



Research Report

UN Human Rights Council





Personal

Introduction: Chair

Dear delegates,

My name is Raegel and it is my absolute honour to be your chair for UNHRC, TISKLMUN 2018! I was first introduced to MUN in 2016 and since then I have attended 7 conferences, the most memorable of which being TKLMUN 2017 where I served as the Secretary-General. On a side note, I have just completed my A-Levels at Tenby SEP Sixth Form and will be beginning my studies in Medicine at university this fall.

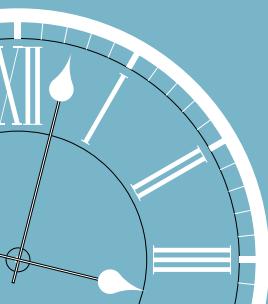
This will be my first conference as a chair and so I hope that this will be a positive learning experience for both you and I. Throughout my MUN journey, I have met many passionate and bright individuals who have inspired me to be more confident and to be more engaged about issues that matter in our communities, like poverty, awareness of palliative care, climate change and basic human rights. These conferences have helped me become a more well-spoken and assertive individual, but more importantly, it has given me a new perspective of the world that we live in and an insight into issues that affect our everyday lives. So, regardless of the number of conferences that you have attended or whether you have attended any at all, I ask that you all try your best by actively participating in council so that you get the most out of this opportunity. If you do, I guarantee that you will all benefit from TISKLMUN 2018 in more ways than one.

With that, I'd like to wish you luck on your research (do not forget to do your research because it will help you immensely in all aspects of council!) and apologise in advance for any mistakes that I might make during council (please do correct me). If you have any questions at all regarding the procedure, the topic or if you just want to say hello (please do!), do not hesitate to send me an email at raegel2610@gmail.com. I look forward to hearing from you all soon!

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Personal Introduction: Co-Chair

Hello Everyone! I'm glad that all of you are taking time out of your summers to attend TISKLMUN 2018. To briefly introduce myself, my name is Faizal Firhaz, and I am 16 years old. I am currently on summer break and I will be entering my final year of high school, where I will be completing my IGCSE'S this fall in Eaton International School. I started MUN in 2017, until now, in the time of which I have attended 10 conferences as a delegate, and have been inspired every single time. This will be my first time chairing, therefore, I hope we can both use this conference as a positive, productive learning platform, where we can have fun while learning!

I started MUN because I was eager to improve myself with all the benefits that MUN had to offer so that I too could aid in solving the issues that plague the world today. Whether this will be your first, or 21st conference, I hope that you are able to take something away from TISKLMUN 2018. Also, delegates, please remember to do your research, as it is so vital during council, and if you actively participate during council, you will benefit from this conference in more ways than one. That being said, if you have any questions or doubts, please don't hesitate to reach out to either one of us! You can get in touch with me at firhaz27@gmail.com, and I look forward to meeting you all!



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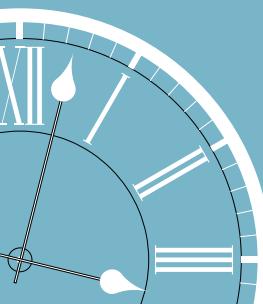


Introduction to the Committee

The United Nations Human Rights Council (UNHRC) for TISKLMUN 2018 will follow a THIMUN format. The following research reports on both topics serve as a mere guide towards delegates who are strongly advised to do further research regarding their country's stances, past actions and possible solutions.

In 2006, the United Nations General Assembly (UNGA) passed the resolution 60/251 which led to the formation of the UNHRC. The Human Rights Council is the principal body in the United Nations which is responsible for the protection and promotion of human rights across the world. The UNHRC meets approximately 3 times a year in Geneva, and outside of these yearly meetings, the council may also hold special sessions if need be, which would pertain to country-specific issues. Member states of the inter-governmental body also converge multiple times a year to discuss certain thematic human rights issues and where appropriate, makes recommendations for courses of actions towards those issues and situations.

IMPORTANT NOTE: The resolutions passed by the UNHRC are not legally binding.





Topic A:

Resolving the peaceful relocation of the Rohingya refugees





Introduction to the Topic

The Rohingya are a Muslim-ethnic minority that resides in the state of Rakhine, Myanmar. Although the Rohingya make up the majority of Rakhine's population, the government has firmly refused to grant them citizenship, making them victims of systematic discrimination. They have since earned the title of 'the world's most persecuted ethnic minority'. In August 2017, following the escalation of violent attacks between the Rohingya and the Burmese government, large groups of the Rohingya fled to neighbouring ASEAN countries seeking for protection and shelter, in countries such as Thailand, Bangladesh and Malaysia.

