



UNITED NATIONS HIGH COMMISSIONER FOR REFUGEES

BACKGROUND GUIDE

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14TH CANADIAN INTERNATIONAL MODEL UNITED NATIONS


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by Evan Schneider

Dear delegates,

Welcome to the United Nations High Commissioner for Refugees (UNHCR)! Your committee will be staffed by Lara Aippersbach (Director), Camille Cockerton (Chair), and Sally Effie Ogoe (Rapporteur). Lara Aippersbach is a fourth year student of Public Affairs and Policy Management at Carleton University, specializing in International Studies. She actively volunteers with the United Nations Association in Canada and has been involved with CANIMUN for many years. Camille Cockerton is studying Global International Studies as well as specializing in Communication and Media at Carleton University. Sally Effie Ogoe is a graduate student in the Sociology Department at the University of Manitoba. In addition, she interns with the Government of Manitoba as a Planning and Program analyst.

The following topics will be discussed by the UNHCR:

1. Implementing the Global Action Plan to end Statelessness
2. Developing an innovative, functional and reusable burden-sharing framework for refugees

The mandate of the UNHCR is to provide: ‘international protection, under the auspices of the United Nations, to refugees who fall within the scope of the present Statute and of seeking permanent solutions for the problem of refugees...’ (UNHCR, 2014:6). The UNHCR reports on an annual basis to the General Assembly and the Economic and Social Council (ECOSOC).

We hope that you will find this Background Guide useful in your preparation for the conference. You are also encouraged to do your own research to explore in-depth your own Member State’s policies. The bibliography and the UNHCR website are good starting points.

Each delegate will also be required to submit a Position paper before **February 16, 2017** to unhcr@canimun.org. Guidelines and requirements are available on CANIMUN website the Delegate Resources section.

Prior to the conference, make sure you review our Rules of Procedure and Delegate Code of Conduct, both of which can also be found on our website.

If you have any questions regarding the committee or the conference, please feel free to contact us at unhcr@canimun.org.

We wish you all the best in your preparation and look forward to meeting you at CANIMUN 2017!

Lara Aippersbach
Director

Camille Cockerton
Chair

Sally Effie Ogoe
Rapporteur

COMMITTEE OVERVIEW

Introduction

The Office of the United Nations High Commissioner for Refugees (UNHCR) is a body of the United Nations General Assembly established 14 December 1950.¹ This commission was put in place when the international community realized that issues of wars, conflicts, refugees and displaced persons may be an unending issue despite the end of the World War II in particular. To this effect, an office which will be solely responsible for addressing humanitarian issues, safety and raising funds that can contribute to providing permanent solutions for refugee crisis was needed. The UNHCR was therefore created initially with a three-year directive to assist and provide protection for the 1.2 million European refugees that were displaced after World War II. This then temporary directive was recognized as a necessity which had to be maintained to continue helping refugees worldwide; “Today, over 65 years later, our organization is still hard at work, protecting and assisting refugees around the world”.² It should also be noted that in 2003, to give more grounding to the continuous work of the organization, the UN General Assembly revised and eliminated the requirement for the UNHCR to renew their mandate after a number of years. This evolvement contributes to the strength of the organization in tackling emergencies as well as crisis which require long term commitments.³ The UNHCR has made tremendous impact on the international platform; for instance, the Hungarian Revolution in 1956 and the 1960 decolonization of Africa was intervened to resettle over 200,000 people and millions from Africa respectively. It should the dedication of the UNHCR in helping refugees, providing protection and the necessary aids. The humanitarian contributions of the UNHCR has been celebrated and appreciated worldwide boosting of over 10,700 staff dedicated to achieving set goals and, receiving two Nobel Peace Prize in 1954 and 1981. To date, over 50 million refugees have benefited from the UNHCR with much of this work accomplished in the 128 countries which the commission assists as well as recognizable increase in their initial budget from USD \$300,000 to USD \$6.54 billion as of 2016.⁴

Governance, Membership, and Organization

As a body of the United Nations Programmes and Funds, the UNHCR reports directly to the UN General Assembly and the Economic and Social Council and General Assembly (ECOSOC) through the High Commissioner.⁵ The High Commissioner serves as the head of the UNHCR and as such, is responsible for the decisions, actions and direction of the

¹ UN General Assembly, *Statute of the Office of the UNHCR*, 14 December 1950, A/RES/428(V)

