

# NAMUN' 21 UNHCR

*Study Guide*

#jointheworldsheartbeat



# **Table of Contents**

## **Welcoming Letter**

- 1. Introduction to United Nations High Commissioner for Refugees (UNHCR)**
  - 1.1. What is UNHCR?**
  - 1.2. History of UNHCR**
  - 1.3. Functions of UNHCR**
  - 1.4. Sources of UNHCR**
- 2. Refugee Population by Country and The Countries' Socioeconomic Welfare**
  - 2.1. Socioeconomic Situation of Developed, Developing and Underdeveloped Countries**
    - i. What Is Socioeconomic Welfare and What Does It Depend On?**
    - ii. The Classification of Developed, Developing and Underdeveloped Countries**
  - 2.2. Population of Refugees Received and Produced by Country**
  - 2.3. The Relationship Between a Country's Socioeconomic Welfare and the Refugee Population**
- 3. Safer and More Efficient Evacuation of Refugees in Nations Decimated by Civil War**
  - 3.1. Countries Struggling With Ongoing Civil War**
  - 3.2. Practiced Evacuation Procedures**
  - 3.3. Obstacles That Might Be Encountered and Previous Incidents**
    - i. The Severity of the Ongoing Civil War and Concerns for the Safety of the Refugees**
    - ii. Existing Resources Required for Evacuation Procedures**
    - iii. Environmental Drawbacks**

#### **iv. Miscommunication**

### **4. Protection of The Rights of Unregistered Refugees**

#### **4.1. The Criteria For a Refugee To Register**

#### **4.2. Internationally Recognised Rights of Legal and Illegal Refugees**

#### **4.3. Commonly Encountered Violations of Unregistered Refugees' Rights**

### **5. Questions to Be Answered**

### **6. References**

Cherished participants of NAMUN'21,

I, İdil Yüzbaşıoğlu, the secretary general of this year's Nesibe Aydın Model United Nations (NAMUN) would like to welcome you all to the 10th annual conference of NAMUN. Our academic and organization team both gave it their all to make this conference

educational and fun for every attendee. All of our teams are more than grateful to welcome you all to our 10th year anniversary of NAMUN!

We faced many difficulties along the way, overcoming them one by one with the support we gave to each other. With both the academic and the organization team's hard work, we bring you NAMUN with its well planned committees and well planned coffee break activities to help you relax after a long session. This year NAMUN offers five committees: two beginner, three intermediate and finally a J.MUN. UNEP (United Nations Environmental Programme) , UNCSTD (United Nations Commission on Science and Technology for Development) , NATO (North Atlantic Treaty Organisation) , UNHCR (United Nations High Commissioner for Refugees) , CSW(Commission of Status of Women) our JMUN. UNICEF (United Nations Children's Fund). All of these committees are fit to talk about the UN's Sustainable Development Goals as we seek out solutions to real life problems we see everyday on the news.

In conclusion, our teams invite you to experience unforgettable memories, enhance your academic skills of presentation and debate, learn other people and countries' views of the world, and join the world's heartbeat.

Welcome to NAMUN'21! Ten years, going strong.

Secretary general,

İdil Yüzbaşıoğlu

## **1. Introduction to United Nations High Commissioner for Refugees (UNHCR)**

### **1.1. What is UNHCR?**

The United Nations High Commissioner for Refugees (UNHCR) is a UN agency charged with supporting refugees, forcibly displaced people, and stateless people in voluntary repatriation, local integration, and resettlement to a third country. It is based in Geneva, Switzerland, and employs about 17,300 people in 135 countries.

## **1.2. History of UNHCR**

The United Nations High Commissioner for Refugees (UNHCR) was founded in December 1950, in order to bring help to millions of people whose homes were destroyed by the Second World War. For 70 years UNHCR supported and aided over 50 million refugees and won two Nobel Prizes (1954 and 1981) for their benevolent services. The UNHCR based their work on The 1951 Refugee Convention and its 1967 Protocol which were formed with the contribution of 149 State parties.

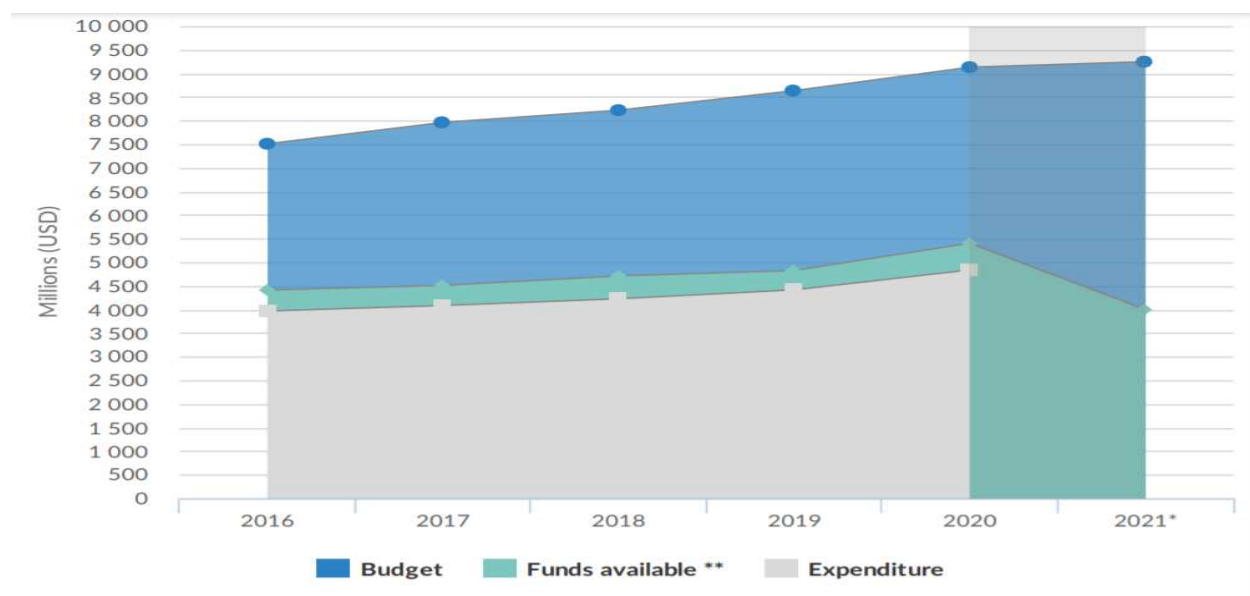
## **1.3. Functions of UNHCR**

UNHCR's primary mission is to protect the rights and well-being of people who have been forced to flee their homes due to conflict or persecution. Alongside NGOs, IGOs, several UN bodies and other communities, UNHCR strives to attain long-term solutions to ensure everyone has the right to a secure refuge inside or outside their nations. UNHCR has been assisting millions of refugees, internally displaced people, returnees, and asylum-seekers to rebuild their lives since 1950. UN peacekeepers are often present to provide refugee camps with crucial basic needs such as food, water, sanitation, protection and health care, healing broken pasts and laying foundations for a better future.