By the end of 2017, as many as 600,000 Rohingya refugees had travelled to Bangladesh for safe haven. The sudden influx caused overcrowding in existing refugee camps and the exhaustion of UN humanitarian aid resources. Despite this, the Bangladeshi government has shown its support of the displaced by opening their borders to them as well as allocating land of at least 3,000 acres for their use. However, the influx of Rohingyas has yet to cease as of August 2018 and the lack of preparation for the crisis has led to the construction of unsustainable camps, scarce resources and unfavourable living conditions for these refugees, thus, the need for a peaceful relocation remains to be a key issue of the Rohingya Refugee crisis.



Topic A

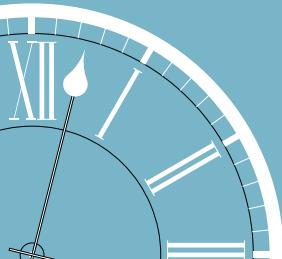
Resolving the peaceful relocation of the Rohingya refugees



Current Situation

As of August 2018, the UNHCR estimates that approximately 900,000 Rohingyas have migrated to Bangladesh - over 70% of whom are currently situated in the Kutupalong camps (and its extension areas) in Cox's Bazar. This makes Cox's Bazar not only one of the world's largest refugee resettlement area but also the most densely populated. Overcrowding at the camps has generated many issues for the Rohingya: insufficient supply of food and clean water, and lack of resources for the construction of their makeshift shelters, and poor sanitation which could potentially lead to an outbreak of transmittable diseases like cholera and diphtheria. Individuals or families with specific needs (single parent, disabled, elderly) are at a distinct disadvantage as they require additional resources and attention. Overall, the living conditions in Cox's Bazar is far from favourable and the WHO describes the obstacles that they face as "huge, multiple and evolving", therefore many argue that these camps will not be suitable as a long-term solution.

Even as the government of Bangladesh and other international organisations struggle to meet their basic necessities, the situation is worsened by the ongoing monsoon season. The camps are at risk of being damaged by the oncoming flash floods and heavy rainstorms. Despite the distribution of emergency flood kits to those in Cox's Bazar by aid workers, many facilities are already in need of being repaired or replaced, particularly makeshift homes which are more vulnerable due to their instability and their placement on landslide-prone terrains. The harsh weather conditions have already affected over 10,000 individuals and relocations to other refugee camps in Bangladesh have already begun - but again, this is not a long-term solution for the Rohingya.



Topic A

Resolving the peaceful relocation of the Rohingya refugees



Major Issues

Resources: The World Bank has previously announced the Joint Response Plan (JRP) of \$951 million that aims at meeting the immediate needs of the Rohingya Refugees in Bangladesh. Despite appeals to the international community, as of July 2018, only 26% of the total amount has been raised. This means that some Rohingya will not receive adequate shelter, nutrition or healthcare and may not be able to survive long enough before being able to resettle or return to Myanmar.

It is important to note that the JRP will only improve the living conditions for the Rohingya whilst they are living in refugee camps or in host communities - it does not account for any plans for relocation, resettlement or repatriation. Currently, there have not been any plans for repatriation or relocation (other than the ones mentioned in the 'Past Efforts' section of this research report) as no countries other than Bangladesh have offered their land for the relocation, let alone resettlement, of the Rohingya. It is common practise for countries which do accept these refugees to cover the costs of "interview/selection missions, medical checks and pre-departure orientation, exit visas from country of asylum, travel from the country of asylum and on-arrival services in the new country".

Safety: These refugee camps may protect them against the violence that they faced in Rakhine, but they are not completely out of harm's way as the low standards of living in the Bangladeshi camps also pose a risk to their safety. The sheer number of refugees have made it so that not only are there not enough supplies but the land available is too limited to accommodate a million people. As mentioned previously, these congested environments put the community at risk of outbreaks of disease that may even spread to the local Bangladeshi community in the country and cause an epidemic.