² UNHCR, *History of UNHCR*, 2001-2016

³ UNHCR, *Regional Representation*, 2001-2016

⁴ *Ibid*

⁵ UNHCR, *Governance*, 2001-2016

organization; presently, Filippo Grandi is the 11th High Commissioner for Refugees.⁶ Furthermore, the work of the High Commissioner is supported by the Deputy High Commissioner and Assistant High Commissioners for Protection and Operations.⁷ The UNHCR is governed by the 85 Member States that make up its Executive Committee who are elected from; “the widest possible geographical basis from those states with a demonstrated interest in, and devotion to, the solution of the refugee problem.”⁸ The Executive Committee meets annually in Geneva with the UNHCR, intergovernmental and non-governmental partners to address and advice on issues of international protection, administrative and other procedural matters. In addition, the Executive Committee reviews the UNHCR’s budget and financial requirements as well as has the power to approve the biennial programs and budget of the UNHCR. **To ensure balance of power and proper conduct of the UNHCR, the Inspector General’s Office (IGO) has the responsibility to evaluate the management and measures to prevent mismanagement of the UNHCR and also, investigates reported cases of misconduct which can potentially impact negatively on the organization.**⁹

Mandate and Functions

The backbone of the UNHCR’s mandate can be found on article 14 of the *Universal Declaration of Human Rights* (1948) which highlights the right to seek asylum in another country.¹⁰ Hence, the organization has been committed since its initial directive in 1900s to date, championing humanitarian issues and the international protection of displaced persons as stated in its mandate; the *Statute of the Office of the United Nations High Commissioner for Refugees* (1950).¹¹ Essentially, mandate of the UNHCR is to provide: ‘international protection, under the auspices of the United Nations, to refugees who fall within the scope of the present Statute and of seeking permanent solutions for the problem of refugees...’.¹² The mandate of the UNHCR is supported by several other documents which extends to various issues during and after war periods; the 1951 *Convention Relating to the Status of Refugees*, assists in defining who a refugee is, their rights, obligations of refugees as well as influencing legislations in Africa and Latin America.¹³ Notably, the adoption of the 1967 *Protocol Relating to the Status of Refugees*, has assisted the organization in expanding the initial 1951 Convention and UNHCR’s mandate in order to cater for a much broader group of persons who need protection and aid during and aftermath of wars.¹⁴

The UNHCR has evolved since its establishment to embrace initiatives and providing the necessary budget to assist refugees, stateless persons, reintegration programs, and Internally

⁶ UNHCR, *High Commissioner*, 2001-2016

⁷ *Ibid*

⁸ UNHCR, *ExCom Governance and Organization*, 2001-2016; UNHCR, *Executive Committee*, 2001-2016

⁹ UNHCR, *IGO-Inspector General’s Office*, 2001-2016

¹⁰ UNHCR, *Convention and Protocol Relating to the Status of Refugees*, 2010.

¹¹ UNHCR, *Statute of the Office of the United Nations High Commissioner for Refugees*, 2014

¹² *Ibid.*, p. 6.

¹³ UNHCR, *History of UNHCR*, 2001-2016

¹⁴ United Nations, General Assembly *Protocol Relating to the Status of Refugees*, 1967

Displaced Persons (IDPs) based on their unique situations. This function allows the organization to emphasize on reintegration, relief-development and the right to seek asylum in another country to help reduce the plight of affected persons.¹⁵ There is also the promotion and policing of the human rights of refugees and international refugee agreements to ensure that countries are knowledgeable in dealing with these affected groups.¹⁶ These functions are further solidified not only by the organization's mandate but also, the 1998 *Guiding Principles on Internal Displacement*.¹⁷ Due to the diverse nature of the UNHCR's works, the organization collaborates with several UN sister organizations such as the UN Development Programme (UNDP), the UN High Commissioner for Human Rights (OHCHR), UN Children's Fund (UNICEF) among others who provide services which are either similar or complimentary to the mandates and functions of the UNHCR.¹⁸

Furthermore, partnership with non-governmental organizations (NGOs) has become another effective way for the UNHCR to expand its outreach towards humanitarian needs of persons who need such aid. As well, there is the pooling of resources and funds which goes a long way to ensure that the set objectives are obtainable. The UNHCR recognizing the benefit in working with NGOs engages in annual consultations with such groups to exchange ideas, best practices and building towards a safer world. The Global Humanitarian Platform's *Principles of Partnership* was adopted in 2007 by the UNHCR to this end to solidify the value in collaborating with various stakeholders to address wars and humanitarian issues.¹⁹ Nevertheless, the UNHCR mandate has been called out for its failure to include what academics are referring to as 'climate displacements' as this also has the potential to force people to move as a result of destructive climates.²⁰ As such, this is one of the many areas which is outside the mandate of the organization but addressed by other UN Programmes and Funds.²¹ In addition, despite the lead role of the UNHCR in refugee issues, the organization does not have the sole power to decide who a refugee is or have a distinct mandate when it comes to IDPs however, what they can do is to offer their high level of expertise and advice to governments on such issues which affects refugees, example, implementation of refugee laws and how to protect such groups.²²

Recent Work and Upcoming Challenges

In addition, the 66th Meeting of the Standing Committee of the Executive Committee of the High Commissioner's Programme which took place in Geneva, 21-24 June 2016 was a platform where members addressed the challenges and complex nature of refugee situations whether it is in the case of resettlement, gender equality, refugee status determination among others. The meeting highlighted the 2015 Global Trends report statistics of displaced

¹⁵ UNHCR, *Protection*, 2001-2016

¹⁶ UNHCR, *Legal Protection*, 2001-2016

¹⁷ UNHCR, *Guiding Principles on Internal Displacement*, 1998.