## **1.4. Sources of UNHCR**

Almost all funds of UNHCR come from voluntary contributions, with government and European Union donations make up about 85% of the funds, top donors in 2019 being the United States, Germany and the United Kingdom. 11% percent is supplied by the private sector; meaning foundations, corporations and the public. Further 3% comes from other intergovernmental bodies and combined funding systems, including the Central Emergency Response Fund. In addition, a one-percent-point subsidy is received from the UN budget for administrative costs. In-kind donations including items such as tents, medicine and heavy goods vehicles are also accepted.

In 1950, UNHCR was established with a small annual budget of \$300,000. As its activities and size have expanded, the budget reached a new high of \$9.15 billion in 2021. The annual budget funds ongoing operations as well as additional programmes to address emergencies such as the Syria crisis.



## 2. Refugee Population by Country and The Countries' Socioeconomic Welfare

### 2.1. Socioeconomic Situation of Developed, Developing and Underdeveloped Countries

#### i. What Is Socioeconomic Welfare and What Does It Depend On?

Socioeconomic welfare can be defined as the overall quality of living standards, the fulfillment of material and non-material necessities and the level of stability and prosperity that can be associated with the interaction of economic and social factors in a certain area or country. The factors that influence the social and economic welfare of a country include: ideological movements, crime rates, unemployment, media, politics, industrial groups, violence, real income, employment prospects, job satisfaction, housing, education, life expectancy and quality of life, happiness levels, environment and leisure time. Many countries try to actively improve the socioeconomic welfare of citizens and refugees alike, by utilizing social welfare systems. Social welfare systems are a network of programs designed to offer health care, food stamps, unemployment compensation, housing aid, disaster relief, educational support, and child care assistance to residents of a region at various phases of their life. Such a system is mainly the result of a government's or an organization's efforts to better the overall well-being of people. In most countries once they are granted protection, immigrants have access to social rights under the same conditions as nationals, however the same cannot be said for refugees.

According to the Article 23 of the 1951 Convention Relating to The Status of Refugees, which advocates against the discrimination of refugees: *"The Contracting States shall accord to refugees lawfully staying in their territory the same treatment with respect to public relief and assistance as is accorded to their nationals."* Yet some regions which are signatories of the convention have infringed the international

law, such as Australia, Greece, Turkey, East and West Africa where recognized refugees have been arrested and detained arbitrarily, stripped of their freedom of movement, denied healthcare and subjected to violence.

## **ii. The Classification of Developed, Developing and Underdeveloped Countries**

The United Nations categorizes nations as economies in transition, developing or developed economies stating that these classifications “reflect basic economic country conditions.” By contrast, The International Monetary Fund considers a variety of factors when evaluating whether a country is an advanced economy, an emerging market and developing economy, or a low-income developing country. Alternatively, The World Bank divides countries into four groups based on their Gross National Income (GNI) per capita: high-income (\$12,616 or more), upper middle-income (\$4,086 - \$12,615), lower middle-income (\$1,036 - \$4,085), and low-income (\$1,035 or less) economies. Instead, The Committee for Development Policy follows three criteria that categorizes countries regarding their: Per capita income (GNI per capita in relation to people taken individually), Human assets (indicators of nutrition, health, school enrolment and literacy) and Economic vulnerability (indicators of natural and trade-related shocks, physical and economic exposure to shocks, and smallness and remoteness).

The total amount of money earned by a country's citizens and firms is referred to as GNI. It's used to track and measure a country's wealth annually. The number is made up by taking the sum of the



country's Gross Domestic Product (GDP) and foreign income. Even though a variety of indicators can be used to assess a country's development, the GDP of a nation is among the most well-known indicators of economic strength. GDP can be described as the total monetary or market value of all finished goods and services made inside a country's boundaries within a particular time frame. A country's GDP is calculated by taking into account all private and public consumption, government outlays, investments, additions to private inventories, paid-in construction expenses, and the foreign trade balance. GDP per capita is a helpful statistic for differentiating developed and developing countries, which as it is a tally of all goods and services produced in a nation in a year (in USD). It is calculated by taking the ratio of a nation's entire population and its GDP. It's a far more effective metric for depicting how a country's economic output is likely to be experienced by a hypothetical average citizen. However, several countries display characteristics which belong to more than one category, due to countries being mostly large, complicated bodies that are difficult to precisely categorize.

Another measurement for assessing a nation's development status is The Human Development index (HDI), which has been established by the UN for assessing the socioeconomic development levels of nations based on life expectancy, educational attainment, and income, which serves as an alternate means of assessment that is based on social welfare, unlike GDP, which mostly considers the economy of a nation as the criteria for a nation's development status.

The HDI translates those bases into a standardized value between zero and one; the closer the country's HDI is to one, the more developed it is. Countries are divided into four groups by their HDI values: low human development (0 - 0.55), medium human development (0.55 - 0.7), high human development (0.7 - 0.8) and very high human development (0.80 - 1). This index is helpful when analyzing the impact of each country's policy choices. For instance, if two countries have roughly the same GNI per capita but vastly divergent HDI values, it's reasonable to assume that the discrepancies are caused by policies regarding life expectancy, educational attainment, or some other factor unrelated to economic health.

Alongside the GNI per capita and the HDI statistics of a country, there are other factors that might determine whether a country is developed, developing or underdeveloped. For example, the birth and death rates in developed countries are constant. High birth rates are not experienced in developed countries, since infant mortality rates are low due to high standards of living and reliable healthcare. The employment rates for women are greater, as women have the right to work and access to the labor market, along being career-driven and having the opportunity to choose to have fewer children or not to have children at all. Since more inhabitants of these countries drive cars, fly on planes, and use electricity and gas to power their homes, developed countries use a disproportionate amount of global resources, as individuals in developing and underdeveloped countries usually lack access to the technology which require these resources.

