



Eureka Model United Nations

STUDY GUIDE

Dear Delegates,

Firstly, we would like to congratulate you on opening the Study guide and we are hopeful that you are also eager on getting familiarized with its contents in the following weeks, days, (hopefully, not just) hours. Secondly, we would like to officially welcome you to Eureka Model United Nations and its simulation of the Human Rights Council which will be held from the 28-29th October 2017. This year we hope to continue the tradition of substantive excellence and intellectual rigour that has been built over the last years.

Our main goal is to engage you in issues currently debated on the international stage, to foster serious discussions, and ultimately to further the skills required to reach a compromise and build a consensus. It will not be easy since our committee and our topics are designed to demonstrate the difficulties of international cooperation, particularly within the strict framework of the United Nations Human Rights Council.

The following pages intend to guide you in the research of the topics that will be debated at the UN Human Rights Council. The study guide should provide the basis for your research. However, it should not be in any manner the only material you refer to while researching your countries. We hope that you will find this study helpful and present your positions effectively during the UNHRC sessions. Please feel free to contact us if you have any questions regarding your preparation for the conference.

We look forward to seeing you at the conference!

Regards,
Your Executive Board

Priyanka Pai
Chairperson

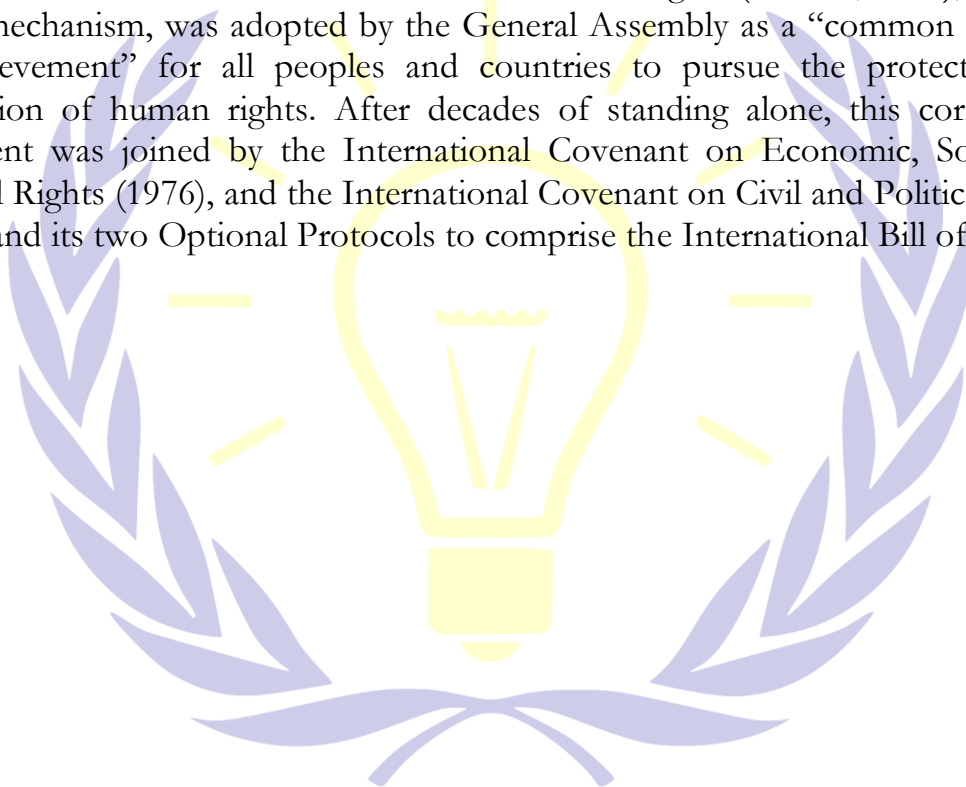
Aditya Lele
Vice – Chairperson

Aayush Upadhyay
Rapporteur

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About the Committee

Human rights are inalienable entitlements established not by law, but by human birthright, and the history of human rights has been shaped by all major world events and by the struggle for dignity, freedom and equality everywhere. However, it was only with the signing of the Charter of the United Nations (1945), the subsequent establishment of the United Nations (UN) in the shadow of World War II, and the call to “reaffirm faith in fundamental human rights,” where human rights finally achieved formal, universal recognition. The UN has remained committed to “promoting and encouraging respect for human rights and for fundamental freedoms for all” through charter-based and treaty-based mechanisms. The Universal Declaration of Human Rights (UDHR, 1948), a treaty-based mechanism, was adopted by the General Assembly as a “common standard of achievement” for all peoples and countries to pursue the protection and promotion of human rights. After decades of standing alone, this cornerstone document was joined by the International Covenant on Economic, Social and Cultural Rights (1976), and the International Covenant on Civil and Political Rights (1966) and its two Optional Protocols to comprise the International Bill of Rights.



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Mandate

The Human Rights Council is an inter-governmental body within the United Nations system responsible for strengthening the promotion and protection of human rights around the globe and for addressing situations of human rights violations and make recommendations on them. It has the ability to discuss all thematic human rights issues and situations that require its attention throughout the year. It meets at the UN Office at Geneva.

The Council is made up of 47 United Nations Member States which are elected by the UN General Assembly. The Human Rights Council replaced the former United Nations Commission on Human Rights. The HRC was created to ensure stronger system-wide coherence and preserve the value of human life “in larger freedom.”

Some of its powers are the Universal Periodic Review mechanism, which serves to assess the human rights situations in all United Nations Member States, the Advisory Committee which serves as the Council’s “think tank” providing it with expertise and advice on thematic human rights issues and the Complaint Procedure which allows individuals and organizations to bring human rights violations to the attention of the Council.