¹⁸ UNHCR, *UN Sister Organizations*, 2001-2016

¹⁹ UNHCR, *Non-Governmental Organization*, 2001-2016

²⁰ McAdam 2010

²¹ UN, *Funds, Programmes, Specialized Agencies and Others*, no date

²² UNHCR, *Protecting Refugees: questions and answer*, 2001-2016

persons; the record shows 65.3 million persons displaced as of the end of last year and the urgency to put in place more formidable measures in order to be more prepared for the future.²³ Other recent works of the UNHCR which have taken place in June 2015 and May 2016 have been based on strengthening approaches in international protection in terms of how Member States can play instrumental roles in this area, international cooperation and response mechanisms in assisting various groups such as refugees, IDPs and, stateless persons during crisis periods.²⁴

The *Global Appeal 2016-2017* also sheds light on the progress of the UNHCR's work globally and regional updates in 2016 as well as priorities for 2017 pertaining to goals of protecting populations of concern and other ongoing projects; there is the call to continue pursuing peace building and response measures to assist refugees through means of respect for diversity, tolerance and solidarity.²⁵ In addition, the UNHCR has been committed to reviewing financial resources which are used in these humanitarian works, this helps to; '...to influence policy in favor of persons of concern; to change behavior and attitudes...'.²⁶ This is a strategic way for the organization to advance discussions with the international community, NGOs and partners.

The UN Summit on *Addressing Large Movements of Refugees and Migrants* held in New York in September 2016 has been described as 'a game changer for refugee protection and for migrants...'.²⁷ This plays a significant role in showcasing the importance the UNHCR and other stakeholders are attaching to addressing the challenges faced by displaced persons. As a result, 193 Member States of the UN have indicated their support of the declaration which addresses the rights of refugees and migrants, racism, exploitation, women and children, supporting countries which receive large numbers of refugees and migrants and supporting the ideas of these displaced persons.²⁸ Evidently, this declaration once enforced will go to reaffirm the *1951 Refugee Convention* which the UNHCR abides by. The major challenges the UNHCR deals with is finding a permanent solution to end stateless²⁹ as cases of mass displacement, wars, conflicts and the financial capacity to help rebuild the lives of those affected cannot be controlled; over the past five years some countries have been experiencing continual conflicts.³⁰

Conclusion

This committee overview has shed light on the background of the UNHCR, achievements, mandate, powers and limitations, current works, challenges and targets for the future. The

²³ UNHCR, *66th Meeting of the Standing Committee of the Executive Committee of the High Commissioner's Programme, Geneva, 21-24 June 2016*

²⁴ UN General Assembly, *Note on international protection, 67th session, 2016, A/AC.96/1156*

²⁵ UNHCR, *Global Appeal 2016-2017*

²⁶ UNHCR, *Cash in Hand: Urban Refugees, the Right to Work and UNHCR's Advocacy Activities*, 2011, p. 1

²⁷ UN General Assembly, *Summit on Addressing Large Movements of Refugees and Migrants*, 2016

²⁸ UN General Assembly, *New York Declaration for Refugees and Migrants*, 2016

²⁹ UN News Service, *'Unprecedented' 65 million people displaced by war and persecution in 2015*

³⁰ UNHCR, *Global Appeal 2016-2017*

urgency towards refugees and those affected by crisis continues to make the UNHCR an important body of the UN, serving not only as a forerunner in humanitarian issues but also, partnering with governments and NGOs towards a shared international responsibility. As such, for UNHCR delegates, you will be tasked with engaging in the following topics; Implementing the Global Action Plan to end Statelessness and Developing an innovative, functional and reusable burden-sharing framework for refugees as a way of furthering discussions which highlights some of the current refugee issues, concerns, challenges and possible solutions. These two topics are relevant especially in contemporary times as it offers opportunities for delegates to research and think broadly on solutions for growth, advancement and integration as laid out in the mandate of the UNHCR and related policies. We wish delegates the best of luck as they build on the briefing provided in this overview and engage in their research on the topics.

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This Statute is based on the mandate, functions and scope of the UNHCR as a body of the General Assembly. It gives a concise overview of the work that is expected of the UNHCR and the commission's power. As such, this document is a relevant foundation for delegates to have more in depth information on this committee and a good starting point to get them familiar with what the UNHCR does and what it is expected.