Nations which do not meet the socioeconomic criteria stated above, and fit in the middle-income countries, are typically classified as developing countries. These are countries with a lower income, a lesser developed industrial base, a lower standard of living, and limited access to modern technology. As a consequence, developing countries frequently lack jobs, food, safe drinking water, education, medical services, and housing. Underdeveloped countries are characterized by widespread chronic poverty, less economic and technological development than developed or developing countries. Other classifications that are often used for underdeveloped countries are: emerging markets, developing countries, and newly industrialized countries. Families in underdeveloped countries often feel the need to have large numbers of children due to the expectation that some will not survive, therefore the birth to death ratio is notably high. These countries experience a major lack of labor opportunities, as well as having a significantly low income, very underdeveloped industrial base and little to no access to modern technology. Low-income countries encounter serious structural barriers to long-term development. They are extremely vulnerable to environmental and economic shocks, and their human capital is limited. Debt levels are higher in developing and underdeveloped countries. Low-income or developing countries cannot access the kind of seemingly limitless resources that industrialized nations can.

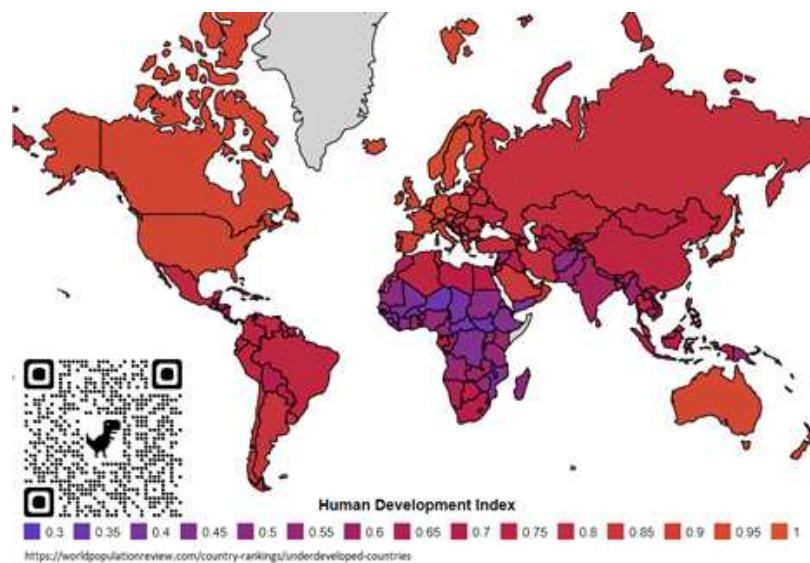
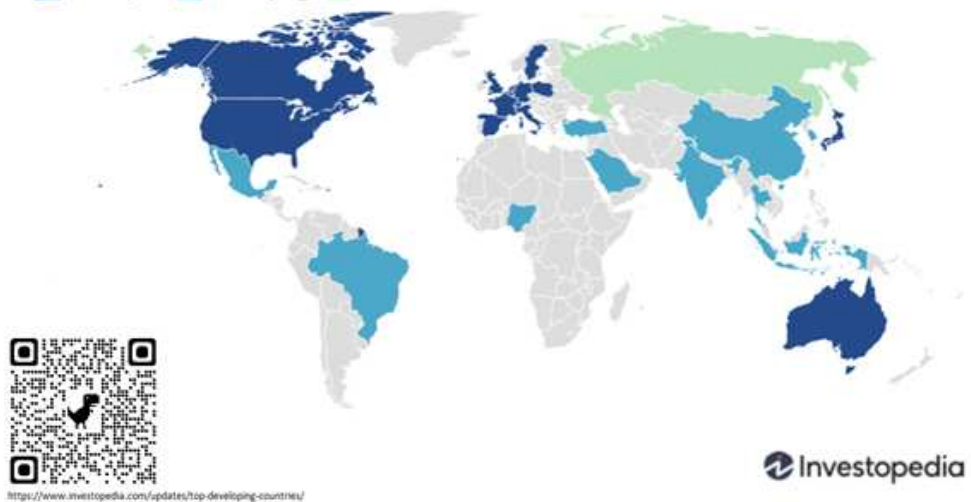
In 2020, the UN classified 35 countries as developed and 126 as developing. All countries which were considered developed were

located in either North America, Europe, or Developed Asia and Pacific, while all countries which were considered developing were located in either Africa, Asia, or Latin America and the Caribbean.

\*Countries like Mexico, Greece, and Turkey are defined as developed by some associations, while being considered developing by others, because of definitional inconsistencies.

### Top 25 Developed and Developing Countries by GDP

■ Developed ■ Developing ■ In Transition



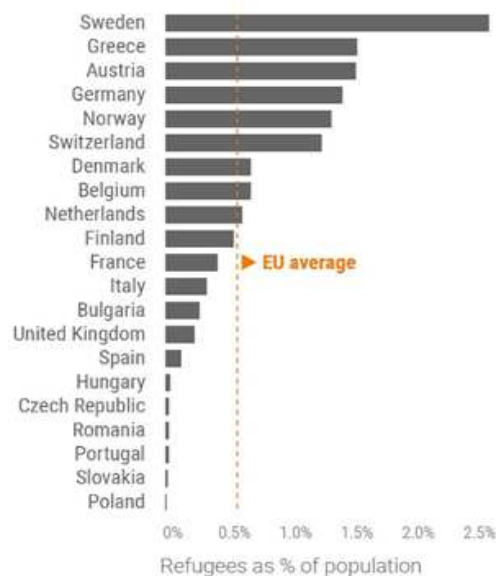
## **2.2. Population of Refugees Received and Produced by Country**

Due to reasons like armed or political conflict, persecution, natural disasters, food security, drought and socioeconomic challenges, the countries that precipitate the majority of the world's refugees are: Syrian Arab Republic (6.7 million), Afghanistan (2.7 million), South Sudan (2.3 million), Myanmar (1.1 million), Somalia (900,000) and The Democratic Republic of the Congo (720,300).

In the last decade, over 40 million forcibly displaced people have been given refuge in another nation, but while some countries have been hosting more than two thirds of the refugee population, most countries have received only a few. The failing division of responsibility has been a burden on many developing and underdeveloped countries, as there are developed countries that scarcely have very few refugees while their socioeconomic situation allows them to receive more. Some of these countries include: Saudi Arabia (320), Japan (1,463), Poland (2,811) and Portugal (2,445).