Topic A

Resolving the peaceful relocation of the Rohingya refugees



Major Issues

To repatriate back to Myanmar has also been heavily opposed by a majority of Rohingya as no actions have been taken to ensure that the Burmese government will protect the human rights of the Rohingya once they return. Without these protections, the Rohingya will be in danger of the same violence, rape and torture that they had endured before fleeing out of the country. Organisations such as the UNHCR and Amnesty International which have tried to gain entry into the state of Rakhine to assess the situation of human rights of the Rohingya have been denied entry, which only reduces the confidence in the government of Myanmar in the eyes of the public.

Citizenship: The Rohingya have yet to be offered or given any form of citizenship or means of formal identification by either the Burmese or Bangladeshi government (aside from their temporary identification cards provided by the UN). They are seen as illegal Bangladeshi immigrants who are often referred to as 'Bengali' or 'Bangladeshi' by the Burmese government as they even refuse to recognise the title of 'Rohingya'. Without citizenship, this limits the Rohingya in many ways, preventing them from getting legally married, not being able to leave the country, not being able to vote and leaving them without access to public education and healthcare services.



Topic A

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Past Efforts

The Bangladesh-Myanmar Deal (Rohingya Repatriation)

A bilateral agreement that aimed for the return of Rohingya was settled upon by both governments in late 2017, and the repatriation operations were said to begin in late January 2018. The Bangladesh government had requested that 15,000 Rohingya be returned every month, but after negotiations, Myanmar had declared that they would only be accepting 1,500 refugees a month, provided that every individual had been registered with the Bangladeshi government beforehand. Transit camps which were built as per the agreement, it would be where refugees were to go to register themselves before officially being accepted into the state of Rakhine.

Bangladesh had announced that the start of the repatriation were delayed due as more preparations were required. Amnesty International had cited that "any arrangement on returns must first address the conditions of apartheid that the Rohingya have fled from", this sentiment gained support from the international community and were parallel to the worries of many refugees. 5 months after repatriations were supposed to begin, it is reported that the transit camps remain almost empty, with less than 200 Rohingya having passed through. This is likely due to the absence of acknowledgement by Myanmar of the mistreatment of the Rohingya, no citizenship guarantee and lack of plans for infrastructure for the returning Rohingya community. Principally, all the instances of violations of Rohingya's human rights have not been addressed and no parameters have been set in place to ensure that no harm may come to them if or when they return to Rakhine.



Topic A

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Past Efforts

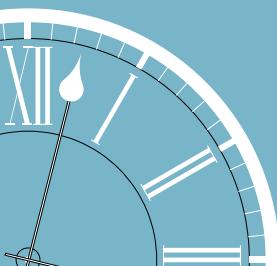
The Memorandum of Understanding (Rohingya Repatriation)

In mid-2018, the UN Development Programme (UNDP), Office of the UN High Commissioner for Refugees (UNHCR) and the Government of Myanmar signed a trilateral Memorandum of Understanding* regarding the repatriation of the Rohingya back to Myanmar. The agreement is said to consist of the “framework for cooperation aimed at creating the conditions conducive to the voluntary, safe, dignified and sustainable repatriation of Rohingya refugees to their places of origin or of their choosing”. The UNDP and UNHCR have both been granted access into the Rakhine region for the first time since reports about the instances of ‘ethnic cleansing’ began years ago. The UN bodies will be there to “carry out needs assessments in affected communities and strengthen the capacity of local authorities to support the voluntary repatriation process” but further information regarding the contents of the MoU have yet to be released.

Though the possibility of success for this attempt at a successful repatriation may seem more likely than the last because of involvement by the UN, the refugees still have major concerns. Similar to the previous bilateral agreement, the lack of guarantee of citizenships and their safety remain to be their primary concern.

Bhasan Char (Relocation)

Previously known as Thengar Char, Bhasan Char (meaning ‘floating island’) is the island in the Bay of Bengal which Bangladesh proposed the relocation of 100,000 Rohingya to. The \$278 million project will transform Bhasan Char into a habitable island, equipped with sufficient shelter centres and barrack houses and is set to be completed at the end of 2019. However, there has been pushback from the Bangladeshi people who do not condone the use of government funds to provide for the Rohingya as there are many existing issues in its own country that need to be resolved.



