



KWMUN IV

United Nations Human Rights Council  
~ Background Guide ~

# Welcome Letter

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Welcome to KWMUN IV! On March 23, you will have the opportunity to debate, resolve, engage with and discuss some of the most pressing topics modern international diplomacy. The United Nations plays an essential role in the cooperation between countries around the world and the resolution of diplomatic disputes in the modern world and we are so excited begin the process of resolving the pressing issues outlined in this background guide.

Our names are Ben Wahl and Nikesh Mehta-Spooner and we are your co-chairs for KWMUN IV this year in the United Nations Human Rights Council (UNHRC). In the conference, there are also numerous faculty advisors, other members of the KWMUN Secretariat (including the Crisis Committee dais and the United Nations Security Council dais) and the Secretary-General, Oscar Judelson-Kelly.

This year in committee, the UNHRC will be discussing topics from around the world, particularly focusing on the humanitarian crisis and in Myanmar, as well as the rights of internally displaced persons in Africa. As you may be aware, these topics are of paramount importance and have repercussions with effects felt around the world concerning every nation should they not be addressed. It is our hope that the conference will shed light on various perspectives surrounding these issues and to come to a safe and effective resolutions.

The purpose of this document is primarily to provide background, guidance and information for delegates in addition to narrowing the scope of the discussion at KWMUN IV. Use this guide as a model for the topics that will be discussed at the conference and base your personal research around the guiding questions found at the end of each topic.

Delegates should read the entirety of this background guide and use the information included to conduct their own research into their country's position, past actions and proposals for the amendments of the various topics being discussed at this year's conference. Delegates are expected to have a basic understanding of their country's allies, adversaries and other information that will allow delegates to accurately and precisely represent their country during the conference.

Position papers are a requirement for all delegates to complete should they want to be considered for awards at the end of the conference, and are recommended for all delegates. However regardless of whether they write a position paper, delegates are nevertheless expected to be prepared for the conference. In order to be prepared for the conference, delegates must research the topics outlined in this document (as they are the topics that will be discussed at the conference) and their country's position regarding these topics. Again, delegates should use the guiding questions and resources in this document to aid in the preparation process. Delegates should also research views and opinions, regional interests, actions taken and actions they would like to see happen of your given country.

We firmly believe that the UNHRC plays an invaluable role in the remedy of modern international humanitarian issues, and hope that the conference will serve as an example that the future is in responsible and peaceful hands. We urge you to suggest a combination of creative, old, new and effective solutions to these problems to eventually ensure a better life for all humans.

Please feel free to contact us before March 23, 2019 if you have any questions or concerns! Good luck in your preparation!

*Ben Wahl*

*Nikesh Mehta-Spooner*

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# Committee Overview

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On March 15, 2006, in accordance with resolution 60/251, the United Nations Human Rights Council (herein UNHRC) was established. Replacing the United Nations Commission on Human Rights, this inter-governmental association within the United Nations is compelled to seek, and at times, create diplomatic resolutions to violations of human rights around the world. This international body consists of 47 individual states and has the mandate of discussing global human rights concerns. The UNHRC is the paramount system used to address the United Nations' attempt to constitute a more welcoming, humanitarian and safe world for all, with a specific focus on international human rights. Indeed, as the resolution that established the UNHRC states, "members elected to the Council shall uphold the highest standards in the promotion and protection of human rights."

The UNHRC refers to the United Nations Declaration of Human Rights as a framework. However, the actual functioning of the Council is laid out in the Institution-Building Package. This document outlines the UNHRC's procedure and mechanisms. The UNHRC allows members to analyze the importance of international law; and moreover, to recognize the necessary components of a better world. The development of human rights is imperative to the success of the UNHRC. As situations arise in the international political climate, the UNHRC must adapt to accommodate the respective rights of citizens around the world. To do so, the UNHRC works closely with domestic governments and courts to improve upon human rights within states.

The UNHRC takes pride in discussing diplomatic issues surrounding democratic ideals, such as, but not limited to, the freedom of association and religion, LGBTQ+ rights, and ethnic rights. The UNHRC has dealt with many international situations, including the Israel-Palestine conflict, the 2006 conflict in Lebanon, the Gaza report, the rights of climate change refugees, and the conflict Eritrea.