UN General Assembly, *New York Declaration for Refugees and Migrants*, 13 September 2016, A/71/L.1*, available at: <http://reliefweb.int/sites/reliefweb.int/files/resources/N1628546.pdf> [accessed 24 September 2016]

The New York Declaration for Refugees and Migrants is a call to action which emphasizes the need for collaboration among all sectors of the global society to ensure safe migration of populations of concern as well as effective refugee response framework. Delegates will find this document beneficial in developing their position papers in regards to responding to refugee migration, record of displaced persons worldwide, Member States commitments among others. In addition, it will contribute to their understanding of the UNHCR's mandate and roles.

United Nations High Commissioner for Refugees. *Global Appeal 2016-2017*, available at <http://www.unhcr.org/ga16/index.xml> [accessed 24 September 2016]

This annual publication sheds light on the progress of the UNHCR's work globally and regional updates in 2016 as well as priorities for 2017 pertaining to goals of protecting populations of concern and other ongoing projects. For delegates, it will be a useful source of information to draw from and build on projects that's the UNHCR is currently involved in. Furthermore, it will provide guidance on addressing themes common to UNHCR.

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TOPIC 1: IMPLEMENTING THE GLOBAL ACTION PLAN TO END STATELESSNESS

Introduction

The United Nations High Commissioner for Refugees defines the legal definition of statelessness as someone “who is not recognized as a national by any state under the operation of its law”.³¹ Meaning that a stateless person can be defined as someone who does not carry a nationality of any state. There are currently over 10 million stateless persons who require aid (UNHCR). People can be considered stateless as a result of many factors, one of the most well-known factors is the dissolution of a state. An example of this is the collapse of the Soviet Union in 1991. Another factor of statelessness include conflict between laws, as well as the removal of nationality by member states who in certain cases deem that a person should not be a citizen. Many states also face a lot of discrimination towards women and therefore nationality is not transmitted to the children. In order to understand statelessness, it’s also important to understand the methods of acquiring citizenship.

It’s important to note that laws on citizenship varies from country to country but it’s important to have a basic knowledge of a few methods of acquiring citizenship. There are two main ways of acquiring citizenship. The first being birth, there are two ways of acquiring citizenship from birth, they are known as Jus Sanguinis and Jus Solis. Jus Sanguinis refers to citizenship acquired by birth, it states that the child acquires citizenship from the place of birth of the parents. This means that if a child of German decent is born either on German soil or abroad they will maintain German citizenship. Jus Sanguinis is used by many states throughout out the world today, such as in Germany, Italy, Sweden, and Norway. The second way of acquiring citizenship through birth is known as Jus Solis. In the case of Jus Solis citizenship is decided by the place of birth and not by the parent’s citizenship. Although Jus Solis was popular in the middle ages it is only practiced within Argentina. Although it’s important to note states such as England, United States of America and France use Jus Soli in conjunction with Jus Sanguinis. The second way of acquiring citizenship is through a process known as naturalization. Naturalization refers to a process of acquiring citizenship by fulfilling a certain set of conditions in order to be granted citizenship. Although these conditions may vary from state to state there are a few general principles observed by most member states. Such as residence, purchase of real estate, marriage, and civil or military service.³² Although there are multiple ways of acquiring citizenship it’s important to note that statelessness continues to be a pressing issue. There also many issues and challenges stateless persons’ face. It is also important to note the areas in which there are high concentrations of stateless people are in areas of Asia and the Middle East although stateless people can be found largely around the world. This is often as a result of the dissolution of a state as well as countries facing large amounts of conflict. The experience of stateless people varies from state to state but the issues faced by stateless people remain the same globally. Stateless people are not given rights and guarantees due to a lack of identity leading to many challenges faced in daily life. In the case of stateless children, they are often denied an education as they do not possess proof of identity. Statelessness also prevents people from owning land, employment, and at even times the ability to be married. Drawing again from the example of the former Soviet Union if people did not have registered residence and nationality they would be denied health care. As a result, it’s important to note the high concentration of statelessness found in today’s society and the urgent need for action.

³¹ Dobbs, L. and H. Morel (2007). *Q&A: The world’s 15 million stateless people need help.*

³² Ankita. (2012). *Different methods of acquiring citizenship. How is citizenship lost?*

International Framework

The United Nations has been working to address the problem of statelessness for many years. There have been two conventions thus far put out by the United High Commissioner for Refugees addressing the issues of statelessness. The *Convention Relating to the Status of Stateless Persons* (1954) and *The Convention on the Reduction of Statelessness* (1961).³³ The aim of *The Convention Relating to the Status of Stateless Persons* (1954) was to ensure that the basic human rights of stateless people are met as well as establishes the legal definition of a stateless person. The 1954 convention also establishes the treatment of stateless people regarding these basic human rights such as rights to “education employment and housing”. Finally, the 1954 convention guarantees stateless persons the right to an identity as well as travel documents.³⁴ The 1961 convention on the Reduction of Statelessness seeks out to reduce stateless persons over time. It does this through the establishment of international frameworks.³⁵