Currently, 86% of the worldwide refugee population are being hosted in non-developed countries with already scarce resources, underdeveloped countries hosting 27% of that total. As a result, many recipient countries are burdened with a severe social and economic strain, affecting the nationals and the refugees themselves. Some of the countries with the highest refugee populations are: Turkey (3.7 million), Jordan (2.9 million), Lebanon (1.4 million), Pakistan (1.4 million), Uganda (1.1 million) and Germany (1 million). Plenty of the nations which have the highest number of refugees are not signatories of the 1951 Convention, such as Bangladesh (906,600), Lebanon

and Jordan, meaning the safety and rights of refugees in such countries are at risk. In these countries, refugees have limited access to the formal labor market and are often required to settle for underpaid labor or informal employment.



### **2.3. The Relationship Between a Country's Socioeconomic Welfare and the Refugee Population**

The socio-economic impact of refugees might be positive or negative, depending on the development index of said country. Although a large influx of refugees poses a significant challenge to any host country, it especially impacts developing countries, which have limited administrative and financial assets. The main cause of this is the refugees' immediate need for accommodation and access to essential social services such as health care and education. They may also compete with residents may compete for jobs, public services, and limited resources such as housing, resulting in economic difficulty for both parties and the need for additional government spending,

including the income support some countries provide until refugees develop the necessary language skillset. Nevertheless, the refugees will eventually try to support their own lives by seeking employment in the informal or formal labor market and engaging with the host country's economy in a variety of ways.

For developed countries, refugees may be quite beneficial as they provide immediate additional workforce. This is especially necessary as the population which is over 65 is currently growing at a very fast rate. The aging of a large percentage of the nation's population means an increase in the demand for social services and causes major gaps in said nation's workforce, resulting in an economic problem.

The increase of refugee populations might impact developing and underdeveloped countries both negatively and positively on economic and social planes. Providing for refugees adds a significant strain to the already weak economy of non-developed nations, which host high numbers of refugees due to their closeness to areas of conflict. Although at first, the reception of large numbers of refugees will likely lead to environmental deterioration, greater demand of natural resources and local services, and security issues, when given the opportunity to become productive members of the society, refugees vastly contribute to the local economies and societies, alongside creating more opportunities for both themselves and the nationals.

Once refugees begin to engage with locals on a broad scale, the arrival of a large number of refugees will likely cause an economic and labor supply shock in the host country. The labor supply shock generally increases labor

market competition, which is highly dependent on the refugees' skill set, as well as their ability to obtain a work permit and rights in said country, and lower residents' wages. Relative pricing for products and services may fluctuate significantly, potentially resulting in substantial gains and losses for certain groups of citizens. Food, for example, will likely become more expensive, benefiting local farmers while harming local workers who do not own agricultural property.

Alongside these impacts of the increased refugee population, local governments and communities may also observe increased governmental and international assistance for local infrastructure, roads, transportation and communications, water supplies, education, and medical services. For example, due to the increasing demand for health care services caused by the influx of refugees, various local health facilities may be constructed or renovated for the benefit of local communities. Higher demand for local goods and services impacts not only the markets for goods, but also for labor. The refugees' impact on the labor market is highly dependent on their ability to obtain a work permit. Enabling refugees to work will help minimize any negative effects that refugee involvement in the labor market may have on resident workers, in addition to allowing them to become financially independent and live with dignity. If refugees are unable to obtain work permits, due to the inadequate income support they generally receive in developing and undeveloped nations, they may be forced to seek labor in the informal sector, placing them all in the same narrow segment of the labor market. The effect on the labor market will vary significantly across career fields and sectors, but it can be said that the entire labor market will be



somewhat affected if refugees are limited to working in the informal sector, as local informal workers will be at a greater risk of real income loss, especially if some of the refugee population outperform the residents due to being overqualified for most informal jobs. That will be to the advantage of the production firms that employ informal workers however, as the lower labor costs will be to their benefit.

Although that is only one side to the story, as refugees will affect labor markets not only as workers, but also as consumers. They'll spend their income on both local and imported things, similar to all immigrants. Because of the additional demand for local goods and services and labor, the prices of the products consumed by refugees will increase, driving the firms to expand production, for which they need more workers. Increased demand for both skilled and unskilled labor will most likely improve wages and employment opportunities for both residents and refugees. Thus, the overall impact of immigrants on the labor market performance of resident workers is often small, since the two factors have contradicting effects.

As developing nations often host far more refugees relative to their populations, they are usually under financial pressure. They receive substantial external financial and technical support to relieve these pressures, usually provided by high income countries through international agencies, mainly UNHCR, to at least meet the basic living requirements of refugees. The admission of refugees, via either through planned resettlement programs or asylum applicants is also possible. While reducing host nations' economic burdens, international support also stimulates the host economy by raising the

demand for locally produced goods and services, thus allowing producers and farmers to diversify their outputs. The overall effect the refugees will have on the local community, which depends on the amount of international aid supplied, is assumed to be at least neutral and maybe even positive. The effect of refugees on host communities is determined not only by the overall quantity of international help provided, but also by the way in which international aid is provided, alongside a number of additional policies controlling interactions between refugees and residents, which influence the distributional repercussions of a refugee influx and can be managed to reduce negative effects on locals while maintaining popular support for the refugee presence.

Apart from the economic impacts, refugees also cause many social strains and changes in the host country. For example, refugees' immediate need for healthcare, as well as the risk contagious diseases bring inside and beyond refugee camps, make healthcare services even more urgent. The lack of basic sanitation and the overwhelm of medical facilities in host communities or refugee camps, make the emergence and spread of vector-borne and contagious diseases especially likely. The financial and administrative capacity of the host government determines its ability to manage a rapid rise in the demand of healthcare services, which will vary substantially across host countries and regions. Thus, it is crucial that international organizations quickly ensure refugees have access to basic healthcare. Residents will also benefit in the long run, from the improvement of healthcare systems that was caused by the influx of refugees.

According to UNHCR, approximately half of the entire refugee population are minors. This results in refugee inflows creating an immediate need for schooling as well as various difficulties for the existing education system, making the establishment of universal education for young refugees crucial to make the short and long-term effects of the refugee influx more manageable. The refugee children may participate in informal activities to raise the family income in the absence of educational opportunities. They might contribute to criminal activity in the local area in the worst-case scenario. A lack of education would severely restrict the labor market options for refugee children as well as economic opportunities for local producers in the long run. In addition to this, because of their large population and low labor, they'll contribute to the major effect the refugee population will have on many residents' labor opportunities. To succeed in the economic integration of young refugees, language skills and education are essential, however the education of vast populations of refugees is challenging, particularly in rural underdeveloped communities. The need to fund the required investments in schools, teaching materials, and training of teachers, make international assistance essential. International assistance will often have to work on improving the national educational system in its entirety while ensuring the system's responsiveness to the needs of refugees, since they are mostly scattered throughout local communities rather than living in camps. Although the coordination of humanitarian and developmental aid may be difficult initially, the additional resources and improvements in the school system will certainly benefit both refugees and locals in the long-run, as it will help avoid the potential competition for scarce educational resources.