*Note from the chairs: the UN charter and the UN Declaration of Human Rights are the two statutes which are the core around which UNSC discussion is centered. Delegates should be familiar with these two texts and should review them to see how the policies and wording in these documents differ from the countries represented by delegates.*

# Topic 1: The Humanitarian Crisis in Myanmar

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## Overview

In the year 1430, the last Rakhine Kingdom was established, welcoming both the Buddhist and Muslim traditions. Ensuing, the colonial era birthed a form of mass exploitation. Local resources (specifically rice) were cultivated in large quantities within the state. Thus, British imperialists searched for cheap labour. Muslim workers from Bengal were the primary subject of such British-motivated exploitation. Consequently, the Muslim community in the Rakhine Kingdom grew rapidly. After centuries of general isolation, in accordance to Rakhine foreign policy, the Second World War rooted the polarization of the current south-Asiatic state. The Muslim community was in support of the United Kingdom. In contrast, the Buddhist community supported the Empire of Japan, but later changed allegiances.

After Myanmar obtained independence in the 1940s from the United Kingdom, Muslims in Burma grew increasingly furious over inequality issues following the international community's attempt at decolonization of the region. However, this Muslim uprising was suppressed and destroyed by the sitting government. Then, a Buddhist military government obtained power, forcing an estimated 200,000 Muslim civilians into Bangladesh. As the years passed, the newly named Government of Myanmar, grew more extreme in all aspects of governance. In 1982 the Government of Myanmar decided to exclude the Rohingya as an ethnic group, and act foundational to the growing discrimination against Myanmar's Muslim community. As a result, the Rohingya population were officially deemed stateless. During 2012, an estimated 112,000 Rohingya refugees were forced to flee to Malaysia. Afterwards, Aung San Suu Kyi's government was "democratically elected" as the state's governing power; however, the Rohingya people were not allowed to partake as electoral candidates and voters in the election. At the same time, the Myanmar government was and continues to be heavily under the influence of the national military.

The most recent exodus of Rohingya refugees began on August 25, 2017. This exodus was a consequence of increased tensions in the Rakhine state. Many refugees (of which the overwhelming majority are women and children) have found shelter in Bangladesh.. Specifically, more than 40% of those in the exodus are under twelve. Luckily, there are refugee camps located in Kutupalong and Nayapara: Bangladesh's Cox's Bazar district. However, this sudden influx of refugees has put a

significant strain on Bangladesh's limited resources. To tackle this issue, the United Nations (herein UN) has attempted to establish infrastructure and emergency care units. This includes 1,500 metric tons of materials (tents, blankets, etc.) and the construction of water facilities, as well as site-planning. There has been a particular focus in recent months to make latrines. This is used to limit the spread of diseases that can cause extreme harm to an already damaged community.

In respect to logistical assistance, the UN has sent over 300 workers to mitigate further disruption in the crisis. On March 16, 2018, the UN created the Joint Response Plan for the Rohingya Humanitarian Crisis. This plan requested \$ 951,000,000 (USD) to fund the evolving crisis from March until December of 2018. Sadly, the funds allocated by the end of 2018 only represented approximately 32% of the original request. The UN calls upon world leaders to help fund this program to aid those in desperate need. There is also a call for the increased protection of women, children, and those with special needs. Programs are being developed to care for these individuals during the crisis, as they are much more vulnerable.

Currently, there are growing concerns over the geographic impacts on the humanitarian crisis. The monsoon season (May-September) in Bangladesh is extremely volatile and will prove devastating to civilians in and around Myanmar if no plan of action is put in place. An estimated 200,000 refugees are at risk of severe rainfall that will lead to landslides and extreme floods. As aforementioned, many refugees have settled in Cox's Bazar district. This location also happens to be one of the wettest areas in Bangladesh. UN partners have supplied the refugees with essential life-saving tools to prepare for the monsoon season, including bamboo poles, sandbags, and tarp. In addition, the construction of more roads and paths have been central to the preparation for significant rainfall. For example, 2,324 kilometers of bridges have been constructed to help with the flow of refugee movements during extreme flooding. It is important to note that the Government of Bangladesh has been incredibly cooperative during this process.