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Past Efforts

In addition, organisations including the UNHCR have also expressed their deep concerns about the plans for relocation as the island is known to be flood-prone and a premature relocation may even lead to more inconvenience for the refugees. The UNHCR will continue to monitor the operation as it progresses, noting the the “viability of the site to offer dignified living conditions, safety and security considerations, issues around voluntariness of relocation, and other factors related to freedom of movement, the ability of refugees to earn a living, and participate in decisions affecting them, humanitarian personnel access and presence, and support or requirements for persons with specific needs” are of vital importance in the development of the island.

It has also been reported that refugees which move to Bhasan Char will only be allowed to leave if they decide to repatriate or are offered asylum by another country; this solution will also not earn any form of citizenship for the Rohingya. Relocation to Bhasan Char will mean that refugees will move further away from Myanmar away from the mainland, an idea which many of them reject as they still have hopes of being able to go home.



Topic A

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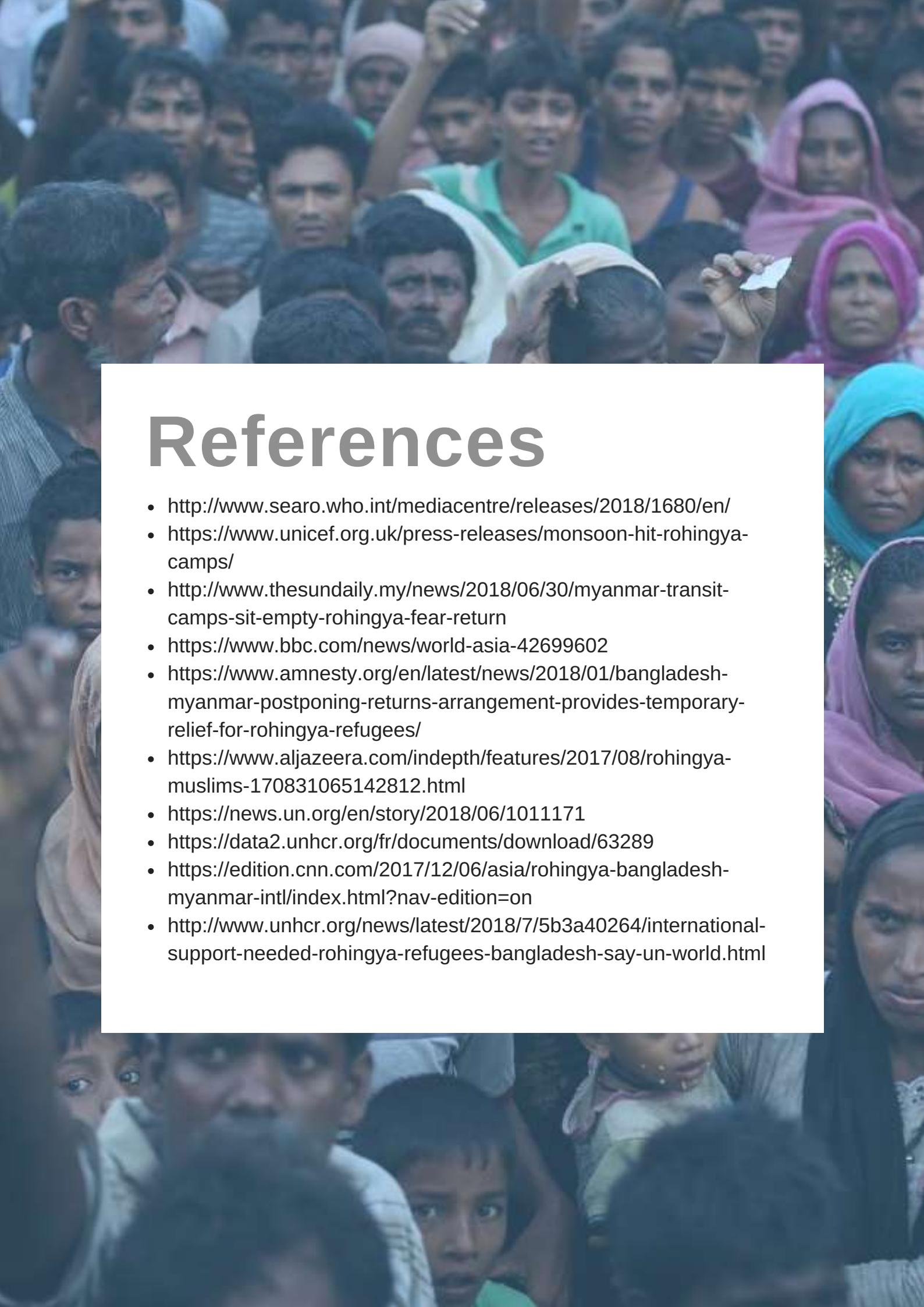
Questions To Think About