UN Involvement

The United Nations High Commissioner of Refugees has been committed to the ending of statelessness. As seen through the previously mentioned conventions such as *The Convention relating to the Status of Stateless Persons* (1954) and *The Convention on the Reduction of statelessness* (1961). It is important to note that recently the UNHCR has brought back statelessness as a top priority with the creation of the Global Action Plan to end Statelessness. In recent years the United Nations High Commissioner for Refugees has developed a Global Action Plan with the Goal of ending statelessness in the next 10 years. This Global Action plan will be the main focus of this committee. The Global Action Plan to End Statelessness is a set of 10 goals that are to be met over the course of the next 10 years in order to eradicate statelessness globally. Since the release of the Global Action Plan large amounts of support have been gathered worldwide. This can be seen through the examples of, Latin American and Caribbean states, at a conference held in Brazil the states adopted The Brazil Declaration and Plan of Action. The Brazil Declaration committed to ending statelessness by 2024. Another case of support gained was in February 2015 in which the Economic Community of West African Countries in which the Abidjan Declaration of Ministers of ECOWAS Member States on the Eradication of Statelessness was adopted. This declaration includes 62 recommendations on the prevention and reduction of statelessness. Finally, we can take a look at the example of the European Union. The EU as a result of the #IBelong campaign adopted an EU council on conclusions of statelessness. This encourages the welcome of the #IBelong campaign.

Global Action Plan to End Statelessness

Understanding Statelessness

It’s important to have a decent understanding of statelessness and the main causes of statelessness. In order to understand the importance of the Global Action Plan. Firstly, it’s important to understand nationality. Nationality in most cases is acquired by birth either through parents or the country one is

³³ UNHCR. (2017). *UN Conventions on Statelessness*

³⁴ UNHCR. (1954). [*Convention related to the Status of Stateless Persons*](#)

³⁵ UNHCR. (1961). *Convention on the Reduction of Statelessness*

born in. In certain cases, people may have to apply in order to become a national of a certain country. Statelessness is defined as a person who is not considered a national by any state under Member States laws. According to the UNHCR there are four major causes of statelessness. The first being gaps in nationality laws, the second is the moving of peoples from country to country, the third is the emergence of new states as well as changes in borders, and the fourth is the loss of nationality.³⁶

What is the Global Action Plan to End Statelessness?

“In a world comprised of States, the problem of statelessness remains a glaring anomaly with devastating impacts on the lives of at least 10 million people around the world who live without any nationality.” (United Nations High Commissioner for Refugees).³⁷ In 2013 the United Nations High Commissioner for Refugees (UNHCR) called for state complete commitment to ending statelessness. This cry from the UNHCR led to the development of the Global Action Plan to End Statelessness. This Global Plan was created in collaborating with Member States and various international organizations. Creating a guided framework of 10 actions that aim to end statelessness within the next 10 years. The largest goals of the action plan is, to resolve existing situations of statelessness, “prevent new cases of statelessness from emerging, and better identify and protect stateless persons” (UNHCR).³⁸

10 Actions ToBe Taken to End Statelessness

The Global Action Plan outlines 10 goals meant to be adopted by member states in order to end statelessness. It is important to be updated on what these 10 actions are as well as the goals associated with the actions themselves. The 10 actions outlined in the Action Plan are as follows:

- “1) Resolve existing major situations of statelessness this this means that all non-refugee issues of stateless should be solved;
- 2) Ensure that no child is born stateless meaning that through a set of laws and regulations there will be no more new cases of children being born stateless;
- 3) Remove Gender Discrimination meaning that states will develop laws in order to treat men and women equally in regards to nationality;
- 4) Prevent Denial, loss or deprivation of nationality on discriminatory grounds meaning states will no longer have laws that allow for the loss of nationality;
- 5) Prevent statelessness in cases of state succession meaning that there will be no new cases of statelessness emerging as a result of state succession;

³⁶ UNHCR. (2017). *Ending Statelessness*.

³⁷ UNHCR. (2017). *Global Action Plan to End Statelessness: 2014-2024*

³⁸ [*Ibid*](#)

- 6) Grant protection to stateless migrants and facilitate their naturalization meaning that s States will identify will be able to identify stateless migrants;
- 7) Ensure birth registration for the prevention of statelessness;
- 8) Issue nationality documentation to those with entitlement to it meaning that there will be no new cases of statelessness resulting in a failure of birth registration;
- 9) Accede to the UN stateless conventions meaning that member states will accept the already in place conventions of statelessness;
- 10) Improve quantitative and qualitative data on stateless populations. Although there are 10 actions outlined within the global action plan states are encourage to take at least on two of the actions in order to end statelessness by 2024.³⁹

Steps Taken So Far in Order to Reach the goals of the Action Plan

A set of steps for member states to follow has been created to ensure the success of the Global Action Plan. Some of these steps have included Reports of implementation of actions taken every two years, have national-level around table discussions, identify key factors, and provide advice to member states.⁴⁰ Internationally countries are encouraged to develop and implement their own versions of the action plans themselves.