Myanmar's government has repeated that ethnic cleansing is not an appropriate qualification of the crisis. Rather, the crisis includes many more complicated situations, such as prior attacks on Myanmar's government by the Rohingya people. The Myanmar government has said that the action taking place in regards to the Rohingya is a legitimate counter-insurgency operation in Rakhine. This conflict has been described as a "divide" and should be closed as soon as possible according to Aung San Suu Kyi, the State Counsellor of Myanmar. Moreover, there is a complex constitutional issue in

regards to the role of the government in the crisis. The military has a significant amount of control over the state, while the State Counsellor has less authority compared with western nations. Therefore, this crisis also involves certain problems with domestic constitutional and intergovernmental affairs. Simply put, the military has significant control over the crisis and should be closely examined to ensure a holistic interpretation of the crisis.

On average, ten Rohingya refugees enter Bangladesh per minute. Over 723,000 Rohingya refugees have been forced to flee towards Bangladesh. The exodus grows in numbers and importance meanwhile the international community is yet to develop a diplomatic solution. Global collaboration is needed to solve a humanitarian crisis that will shape the nature of human rights and international relations. There is a need for both domestic and international reform in a crisis that is not only complicated, but significant to the current state of international and domestic diplomacy.

### **Timeline**

**1948:** Burma becomes an independent state.

**1962:** The military rule in Burma increases; and therefore, inducing extreme forces of hypernationalism, economic development, and protectionism.

**1977:** More than 200,00 Rohingya people flee to Bangladesh ensuing military action taken against the growing minority.

**1989:** The military changes the nation of Burma's official diplomatic name to Myanmar.

**2012:** Amid growing tensions between the Buddhist community and the Rohingya, thousands of Rohingya individuals were forced into Bangladesh.

**2017:** An influx of refugees enter Bangladesh seeking refuge, as resources start to become scarce.

## Major Parties and Key Players

### India

- Located just over 1000 kilometers from Myanmar
- India's Bharatiya Janata Party party (herein JP) has deemed the Rohingya people a security threat due to extreme violence observed in the Rakhine state alongside possible coercion with extreme groups. A lawyer representing the BJP in the Supreme Court of India has suggested that the Rohingya are in communication with Pakistan-militant led groups
- India's government has openly said that they would like to deport all 40,000 Rohingya refugees living in their country
- India's government has sent 53 tonnes of emergency materials to Rohingya communities

### Myanmar

- Myanmar's leader, Aung San Suu Kyi, has criticized the international community's interpretation of the conflict
- Aung San Suu Kyi has claimed that the crisis is dealt exclusively by the military, in response to unexpected attacks on government forces
- Myanmar has declined the UN's investigation into the treatment of the Rohingya in Myanmar

### Bhutan

- In the process of suffering its own refugee crisis with the Lhotshampa population
- The Bhutanese people, by a large majority, follow the Buddhist tradition
  - There has been a growing feud between the Buddhist and Muslim traditions in the South-Asia area in countries such as Myanmar, which borders Bhutan

### Nepal

- Located close to Myanmar and therefore holds many Rohingya refugees who have migrated away from the Rakhine state
- The Nepalese government believes that increased security along their border is essential to avoid further conflicts associated with the Rohingya humanitarian crisis
- Nepal's economy is in recovery following multiple significant natural disasters. Thus, Nepal is not keen on inviting refugees

### Bangladesh

- Home to many Rohingya refugees
- Bangladesh is under influence of Chinese foreign policy, that highlights the importance of a repatriation agreement (between Bangladesh and Myanmar) that sends Rohingya refugees in Bangladesh back to the Rakhine state: "forced returns"
- China has significant economic influence in Bangladesh and therefore has leverage in negotiations with Bangladesh

## Guiding Questions

1. If any, what are the specific violations of human rights that are taking place in Myanmar surrounding this increasingly dangerous refugee crisis?
2. In the age of populism and polarization in the international community, can human rights be enforced more effectively?
3. What are the diplomatic, political and economic ties that each nation has with Myanmar, the states within Myanmar, and bordering countries?
4. What are the desired human right responsibilities each country should accept in the crisis?
5. What are the short term and long term human rights solutions associated with this specific refugee crisis?
6. How can countries around the international community help Rohingya refugees find a safe and welcoming environment?