- What incentives can the UN, the government of Bangladesh or the government of Myanmar offer to member states to provide further humanitarian aid/resources towards the crisis?
- How can the situation of human rights of the Rohingya in Myanmar be dealt with so that a peaceful repatriation may proceed?
- What kind of planning/preparations need to be done before the relocation?
- Would a relocation or a repatriation be more successful?
- Aside from Bangladesh are there any other countries which stand as viable options for the resettlement of the Rohingya?



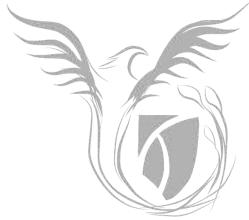
Links for Further Research

- <https://documents-dds-ny.un.org/doc/UNDOC/GEN/G17/358/08/PDF/G1735808.pdf?OpenElement>
- https://www.securitycouncilreport.org/atf/cf/%7B65BFCF9B-6D27-4E9C-8CD3-CF6E4FF96FF%7D/s_prst_2017_22.pdf
- <http://mujournal.mewaruniversity.in/JIR%201-4/2.pdf>
- <https://reliefweb.int/sites/reliefweb.int/files/resources/65038.pdf>
- <http://reporting.unhcr.org/sites/default/files/JRP%20for%20Rohingya%20Humanitarian%20Crisis%20-%20March%202018.PDF>
- https://reliefweb.int/sites/reliefweb.int/files/resources/APHR_Bangladesh-Fact-Finding-Mission-Report_Mar-2018.pdf
- <http://www.unhcr.org/en-my/information-on-unhcr-resettlement.html>
- <http://www.unhcr.org/en-my/56fa35b16>



References

- <http://www.searo.who.int/mediacentre/releases/2018/1680/en/>
- <https://www.unicef.org/press-releases/monsoon-hit-rohingya-camps/>
- <http://www.thesundaily.my/news/2018/06/30/myanmar-transit-camps-sit-empty-rohingya-fear-return>
- <https://www.bbc.com/news/world-asia-42699602>
- <https://www.amnesty.org/en/latest/news/2018/01/bangladesh-myanmar-postponing-returns-arrangement-provides-temporary-relief-for-rohingya-refugees/>
- <https://www.aljazeera.com/indepth/features/2017/08/rohingya-muslims-170831065142812.html>
- <https://news.un.org/en/story/2018/06/1011171>
- <https://data2.unhcr.org/fr/documents/download/63289>
- <https://edition.cnn.com/2017/12/06/asia/rohingya-bangladesh-myanmar-intl/index.html?nav-edition=on>
- <http://www.unhcr.org/news/latest/2018/7/5b3a40264/international-support-needed-rohingya-refugees-bangladesh-say-un-world.html>



Topic B:

The Rights of Migrant Children

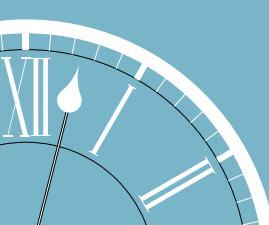




Introduction to the Topic

Day after day, children are fleeing their native countries to escape the various threats that they face, like war, persecution, natural disasters or whatever the reason may be. Migrants flee their country in the hopes of seeking refuge, in other countries. Most migrants are inherently poor, which means that they don't have the means of travelling luxuriously, which forces them to the option of travelling by the cheapest way possible, boats, in which entails its own threats. If they manage to reach their destination safely, ideally, they would be warmly treated with the touch of humanity they deserve and given complete access to what they're rightfully entitled to, that being: education, healthcare, shelter, identity and more.

On the contrary, what really happens is that they are held in detention centres and deprived of their rights and are even exposed to inadequate living conditions, violence and sexual abuse. Even if they are let into the country, which is rare, they often face high levels of stigma, discrimination and punishment, which makes their life that much harder and is extremely traumatizing. On the other hand, not all countries are this inhumane and cruel as they actually welcome these child migrants with open arms into their society, by which they are provided with their rightful needs and necessities. When they grow up, they can contribute positively to their society or even be repatriated back to their native country, where they too can contribute positively.



Key Definitions

Rights - A moral or legal entitlement to have or do something.