#IBelong Campaign and How it aids the Global Action Plan to End Statelessness

In 2014 in conjunction with the Global Action Plan to End Statelessness the United Nations High Commissioner for Refugees. The #IBelong campaign was launched by the United Nations High Commissioner for Refugees along with member states and other UN bodies. The campaign itself helps raise awareness for the Global Action Plan by inciting government and civil society's involvement. The campaign itself has garnered support from the General Assembly which adopted a resolution "in which if welcomes the call by the High Commissioner for action to end statelessness within a decade" (UNHCR).⁴¹ The #IBelong has also received support from the UN Secretary-General, on 8 January 2015 addressing the General Assembly in order to "urge member states to support the campaign to end statelessness and ensure that everyone enjoys the right to a nationality" (UN Secretary-General).⁴²

³⁹ UNHCR. (2014). *Global Action Plan to End Statelessness: 2014-2024*

⁴⁰ *Ibid*, p.7

⁴¹ UNHCR. (2017). *#IBelong Campaign to End Statelessness*

⁴² *Ibid*

Support Gained

Since the launch of the #IBelong campaign there has been large amount of support from both member states and governmental bodies. Below are a few cases and examples of support gained thus far, looking at the examples of the Latin American and Caribbean states, the Economic Community of West African States, and the European Union. Firstly, we can take a look at the support that came from Asia Pacific.

Case Study Solving Existing Issues of Statelessness

Statelessness in Kenya Makonde People

Many people came in the 1930's came from Mozambique to work as labourers Kenya, many years later their decedents still remain in Kenya. These decedents whose ancestors who came in years ago have no nationality. Being denied Kenyan citizenship has many negative repercussions for these stateless persons. Such as access to health care and higher education. Although these stateless persons have grown up their entire life in Kenya they had still been denied citizenship. Alongside the Kwale County Justice Legal Justice the Makonde people were able to successfully petition the Kenyan president in order to have their case reviewed. As a result of this call to action the Kenyan president assembled a task force in order to access stateless persons in Kenya. The process itself had many delays the Makonde people frustrated with the wait time sought aid from the Kenyan Human Rights Commission. Finally, December 2016 the cry of the Makonde people was answered and where finally offered citizenship.⁴³ There are many cases like this that have taken form since the launch of the Global Action Plan to End Statelessness alongside the #IBelong campaign.

Conclusion

Since the launch of the Global Action Plan to End Statelessness many member states have joined the #IBelong and banned together in order to solve and eradicate existing issues of statelessness as well as prevent new ones from emerging. When researching the Global Action Plan to End Statelessness it's important to keep in mind delegates country's involvement with the action plan and how the country supports it and ensures the success of the action plan itself.

Questions to Consider

- 1) What is your country's involvement in the Global Action Plan to End Statelessness?
- 2) What Progress has happened over the past two years?
- 3) How does Statelessness affect your country?
- 4) What is your country's policy on stateless persons?

⁴³ UNHCR. (2017). *Maha Mamo, a stateless refugee in Brazil, talks about the challenges of a life without nationality*

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This article presents various definitions of the concepts related to citizenship and how it is acquired or lost. This is important for delegates to consult as it gives background information on how citizenship works as well as how it is acquired.

United Nations High Commissioner for Refugees. (1954). Convention Relating to the Status of Stateless Persons, retrieved on Dec 20 2016. Available at <http://www.unhcr.org/protection/statelessness/3bbb25729/convention-relating-status-stateless-persons.html>

The Convention was one of the first adopted on the manner and constitutes an important document for delegates to be familiar with. This is important for delegates to consult in order to get an understanding on previous actions taken in order to combat statelessness.

United Nations High Commissioner for Refugees. (1961). Convention on the Reduction of Statelessness, retrieved on Dec 20 2016. Available at <http://www.unhcr.org/protection/statelessness/3bbb286d8/convention-reduction-statelessness.html>

Adopted a few years after the Convention Relating to the Status of Stateless Persons (1954), this Convention is another milestone document on the issues of statelessness. This is important for delegates to consult in order to get an understanding on previous actions taken in order to combat statelessness.

United Nations High Commissioner for Refugees. (2014). Global Action Plan to End Statelessness [UN document], retrieved on Dec 20 2016. Available at <http://www.unhcr.org/54621bf49.html>

The Global Action Plan (2014-2024) will serve as the foundation for the work in committee at CANIMUN 2017. It is important for delegates to have a thorough understanding of the Global Action Plan as it will be a main focus throughout the course of the weekend.

