are also known as 'prisoners of conscience', to indicate that these people have a conscience like every other human but are imprisoned for their opinions against their government. Every action taken in a country has an effect internationally, directly or indirectly. The implications of torture faced by political prisoners worldwide is simple: the people outside the prison walls are afraid but more importantly, they are angry. If this torture does not end, the retaliation that will take place globally will become a very serious concern for the present and future generations of leaders.

2. Discourse on the Issue

Like any other prisoners, political prisoners also retain other key human rights that protect us all, such as the right to life, the right to be free of inhuman and degrading treatment, and the right to a fair trial. So, protecting the rights of such prisoners is a significant issue more so in today's

fractured world, where numerous ideologies fail to thrive in a peaceful coexistence, thereby resulting in conflicts, intolerance and creating power hungry groups bulldozing each other to win. The groups on the losing side face the wrath and end up being political prisoners in some cases.

Article 2 of the preamble of the UN Charter clearly states the following "Everyone is entitled to all the rights and freedoms set forth in this Declaration, without distinction of any kind, such as race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status. Furthermore, no distinction shall be made on the basis of the political, jurisdictional or international status of the country or territory to which a person belongs, whether it be independent, trust, non-self-governing or under any other limitation of sovereignty." The above makes the issue of political prisoners itself an absolute violation of the UN Charter.

Polarisation of power centers is one of the worst implications in the current world scenario as the same promotes hostility, animosity amongst various groups, regions, countries, which unfortunately more often than not puts humanity behind bars. Mental reform of the prisoner aided through various reform programs can be having some positive impact as the mental health conditions of the prisoners improve to liberate into a better person. It is high time to heal the world for the survival of the human race and not indulge in spiraling conflicts that will allow to reach the escape velocity where nothing can be reversed any more.

Countries like Switzerland, Japan, UAE are the least affected as they possess a high happiness index, which signifies that people are happy with their governance. The US, Russia, China, Mexico and Brazil have some of the highest political prisoners in the world.

3. Past IO Actions and The Latest Developments

Office of the United Nations High Commissioner for Human Rights (OHCHR), Human Rights Information and Documentation Systems, International (HURIDOCS), Children's Rights Information Network (CRIN), World Organisation Against Torture (Organisation Mondiale Contre la Torture; OMCT), Amnesty International are the international organizations that have been working on this issue.

There was an United Nations international meeting on the question of Palestine "the urgency of addressing the plight of palestinian political prisoners in israeli prisons and detention facilities" at United Nations office at Vienna, 7 – 8 March 2011. The meeting, among other things, looked into the conditions of imprisonment of Palestinians in Israeli prisons and detention facilities, including the situation of women and minors. The Meeting also considered the issue of Palestinian political prisoners in the context of the Israeli-Palestinian political process and discussed ways of strengthening the role of the wider international community, including non-governmental actors, in promoting a solution.

The United Nations role is to prevent human rights violations and secure respect for human rights by promoting international cooperation and coordinating the United Nations' human rights activities. In fostering human rights and freedom, the United Nations has defined a broad range of internationally accepted rights like economic, civil, cultural, economic, social and cultural rights which seeks to promote and protect, and civil and political rights which deals with freedom of movement, expression and thoughts.

4. Questions The Discussions and The Resolutions Should Address

- How can countries that have ratified the UN Convention against Torture be penalized for allowing torture against political prisoners to continue?

- What policies can the member states of the UNHRC implement to end torture against political prisoners?
- Rather than torturing political prisoners of a country, what measures can be taken to deal with these prisoners without violating human rights?
- Explore alternative punishment strategies in place of capital punishment.

5. *Suggestions For Further Research*

- Focus on a country that has a high number of political prisoners to date. E.g. Iran.
- Consequences from torturing political prisoners.
- The effects and ethics of death penalty for different countries.
- Effective and proportionate responses to criminal justice problems worldwide.

References

World Report 2019: Rights Trends in Iran. (2019).

Retrieved from <https://www.hrw.org/world-report/2019/country-chapters/iran>

Global Peace Index 2018. (2018)

Retrieved from <http://visionofhumanity.org/app/uploads/2018/06/Global-Peace-Index-2018-2.pdf>

OHCHR | Convention against Torture. (2019).

Retrieved from <https://www.ohchr.org/en/professionalinterest/pages/cat.aspx>

OHCHR | Preventing Torture. (n.d).

Retrieved from https://www.ohchr.org/Documents/Countries/NHRI/Torture_Prevention_Guide.pdf

Standard Minimum Rules for the Treatment of Prisoners: Adopted by the First United Nations Congress on the Prevention of Crime and the Treatment of Offenders, held at Geneva in 1955, and approved by the Economic and Social Council by its resolutions 663 C (XXIV) of 31 July 1957 and 2076 (LXII) of 13 May 1977. (n.d).

Retrieved from https://www.unodc.org/pdf/criminal_justice/UN_Standard_Minimum_Rules_for_the_Treatment_of_Prisoners.pdf

Explainer: What Defines A Political Prisoner? (2013).

Retrieved from <https://www.rferl.org/a/explainer-political-prisoners/24881810.html>

HRW: Refugees, Asylum seekers, Migrants and Internally Displaced Persons. (n.d.). Retrieved November 23, 2019, from <https://www.hrw.org/legacy/campaigns/race/refugeepresskit.html>

Protection of Refugees, Returnees, Migrants, and Internally Displaced Persons Against Racism, Xenophobia, and Discriminatory Practices by Cecilia M Bailliet: SSRN. (n.d.). Retrieved November 23, 2019, from https://papers.ssrn.com/sol3/papers.cfm?abstract_id=3481195

Refugees, U. N. H. C. for. (n.d.). Refworld | International Migration, Racism, Discrimination and Xenophobia. Retrieved November 23, 2019, from Refworld website: <https://www.refworld.org/docid/49353b4d2.html>

Refugees, Racism and Xenophobia: What Works to Reduce Discrimination? - Our World. (n.d.).

Retrieved November 23, 2019, from: <https://ourworld.unu.edu/en/refugees-racism-and-xenophobia-what-works-to-reduce-discrimination>

Syrian Refugee Crisis: Abandonment, Discrimination, and Response. (2018, May 11). Retrieved November 23, 2019, from Unitarian Universalist Service Committee website: <https://www.uusc.org/syrian-refugee-crisis-abandonment-discrimination-and-response/>

United Nations High Commissioner for Refugees. (n.d.). Figures at a Glance. Retrieved from <https://www.unhcr.org/figures-at-a-glance.html>

United Nations High Commissioner for Refugees. (n.d.). UNHCR issues guidelines to counter discrimination, intolerance. Retrieved from <https://www.unhcr.org/news/latest/2009/12/4b30fd089/>

[unhcr-issues-guidelines-counter-discrimination-intolerance.html](#)

Woods, S. (Social S. (n.d.). Library Guides: Immigration and Refugees: International Organizations. Retrieved November 23, 2019, from [//guides.libraries.psu.edu/c.php?g=623034&p=4380195](#)

Xenophobia | UN News. (n.d.). Retrieved November 23, 2019, from <https://news.un.org/en/tags/xenophobia>