Migrant - A person who moves from one place to another in order to find work or better living conditions.

Stigma - A mark of disgrace associated with a particular circumstance, quality, or person.

Inadequate - Lacking the quality or quantity required; insufficient for a purpose.





The Importance of Child Rights

Human rights, in general is crucial, but child rights are essential. Without these fundamental rights, children are unaware of what they are entitled to, which opens them up to being mistreated and bullied. The basic foundation of child rights, established in the 'Convention of the Rights of a Child' states that children are granted healthcare, education, shelter, identity and to be with family, thus, is immediately taken into the protection of the state. When children know their rights, they are less likely to be taken for granted and tossed aside and are able to actually fight for what they deserve.



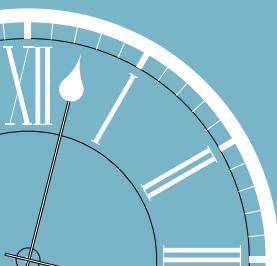


Current Issue

It is extremely important to keep in mind that this is a **case study** and **this situation, in particular is not the focus of the resolution**. Delegates must remember that the aim of the resolution is to address the **promotion and protection of rights of all migrant children across the globe**, not only in the situation described below.

One of the most recent newswires regarding migrant children is the crisis between Mexico and USA, which entails families from Mexico seeking asylum across the border and into the USA. Many families and individuals migrate to other countries for many reasons, the majority leaving to avoid ongoing conflicts and violence in their hometowns or to simply look for a better life. Immigration into the USA disproportionately comes from Mexico, this can be attributed to the strong presence of gangs and drug cartels which pose threats all across the country. The topic of migration across the Mexican border has been a long-standing issue in the USA, but with President Trump's executive order calling for the separation of minors from their guardians at the border, the topic only gained more traction and became one of the most covered stories this year.

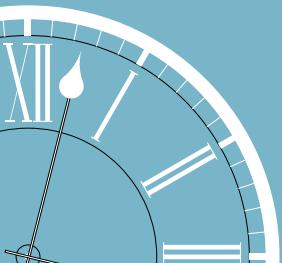
Within the first 2 weeks of the new 'zero tolerance policy', over 650 migrant children were separated from their families. Once the migrants reach the border, the adults are detained and any children or unaccompanied minors will then be placed in the care of the US Department of Health and Human Services, who will then place them in other facilities indefinitely. So what rights were violated and which were taken into consideration? Well, during their stay in these detention facilities or protection shelters, children were provided with beds, lessons in classrooms, sufficient meals, medical attention and reportedly were also allowed to contact any other family members who weren't under detention. However, the act of the separation itself was condemned by many, including the United Nations high commissioner of human rights, Zeid Ra'ad al-Hussein, who stated that the acts were 'unconscionable'.