When it comes to residents' attitudes toward refugee populations, the perceived sociocultural impacts are just as important as the economic impact of refugees, since in most cases, the root causes of social tensions in between are residents' claims that refugees cause overcrowding, saturation of basic services, competition for jobs, and preservation of local customs and traditions. Security is also a major concern of the local communities. As stated previously, the presence of a high number of refugees in a sparsely inhabited and remote region of the country is likely to escalate competition for resources and socioeconomic benefits between the refugee population and the local community. This could lead to a rise in criminal activity, such as theft, armed robbery, murder, and sexual and gender-based violence. Furthermore, the presence of refugees will almost certainly have a significant impact on the environment, such as increased water usage, decreased wildlife populations, substantial deforestation, and increased agriculture, which contributes to soil erosion.

### **3. Safer and More Efficient Evacuation of Refugees in Nations Decimated by Civil War**

#### **3.1. Countries Struggling With Ongoing Civil War**

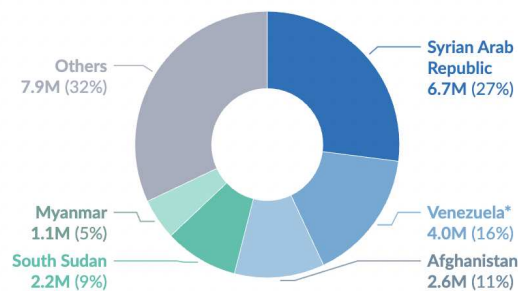
According to Britannica; a *civil war* is a type of violent conflict that occurs when a state and an organized non-state group engage in a conflict in a territory of the state.

Types of conflicts are generally categorized in two main headings according to the aims of the insurgent organizations or individuals. One is

encountered when an insurgent organization wishes for independence and secession of territory and one is encountered when insurgents intend to take control of the central government. Most of the ongoing civil wars fall into the second category. Civil wars in Afghanistan, Yemen, Syria, Ethiopia, South Sudan, and the Central African Republic are examples of conflicts over government control and the main cause of many refugee emergencies of UNHCR.

### 68% originated from just five countries

More than two thirds of all refugees and Venezuelans displaced abroad came from just five countries.

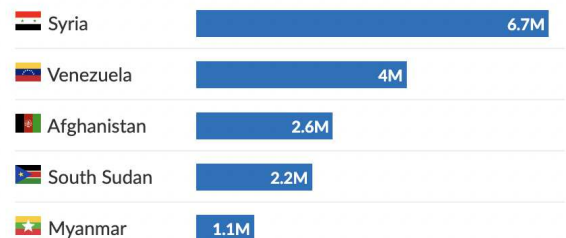


18 June 2021

\* This is the number of Venezuelan refugees and Venezuelans displaced abroad.

### Major source countries

More than two thirds (68 per cent) of all refugees and Venezuelans displaced abroad came from just five countries \*



18 June 2021

\* Excludes Palestinian refugees under UNRWA's mandate.

Source: UNHCR Global Trends 2020

\* *Venezuela is currently not experiencing a civil war.*

Some other emergencies arose due to ongoing civil wars in Niger, Nigeria, Burkina Faso, Mali, and the Democratic Republic of Congo which erupted because of the increasing number of armed groups around the region.

## 3.2. Practiced Evacuation Procedures

According to the UNHCR Handbook for Emergencies - Second Edition, the procedure that is followed in emergency evacuation operations aims to ensure that the assistance the refugees require is available in time.

Principles of Response :

Ensure the Measures Below are Appropriate:

- Identify Needs
- Be Flexible and Respond to Changing Needs
- Identify Standards :

The standards of aid must take the needs of the refugees into account based on their condition, physical condition, and experiences. Basic standards were agreed on in UNHCR's Executive Committee in 1981.

- Involve the Refugees and Promote their Self-Reliance
- Be Aware of the Social and Economic Roles:

Identify the authority structure.

- Ensure Environment is Considered at an Early Stage of the Operation

Protection:

Initial Actions:

- Rapid Deployment, Continuing Presence, and Free Access
- Assessment:

Information should be inquired by the UNHCR staff about the refugees and the situation.

- Ensuring Respect for Non-Refoulement and an Understanding of UNHCR's Mandate
- Border Presence and Location of Refugees:

Refugees must be stationed at a certain distance from the border for security concerns and cross-border movements must be monitored while maintaining good communication with border authorities.

- Registration

#### Physical Safety of Refugees:

- Camp Safety:

Reducing Tension Between the Refugee and the Local Community is important.

- Physical Safety in Areas of Conflict:

Whenever present it's important to coordinately work with the International Committee of the Red Crescent (ICRC)

#### Emergency Management:

There is no standard model for managing refugee emergencies, but some patterns can be observed.

#### Key Emergency Management Functions:

- Leading:

In conditions of tremendous uncertainty and risk, providing a clear strategic direction for operations as well as defining a vision for the emergency operation.

- Planning:

Establishment of a process for analyzing the situation, identifying immediate and long-term objectives, and the activities required to achieve them.

**Figure 1 - Differences between Contingency Planning and Emergency Operations Planning**

Aspect	Contingency plan	Operations Plan
Relation to emergency event	Before	During
Scope of plan	Global or scenario based	Both strategic and specific
Partners involved	All likely partners	Operational and implementing partners only
Focus	Developing agreed scenarios	Effective and rapid response
Relationships	Developing	Utilizing
Planning Style	Consultative	Directive and consultative
Allocation	Roles	Responsibilities
Time frame	Floating, uncertain	Fixed, immediate

Prioritizing will be a critical element of operations planning since resources will unlikely be sufficient to fulfill all demands. Roles and duties of the participants must be precisely defined. Otherwise, delays in defining responsibility often result in each party adopting its own definitions of duty.