# Topic 2: The Rights of Internally Displaced Persons in Africa

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## Overview

Internally Displaced Persons (IDPs) are some of the most vulnerable people in the world, facing increasingly difficult challenges. In 2017, there were over 40 million people worldwide recorded as displaced by conflict and violence. IDPs are defined by the *United Nations Guiding Principles on Internal Displacement* as “persons or groups of persons who have been forced or obliged to flee or to leave their homes or places of habitual residence, in particular as a result of or in order to avoid the effects of armed conflict, situations of generalized violence, violations of human rights or natural or human-made disasters, and who have not crossed an internationally recognized state border.” These people are not refugees since they have not left their country of origin, but have been forced from their home by uncontrollable circumstances, whether it be natural disasters or human conflict.

Unlike refugees, IDPs have not found sanctuary in a stable country and thus remain at risk. These people have limited access to clean water, food, education, and health care. They are some of the hardest people to provide with humanitarian aid as they remain in areas affected by conflict and violence and/or environmental catastrophe. It is the United Nation’s (UN) responsibility in partnership with governments and humanitarian organizations around the world to aid these people and ensure their human rights are being met.

The rights of internally displaced persons identifies a clear gap in international law. While international organizations creates laws and agreements after World War II to protect the rights of asylum-seekers, none of these covered the rights of those displaced within their country of origin, as this was not a common occurrence when the framework was created. Of course, this gap in the system has become evident recently with the increase of internal conflict. From 1982 to 1995, the number of IDPs rose from 1.2 million to 20 million. Currently, the number of internally displaced persons outnumber refugees two to one globally. IDPs are often forgotten but arguably pose an even greater humanitarian challenge than refugee crises.

One of the biggest actions that has been taken by the international community is the establishment of the Internal Displacement Monitoring Center (IDMC). The IDMC was created in 1998 by the Norwegian Refugee Council (NRC) and has become the world leader in analyzing and studying IDPs around the world. Their work includes an annual report entitled the Global Report on Internal Displacement (GRID), Global Disaster Displacement Risk Platform (a predictive model used to analyze the risk of displacement events), satellite imagery analysis and research papers. They collaborate with the UN and domestic governments in order to improve the lives of IDPs.

An urgent issue is arising in Africa as civil wars increase in frequency and severity around the continent. Some significant areas of internal displacement include South Sudan, Central African Republic, Nigeria, the Democratic Republic of the Congo (DRC) and Cameroon. Since the outbreak of the civil war in South Sudan in 2013, the country has seen significant increases in its number of IDPs. The state currently has 1.9 million internally displaced persons and is also dealing with a famine affecting an increasing number of IDPs. Additionally, Cameroon and Nigeria have both seen an developing internal conflict with the African militant group Boko Haram which has forced many African people out of their homes. The Central African Republic has also experienced internal conflict with various armed groups in towns and communes that has led to civilians fleeing their original homes, creating 690, 000 IDPs in the state. Finally, due to the extensive armed conflict around the DRC, almost 4.5 million civilians have become internally displaced due to domestic violence. While resolving these conflicts is of paramount importance, the UNHRC must focus on how to ensure the human rights of these IDPs who have already been displaced and find a resolution to the obstruction of human rights.

Another critical issue for that IDPs must overcome is the phenomenon of environmental and natural disasters. Many of the aforementioned nations deal with annual or long-standing droughts and flooding despite these natural circumstances not being the main cause of an increase in IDPs. Countries such as Somalia and Ethiopia which deal with extreme drought and flooding cause many people to leave their homes in search of food and water. It is imperative that UNHRC finds a way to better manage these natural disasters in order to ensure that all IDPs are granted their fundamental human rights.