Current Issue



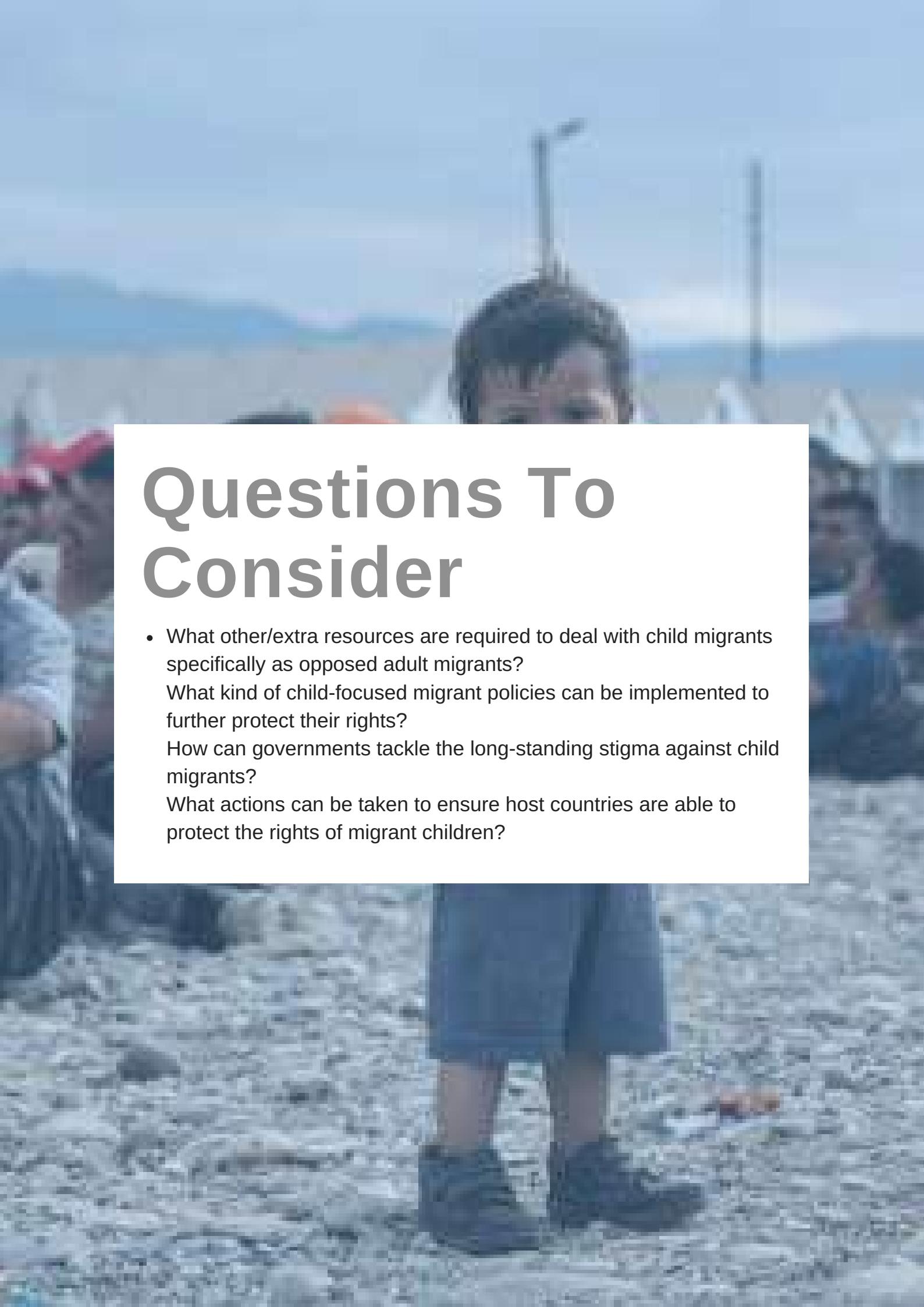
The emotional turmoil experienced by these young and impressionable children may cause long-term problems and even stunt their development. Experts mention that these migrant children may experience 'toxic stress' which is caused by "prolonged exposure to hormones such as cortisol, epinephrine, norepinephrine -- fight or flight hormones -- and then inflammatory hormones". This will have both mental and physical consequences on these individuals, some which may require years of therapy to overcome. In essence, the separation of these children is a violation of their rights as ultimately, these actions are definitely not in their best interests (a violation of Article 3 of the Convention of Rights of a Child) and cause extensive trauma to many of them.





Links for Further Research

- <https://www.unicef.org/malaysia/1959-Declaration-of-the-Rights-of-the-Child.pdf>
- <http://www.un.org/documents/ga/res/44/a44r025.htm>
- http://www.un.org/en/development/desa/population/migration/generalassembly/docs/globalcompact/A_HRC_RES_17_12.pdf
- http://www.un.org/en/development/desa/population/migration/generalassembly/docs/globalcompact/A_HRC_RES_35_17.pdf



Questions To Consider

- What other/extra resources are required to deal with child migrants specifically as opposed adult migrants?
What kind of child-focused migrant policies can be implemented to further protect their rights?
How can governments tackle the long-standing stigma against child migrants?
What actions can be taken to ensure host countries are able to protect the rights of migrant children?



Bibliography

- <https://www.nytimes.com/2018/06/18/world/europe/trump-migrant-children-un.html>
- <https://edition.cnn.com/2018/06/14/health/immigrant-family-separation-doctors/index.html>
- <http://www.loc.gov/law/help/child-rights/international-law.php>
- <https://www.ohchr.org/en/professionalinterest/pages/crc.aspx>
- <https://www.ohchr.org/EN/NewsEvents/Pages/RightsOfMigrantChildren.aspx>
- <https://news.un.org/en/story/2018/06/1012492>
- <http://www.op.org/en/content/threats-human-rights-children-migration-situation>
- <https://www.nytimes.com/2018/06/05/world/americas/us-un-migrant-children-families.html>