- Organizing and Creating:



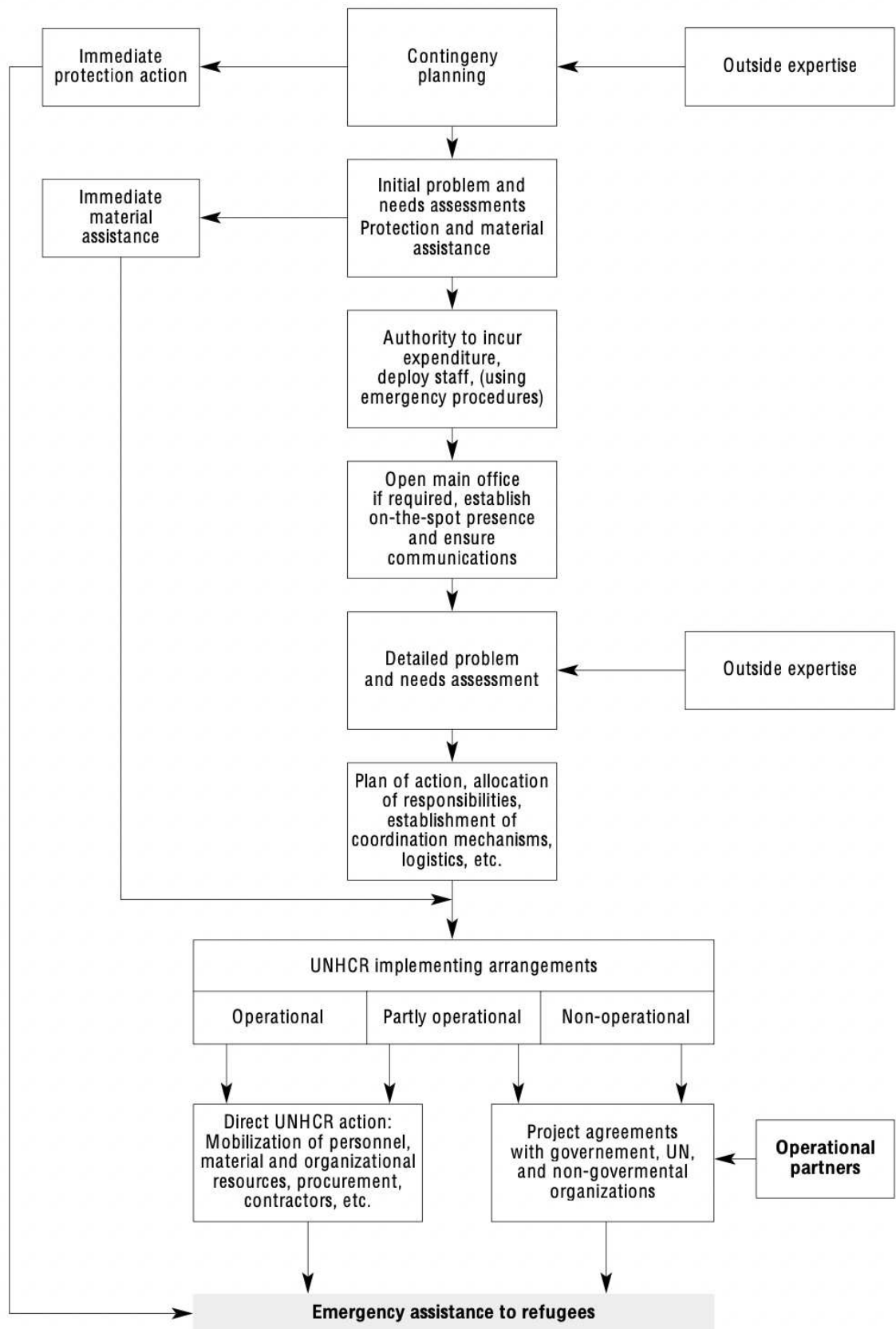
Creating processes and mechanisms to achieve a specific goal, as well as organizing individuals and organizations to work together in a rational manner toward a common goal.

Outcomes of good coordination are the best possible impact with the available resources, elimination of miscalculations in services, satisfactory allocation of responsibilities, and reception of equal care, protection, and services by all beneficiaries. Help from some UN bodies like The Office for the Coordination of Humanitarian Affairs (OCHA) can be requested in complex emergencies however the host government retains overall responsibility, with UNHCR assisting regardless of the implementation arrangements.

- Controlling:

Being able to supervise and assess performance and make required modifications according to the situation.

**Figure 1 – Considerations in Emergency Management**



## Stages in Refugee Emergency Operations:

Stage	Typical Activities
Emergency preparedness	<ul style="list-style-type: none"><li>• Prevention;</li><li>• Early warning;</li><li>• Contingency planning;</li><li>• Development of emergency response systems;</li><li>• Generation of support among potential host and donor governments;</li><li>• Provision of stand-by resources;</li><li>• Pre-positioning of supplies;</li><li>• Training.</li></ul>
Emergency response	<ul style="list-style-type: none"><li>• Problem, needs and resources assessments;</li><li>• Resource mobilization;</li><li>• Handling donor relations and media interest;</li><li>• Operations planning;</li><li>• Implementation and coordination;</li><li>• Monitoring and evaluation;</li><li>• Transition to the post emergency operation.</li></ul>

### Emergency Preparedness:

Ensuring that at the time of emergency the essential resources and the capacity to use them will be available.

The agency has a variety of emergency response resources that are available at all times globally. The needed resources like operational support goods and services, staff assistance, and centrally controlled emergency stockpiles are readily accessible for deployment to any region immediately if a situation of need emerges. In addition, there are capacity-building training activities present.

## Emergency Response:

Immediate and appropriate action is required to provide refugee protection, and restore refugees' well-being and save their lives.

The emphasis of emergency management should be on life-saving activities after a safe asylum is provided. In most humanitarian emergencies, one or more technical experts would be needed to coordinate critical technical fields such as health, food, nutrition, sanitation, water, and infrastructure, in addition to protection specialists.

## Relations With Government and Diplomatic Corps:

Initially, well-informed diplomatic corps would prove themselves beneficial by securing assistance for the emergency operation from the host country institutions and donor government funding.

## Working with the Military:

In humanitarian emergencies, a collaboration between military forces and UNHCR may be required. These forces could include UN forces ("blue berets"), national or regional forces serving under UN authority, or other national or regional forces. It must be taken in consideration that military forces have their own priorities and limited resources to spare for humanitarian assistance and have limitations of their authority to support humanitarian activities.

## Categories of Military Forces:

- UN forces

UN Peacekeeping Forces generally consist of combat forces with logistic support. Their duties may include acting as a communication link between the opposing parties and creating a buffer zone by carrying out cease-fire implementations and peace accords. Providing logistic support like transporting humanitarian relief supplies, necessary services, disposition of other weapons or providing protection by escorting aid convoys, guaranteeing security for humanitarian aid personnel and refugees by ensuring the safety of warehouses and delivery locations and routes are crucial peacekeeping activities. These forces can also provide assistance with prisoner exchanges, maintaining law and order, disarmament and demobilization of forces.