Although there has been international humanitarian law established to protect refugees, there is no similar document recognizing IDPs, which allows them to often be overlooked and put at risk. The

current system uses a collaborative approach with domestic governments where the domestic governments are the stakeholders instating and preserving human rights with support, aid and infrastructure from the UN and other states. There are currently many IDPs who live without human rights and it is imperative to work towards international measures to protect these people.

### **Timeline**

**1951:** The UN convention on refugees seeks to protect persons outside of their country of origin.

**1998:** The United Nations Guiding Principles on Internal Displacement are passed.

**December 2013:** Beginning of South Sudan civil war.

**February 2017:** South Sudan declares famine.

**2017:** Boko Haram insurgency creates new IDPs in Cameroon.

**2017:** Renewed violence after a year of more peace in the Central African Republic.

## Major Parties and Key Players

### Republic of Cameroon

- Boko Haram has a substantial presence within the country creating internal conflict
- Political violence in anglophone areas of the country

### Central African Republic

- Significant disputes over resources and territory, mainly between farmers and herders who need to use the same land with limited resources
- Wide spread militia attacks on towns and communes from groups such as Anti-balaka, Convention of Patriots for Justice and Peace, Séléka, and the Lord's Resistance Army.

### Democratic Republic of the Congo

- Chronic and long standing political instability and armed conflict, mainly between the government army and the Hutu Power group, the Democratic Forces for the Liberation of Rwanda.
- Have historically been underfunded from international organizations with respect to the resolvment of humanitarian issues

### Federal Democratic Republic of Ethiopia

- Excellent economic development in recent years
- Intercommunal violence along its borders

### Federal Republic of Nigeria

- Boko Haram have created and continue to create the majority of internal displacement
- Conflict between herders and farmers caused 1,300 deaths in the first half of 2018 as resources get scarcer in parts of the state where people have fled to due to violence by Boko Haram

### Somali Republic

- Heavily affected by drought which has created food and water instability
- Little government stability after the fall of the national government in 1991 causing anarchy and leading to poor management of humanitarian issues
- With no defined national government and failed US and UN intervention, the country is largely ruled by various militia groups but primarily al-Shabab.

### Republic of South Sudan

- In the midst of a civil war that has not demonstrated signs of slowing
- Famine declared in 2017, affecting approximately five million people (nearly half the population)

## Guiding Questions

1. What are the current human rights issues IDPs are facing?
2. Where should IDPs have to go when displaced?
3. What international laws, if any, are protecting IDPs?
4. What rights should IDPs be entitled to?
5. Who should be responsible for seeing that IDPs have their human rights?

## Resources

1. <https://thediplomat.com/2017/12/nepal-and-the-rohingya-refugees/>
2. <https://www.crisisgroup.org/asia/south-east-asia/myanmar/bl53-bangladesh-myanmar-dan-ger-forced-rohingya-repatriation>
3. <https://www.bbc.com/news/world-asia-41566561>
4. <https://www.unhcr.org/news/stories/2017/12/5alc313a4/100-days-horror-hope-timeline-rohingya-crisis.html>
5. <https://www.cnn.com/2017/11/12/asia/rohingya-crisis-timeline/index.html>
6. <http://oxfordre.com/asianhistory/view/10.1093/acrefore/9780190277727.001.0001/acrefore-9780190277727-e-115?print=pdf>
7. <https://www.cfr.org/backgrounder/rohingya-crisis>
8. <https://www.ohchr.org/en/hrbodies/hrc/pages/aboutcouncil.aspx>
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14. <https://www.reuters.com/article/us-myanmar-rohingya-china/china-expresses-satisfaction-over-rohingya-repatriation-deal-idUSKCNINE1TZ>
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16. <http://www.internal-displacement.org/countries>
17. <https://www.brookings.edu/on-the-record/new-challenges-for-refugee-policy-internally-displaced-persons/>
18. <https://www.unhcr.org/50f955599.pdf>
19. <http://www.internal-displacement.org/countries>