The UN Refugee Agency. (2014-2017). Kenya's stateless Makonde people finally obtain papers [Article], retrieved on Dec 20 2016. Available at <http://www.unhcr.org/ibelong/makonde-in-kenya/>

The case of the Makonde people in Kenya is an example of the issue faced by many people throughout the world. It constitutes an important case study to review in order to have an understanding on the impacts of statelessness worldwide.

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TOPIC 2: DEVELOPING AN INNOVATIVE, FUNCTIONAL AND REUSABLE BURDEN-SHARING FRAMEWORK FOR REFUGEES

Introduction

Managing refugee outflows is one of the most complicated tasks of the United Nations High Commissioner for Refugees (UNHCR). Migration management as a whole is challenging because of the transnational nature of the phenomenon—this means that it, like many other international issues, can't be controlled by one state, and instead requires collaboration between Member States and a certain level of deference to international bodies such as the UNHCR and the IOM. More so than other problems, though, migration is heavily subject to the internal policies of a state: everything from border control to healthcare policies affects how, where, and when migrants are able to travel. In the context of refugees, these internal state policies can be particularly problematic given the urgent nature of conflict-driven migration: as is demonstrable by the current crisis of refugees from Syria, many refugees end up stranded in camps, waiting on states to make time-consuming policy decisions on who and how many refugees they will allow in, along with what rights and benefits they will be extended. While these are important bureaucratic decisions, this practice takes a massive toll on some of the world's most vulnerable people, as most refugee camps are severely underfunded and lack many basic necessities such as water and food.

Ideally, all Member States would already have policies and procedures in place for refugee management; the current Syrian refugee crisis is not the first of its kind, nor will it be the last given global conflictual and environmental trends. In the same way that households are prepared for emergency situations with food stockpiles and first aid kits, so must states be prepared for emergency situations of an international level. Refugees have come from all states and from all manner of situations: the responsibility to protect these people stems not only from international legal obligation, but also from the principle of reciprocity: each state will inevitably have some opportunity to provide vital support to the citizens of another. Refugees, then, must be treated as a global issue that requires the participation of all states in its solution. To this end exists the theory of burden-sharing.

Burden Sharing

Burden-sharing is an academic theory of refugee management that encourages Member States to collaborate in resettling refugees. It aims to remove the onus of hosting massive amounts of refugees from those countries proximal to a conflict, and seeks instead to evenly distribute displaced populations between Member States that have the capacity to handle them.⁴⁴ If every Member State were to admit as many refugees as it were able, every single refugee could be resettled and integrated without any single Member State being overwhelmed.

Of course, that limit is different with each state. Some Member States have a massive capacity for refugees, while others do not; a burden-sharing system would require a state-by-state approach to determine the division of refugee populations. Member States would also require the ability to alter

⁴⁴ Betts, A. (2008). *International Cooperation in the Global Refugee Regime*.

their contribution requirements based on their domestic status; no Member State could be expected to always accept their maximum amount. It is also unreasonable to expect Member States to act entirely altruistically; some incentive or motivation must exist to compel them into action. Looking at the past attempts at burden sharing, we can find that motivation, along with particular characteristics that may facilitate the creation and implementation of a burden sharing framework.

Past Attempts at Burden Sharing

International Conferences on Assistance to Refugees in Africa 1981&1984 (ICARA I&II)

As a result of the many intra-state conflicts that occurred around the African continent during the 1950-1990 period, a large number of African refugees were being hosted by a number of African states, who sought compensation from Northern states for the burden on their infrastructure. In response, the UNHCR hosted ICARA and ICARA II in Geneva in an attempt to secure donations. These conferences were implemented in the style of pledging conferences: the UNHCR developed a number of projects and strategies, and presented them to a group of Northern states in the hope of securing funding. Ultimately, both conferences were a failure, as neither managed to secure the necessary funds.⁴⁵

We can identify two reasons for these failures: first, that there was no linkage between northern interests and the African refugees, meaning that the northern countries simply did not have any incentive to donate towards the cause because there was nothing in it for them. The second reason, which informs the first one, is that the UNCHR did not take on the role of convincing northern states that they did, in fact, have an interest in helping African refugees.

International Conference on Central American Refugees (CIREFCA)

This conference ran between 1987-1995 in order to find solutions for the hundreds of thousands of Central American Refugees who were displaced by a number of civil wars in the region. Once again, the UNCHR developed a set of programs, though this time it managed to receive 90% of its requested funding over the course of the conference; CIREFCA is considered to be a resounding success.⁴⁶

One of the differences between CIREFCA and ICARA was that the programs in question were aimed at protecting and resettling refugees while also considering the local communities and the civilians therein. The solutions proposed were therefore demonstrably beneficial to the refugees themselves and to the host countries. As well, the UNCHR took an active role in demonstrating the relationship between refugee protection and enhancing regional security, furthering economic development, and facilitating inter-regional trade, all of which motivated the actions and contributions of major international actors in that refugee crisis.