- Regional or other forces acting under UN authority

The formation of national or regional units with a "war-fighting" capability may be authorized under Chapter VII of the UN Charter, the Security Council.

- Regional Military Alliances

ex: NATO

- National Forces

Humanitarian agencies may be required to coordinate or negotiate with the military forces of the host country.

- Non-state forces

Generally includes insurgent groups, militia and other ill-organized armed groups.

#### Possible Roles of Military Forces in Humanitarian Operations:

- Delivering Humanitarian Assistance

In times of emergency, military assets could be used to provide humanitarian assistance, such as airlifts. This type of assistance will be provided by the governments which are in an agreement with UNHCR through a stand-alone package known as Government Service Package (GSP). Twenty types of packages are present for technical and logistical fields (e.g. water supply, treatment) in order to be used as a last resort. The operation should be independent from any political factor

- Information Support

In terms of information, military forces tend to have a greater capacity which might be beneficial. (e.g. Aerial surveillance data, which might be useful for tracking refugee movements and location.)

- Security of Humanitarian Operations

Sides involved in the conflict may be incapable or unwilling to ensure the safety of humanitarian staff and operations. As a result peacekeeping mandates may include particular responsibilities for the protection of humanitarian personnel.

- Evacuation

Any evacuation strategy for humanitarian staff should be coordinated with any military troops on the scene.

### **3.3. Obstacles That Might Be Encountered and Previous Incidents**

#### **i. The Severity of the Ongoing Civil War and Concerns for the Safety of the Refugees**

In countries experiencing ongoing civil war, ensuring the safety of the refugees can be difficult. People exposed to violent conflicts between the colliding parties generally suffer severe physical and mental harm. One of the biggest concerns is the possibility of exploitation of the civil evacuation operation by one of the parties. For example placing civilians in strategic positions or taking advantage of deconflicted zones. Due to these reasons, routes of the operations must be located at a certain distance from the battle space. Another worry is direct attacks on civilians. On 15 April 2017, the buses carrying the fleeing refugees from rebel-held besieged areas were fallen victim to a suicide bomb attack, killing at least 22 people.

#### **ii. Existing Resources Required for Evacuation Procedures**

Obtaining every needed resource in a situation of an emergency can be considered as impossible. If the limited and insufficient resources can't be managed well problems may occur during the operation. On 18 December 2016, at least five buses which were used in the evacuation of wounded and ill people from northern towns of

Aleppo, were burned, causing delays. Although 308 buses, 61 ambulances, and 1231 independent vehicles were provided for transportation to pass through blockaded checkpoints, this aid was not enough, considering the fact that 13.5 million Syrians still urgently required relief. Approximately 9 million people were suffering from hunger. Inability of providing medical items and personnel, resulted in deaths of people in need. In besieged areas scarcity of resources affects the lives of people drastically.

### **iii. Environmental Drawbacks**

Inconvenient weather conditions and geographical landforms may cause hardships throughout the evacuation process. While planning the operations environmental factors should be taken in consideration and necessary precautions must be taken beforehand. On 21 December 2016, with the assistance of the Syrian Arab Red Crescent and International Committee of the Red Cross (ICRC) more than 25000 refugees were evacuated under sub-zero temperatures in eastern Aleppo. Although the operation is considered to be a success, people suffered through sub-zero temperatures while waiting.

### **iv. Miscommunication**

Accurate information and efficient communication are essential for an operation to be successful. Informing the refugees about the operation and asking for their consent is as important as the communication between the executive staff. On 27 April 2014, after



intensified violent conflicts around Hays district (Yemen), the UN planned an operation to evacuate over 5000 citizens from port Hodeidah. Citizens were supposed to be transported from a “humanitarian service point” where they would receive emergency aid such as food, medicine, etc. However locals were reluctant to leave since they were ill-informed, were not consulted beforehand about the operation and unaware of what might happen next.

#### **4. Protection of The Rights of Unregistered Refugees**

##### **4.1. The Criteria For a Refugee To Register**

The 1951 Refugee Convention defines “refugee” as a person who is persecuted for their *“race, religion, political opinion or membership of a particular social group”*. For someone to be considered a refugee, they have to be given that status by an official entity. Certain categories of people are an exception. These include persons who: *“have committed a crime against peace, a war crime, a crime against humanity or a serious non-political crime outside their country of refuge”* or *“are guilty of acts contrary to the purposes and principles of the United Nations”*. Persons seeking protection from natural disasters or global warming are also excluded. The legal or administrative procedure by which countries or the UNHCR assess whether a person requesting international protection is a refugee under international, regional, or national law is known as Refugee Status Determination, or RSD. RSD is frequently an important step in assisting refugees in realizing their rights under international law. However, RSD is a lengthy and complicated process. People seeking asylum can’t apply for evaluation in a country where they are in danger. Since there is no official visa for RSD, persons have to use illegal

means to either enter another country or get to a border. Displaced people whose refugee claims have not been evaluated are considered unregistered refugees, given the condition that they fulfill the criteria of being a refugee. This point is explained by Paragraph 28 of the UNHCR Handbook: *“A person is a refugee within the meaning of the 1951 Convention as soon as he fulfills the criteria contained in the definition. This would necessarily occur prior to the time at which his refugee status is formally determined. Recognition of his refugee status does not, therefore, make him a refugee but declares him to be one. He does not become a refugee because of recognition, but is recognized because he is a refugee.”*

#### **4.2. Internationally Recognised Rights of Registered and Unregistered Refugees**

The 1951 Convention and its 1967 Protocol establish a number of rights for refugees and emphasize their responsibilities to their host country as well as the States' obligations to protect them. The cornerstone of the 1951 convention, the principle of non-refoulement (Article 33), explains that refugees should not be returned to a country where they face serious threats to their life or freedom. Other rights include:

- *“The right not to be expelled, except under certain, strictly defined conditions (Article 32);*
- *The right not to be punished for illegal entry into the territory of a contracting State (Article 31);*
- *The right to work (Articles 17 to 19);*
- *The right to housing (Article 21);*

- *The right to education (Article 22);*
- *The right to public relief and assistance (Article 23);*
- *The right to freedom of religion (Article 4);*
- *The right to access the courts (Article 16);*
- *The right to freedom of movement within the territory (Article 26);*
- *The right to be issued identity and travel documents (Articles 27 and 28)."*

A person must be granted refugee status in order to benefit from the 1951 Convention. The 1951 Convention does not cover the rights of unregistered refugees, except the right to enter a country and not to be deported until their refugee claim is evaluated. They also have the right to appeal before a court in case of a negative decision. Other rights of unregistered refugees differ from country to country.

According to EU law, unregistered refugees' refugee claims should be evaluated by one member and taken under record within three business days. States have the responsibility to provide opportunities for persons to apply for asylum as quickly as possible. Refugee claims can be evaluated at the border, however it requires for a decision to be made within four weeks. Otherwise, entry into the country must be allowed. In case of the applicant being the victim of violent crimes (i.e. rape) and needing protection, the border procedure can not be used. Unregistered refugees inside the borders might be detained while their application is pending. Entry into the EU territory can be made by land, by sea or by air. Border control operations at sea should be done regarding both the refugee convention and human rights, and international maritime law. People in danger at sea must be saved and helped,

according to SOLAS and SAR Conventions. The boat captain is responsible with delivering the rescuees to safety on land. It is accepted that in the high seas, people rescued by a State are in the jurisdiction of that State.

According to UK law, unregistered refugees have the right to:

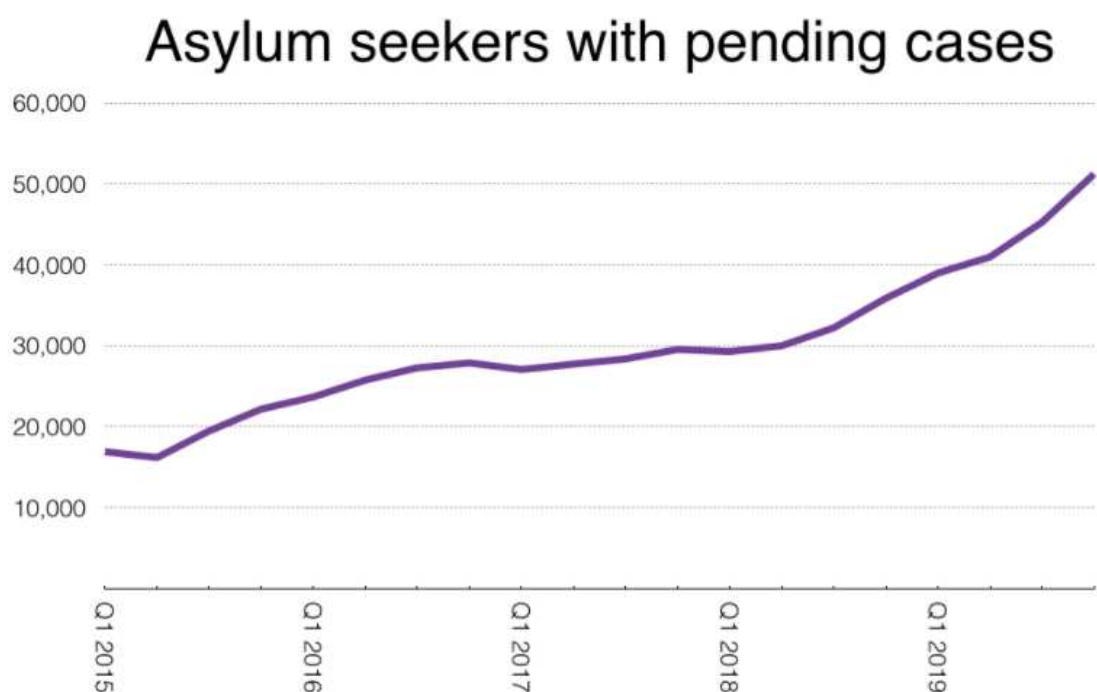
- *be treated fairly and lawfully regardless of their race, gender, age, religion, sexual orientation or any disability;*
- *practise their own religion, and they expected to show respect for people of other faiths;*
- *have their application considered fairly and accurately;*
- *have access to support and accommodation if they meet the requirements for it;*
- *have access to free health care from the National Health Service (NHS);*
- *have legal representation. Free legal help may be available, depending on their income and your case.*

Refugee claims can be made at the border or within the borders of the UK. It is advised that application is made as soon as the persons seeking asylum arrive at the border or if they are already staying within the borders, as soon as they know that they will be persecuted in their home country. Upon application, a screening will be done which will be evaluated by the Home Office. After the screening an asylum interview will be done with a caseworker. The claim will be decided in 6 months, unless it is a complicated case -meaning documents need to be verified, more interviews need to be attended or personal circumstances need to be checked. Refugee claims may not be

considered if the applicant is from a member of the EU or they have reached the UK through a third country. Unregistered refugees can not work while the application is pending.

#### 4.3. Commonly Encountered Violations of Unregistered Refugees' Rights

In the last few years, the number of refugees has increasingly grown due to many crises. With the large number, governments have been unable and unwilling to provide sufficient care for refugees. States are often hesitant to award people refugee status since refugee rights under the Convention are fairly generous compared to other forms of immigration status. RSD decisions are taking much longer than it did before. This graph shows asylum seekers with pending cases in UK:



Asylum applications awaiting initial decision, including dependants, quarterly  
Source: Home Office, immigration statistics year to December 2019, table Asy\_D03

Another problem is that governments refuse to let the unregistered refugees enter the country which is a direct violation of the Refugee Convention. There have been many reports of refugees being forcibly coerced or threatened to leave the border, according to studies done in Europe. There have also been instances of abuse by the border patrol and in detention centers. These include being stripped in cold weather, robbery and beatings. In some countries, refugee claim examinations have ceased, many unregistered refugees reporting that they were denied an application.

After a refugee claim, unregistered refugees might have to live in inhumane conditions in detention centers and provided housing. Many centers are still overcrowded, making compliance with COVID-19 cleanliness and social distancing problematic. Arrivals in certain nations are not quickly registered, preventing access to lodging and food. Others require refugees to be quarantined in deplorable circumstances.

## **5. Questions to Be Answered**

- Is it ethical to let refugees arrive at the borders by illegal means, risking their lives and benefiting smugglers?
- How can abuse by the officials at the border be controlled?
- Do the countries have valid reasons for not allowing entry, and stopping evaluation processes for refugee claims?
- How can resources be managed in order to ensure the most efficient refugee evacuation? Which methods can be developed?

- What precautions can be taken in order to prevent the possible damages and casualties under unexpected circumstances during evacuation processes?
- How should the roles allocated between responsible humanitarian agencies, government/insurgent organizations and military forces while planning an evacuation operation?

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