⁴⁵ *Ibid*

⁴⁶ *Ibid*

Indo-Chinese Comprehensive Plan of Action 1988-1996 (CPA)

The CPA, which ran from 1988 to 1996, was also an example of a successful conference in its cooperation over the protection of Indo-Chinese refugees in the aftermath of the Vietnam War. This time, rather than presenting a variety of programs for funding, the UNHCR was specifically negotiating for a procedure on addressing the situation of the “Boat People”, who had been continuously denied asylum and literally pushed back into the water when they tried to land anywhere. The UNHCR mediated the eventual agreement, which consisted of a three-way relationship between the sending countries, first countries of asylum, and resettlement countries, and created a process for screening, resettlement, and voluntary return.

The success of the CPA rests on the issues that were linked to the refugee problem. Regional security was of primary concern, but the struggle against Communism was an equally compelling cause for international cooperation on this matter. In this case, the UNCHR was key to encouraging compromise and recognition of these interests.

Important Lessons

These past attempts have taught us two main points regarding burden-sharing: Member States need to be motivated by self-interest to participate in the international refugee regime, and the UNHCR needs to take an active role in pointing out those interests. Thus, any attempt to make a burden-sharing framework will require the inclusion of other issues—typically issues of regional or international security and economic development, as well as a strong facilitator for the discussion of these issues.

Issue-Linkage

One of the big questions of burden sharing asks how Member States can benefit from participating in the global refugee regime. How could, for example, a European state benefit by taking in refugees from a Middle Eastern state? Enhancing regional security is the most obvious answer to this question, but there are others. For one thing, intake of refugee populations is positively correlated with strong economic development and increased GDP—domestic governments can actually improve their own countries’ economies by choosing to resettle and integrate refugees into their societies. Further, the intake of refugees from a given state can create a strong relationship with that state in the future, allowing for the creation of important international partnerships in political, economic, and military issues.

UNHCR Involvement

History shows us that Member-States are unlikely to take any action or make any compromise regarding refugees without the direct and heavy involvement of the UNHCR in demonstrating the value of those actions or compromises. In order for the global refugee regime to function effectively, the UNHCR cannot be laissez-faire in its approach to garnering support from Member-States; part of its role, effectively, relies on actively politicking to its members on behalf of refugees. If Member-

States are going to contribute, they need to be convinced to do so through issue-linkage by the UNHCR.

Moving Forward

Delegates to this session of the UNHCR are tasked with reviewing this academic theory, researching issues relevant to their country that can be linked to refugee intake, and developing a lasting framework to guide current and future refugee flows to safety. Delegates can look to past and current refugee crises to inform this discussion; most notable today, of course, is the Syrian Refugee Crisis, alternatively known as the European Migrant Crisis. If we use this crisis as an example, we can see that one of the most fundamental issues faced by migrants today is that they have nowhere to go: many EU states have closed their borders or severely limited migration flows, while refugee camps in Syria's neighboring states are overfilled and underfunded. It has recently become arguably more dangerous for Syrians to migrate than it is for them to stay at home amid a bloody civil war: this, more than anything, informs on just how dire the situation is for civilians looking for a better life.

Even so, common theories predict that refugee and migrant flows are unlikely to decrease over the next few decades: between ever-increasing political instability in a number of countries, destruction caused by climate-change related natural disasters, the reduced ability to access basic resources (such as water) in many regions, and globalization-induced economic inequality, we can safely expect that the global number of forced migrants will increase exponentially. As such, the need for developing such a management framework is all the direr. Your goal in this topic is to prepare the global community for the inevitable surge in migration that is to come, while ensuring that migrants are treated humanely.

Questions to Consider

- What is your country's stance/policy regarding refugee intake? How could you tailor that to more effectively contribute to the global refugee regime?
- What kinds of issue-linkage would make your country more inclined to participate in resettling refugees? What incentives does your government need?
- What is the public perception of refugees in your country? Will your citizens need to be convinced that this is a good idea? What do you think would need to be done to convince them?
- Does your country already have a program in place for resettling and integrating refugees? What is it? How well has it been working so far? Does anything need to be changed? Are you in a position to recommend program elements to other countries?
- Are you one of the many countries that is currently/is predicted to soon become a sending country of refugees? If so, do you have a plan in place for how to manage that?
- How many refugees could your country reasonably be expected to take in? Are there particular skill-based positions that your economy is lacking in that could be supplemented by refugees (eg doctors, electricians, nurses, etc)?

- What is the definition of a refugee in your country? Are there significant groups of people that are neglected by that definition?

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This article discusses different models for refugee resettlement and identifies models that most benefit refugees as well as models that most benefit host countries

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