The Human Rights Council also works with the UN Special Procedures established by the former Commission on Human Rights and now assumed by the Council. These are made up of special rapporteurs, special representatives, independent experts and working groups that monitor, examine, advise and publicly report on thematic issues or human rights situations in specific countries.



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Darfur

History of the Problem

Following independence from Britain in 1956, Sudan became embroiled in two prolonged civil wars for most of the remainder of the 20th century. These conflicts were rooted in northern economic, political, and social domination of largely non-Muslim, non-Arab, southern Sudanese. Competition for scarce resources played a large role. As nomads began to compete for grazing land, traditional reconciliation measures were no longer able to settle disputes, causing the region to become increasingly militarized. The complexities of desertification, famines, and the civil war raging between North and South Sudan contributed to a rise in regional tensions during the 1980s. Similarly, as oil was discovered in Western Sudan, the Sudanese government and international contributors became increasingly interested in the land in Darfur.

The first civil war ended in 1972 but broke out again in 1983. The second war and famine-related effects resulted in more than 4 million people being displaced and, according to rebel estimates, more than 2 million deaths over a period of two decades. As the civil war between the North and the South reached its peak in the 1990's, the government ignored reports of rising violence in Darfur. Failed peace talks allowed for the continuation of the conflict.



Current Situation

The Darfur region of western Sudan has been the site of terrible violence, death, and displacement, since 2003, the remote Sudanese region of Darfur has been the scene of a bloody conflict that has led to the death of thousands of people and the displacement of more than two million. The United Nations has described it as "the world's worst humanitarian crisis" and has been labeled as "genocide" by United States Secretary of State Colin Powell on September 9, 2004. The violence and destruction is often compared to the 1994 genocide in Rwanda. Armed conflicts between government forces and armed opposition groups in Darfur rise unprecedentedly. Government forces have attacked, killed, and raped civilians and looted and destroyed their property in violation of the laws of war, and forced hundreds of thousands to flee their homes. Authorities arbitrarily detain political activists and subject them to ill-treatment and torture; use unnecessary lethal force



against anti-government protesters; and censor the media.

This genocide in Darfur is being carried out by a group of government-armed and funded Arab militias known as the Janjaweed (which translates to 'devils on horseback'). These militias are historic rivals of the main rebel groups, the

Sudanese Liberation Movement (SLM), and the Justice and Equality Movement (JEM). As of today, over 480,000 people have been killed, and over 2.8 million people are displaced. Attacks on Darfuri villages commonly begin with Sudanese Air Force bombings. Air campaigns are often followed by Janjaweed militia raids. All remaining village men,



women, and children are either murdered or forced to flee. Looting, burning food stocks, enslaving and raping women and children, and stealing livestock are common. Dead bodies are tossed in wells to contaminate water supplies and entire villages are burned to the ground. The situation in Sudan is

complicated by the long history of the conflict, and the multitudinous sources of conflict that can be identified. The situation in the Sudan region is at once a religious, an ethnic and an economic conflict.

Refugee Crisis

From a human rights standpoint, refugees are some of the most vulnerable people in the world. They are the most at risk for losing their basic human rights. In addition to basic human rights, the 1951 Refugee Convention and its 1967 protocol lay out several other rights refugees have including the right to not be expelled, not be punished for illegally entering another state, work, housing, education, public assistance, freedom of religion, freedom of movement, and be issued identification documents. Despite this convention, many refugees are attacked by or turned away from surrounding nations. Refugees are also more susceptible to abductions, human trafficking, and child recruitment. Most refugees also lack food security and access to clean water.

Firstly, in fleeing Sudan, refugees have left behind their lives, including shelter, employment, access to education, and healthcare; all of which are fundamental human rights. Schools, historical monuments, and infrastructure within Syria have been permanently damaged due to the violence. However, refugees are also finding it difficult to adjust to their new lifestyles. In a report released by the International Labor Organization, it was found that on average, thirty percent of Sudanese refugees in Lebanon were unemployed.



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Internally displaced People

The Sudanese civil war has set back the national standard of living by decades — now that healthcare, schools, and water and sanitation systems have been damaged or destroyed. IDP legally remain under the protection of their own government. As citizens, they retain all of their rights and protection under both human rights and international humanitarian law. Some other problems faced include:

Diseases and malnutrition

Children are susceptible to ailments brought on by poor sanitation, including diarrheal diseases like cholera. They may miss vaccinations and regular health checkups, especially in cut-off areas. In poor housing, cold weather increases the risk of pneumonia and other respiratory infections. The people in South Sudan suffer from one of the highest HIV/AIDS prevalence rates worldwide, and other diseases such as the dengue fever, meningitis, diarrhoea, rabies, hepatitis and others continue to pose a large humanitarian problem.

Child labour and child soldiers

Many refugee children have to work to support their families. Often they work in dangerous or demeaning circumstances for little pay. Warring parties forcibly recruit children who serve as fighters, human shields, and in support roles, according to the U.S. State Department's Trafficking in Persons Report.

Child marriage and abuse

Children are more vulnerable to sexual abuse and exploitation in the unfamiliar and overcrowded conditions found in camps and informal tent settlements.

Moreover, South Sudan can be considered as one of the poorest and least developed nations worldwide. More than half of the population live below the poverty line, the maternal mortality rate is exceptionally high, and the literacy rate is among the lowest world-wide, since only 27% of the total population can read. Among women, the percentage of those who can read is only 16% - an indicator for the problematic status quo of women's rights. The underdeveloped infrastructure and the economy resting mainly on oil revenues, agriculture and timber make for a dire look into the future.

Timeline

February 2003

Two anti-government groups rise up, saying Khartoum neglects arid region and arms Arab militia against civilians.

January 2004

The army moves to quell uprising in western region of Darfur; hundreds of thousands of refugees flee to neighbouring Chad.

March 2004

UN says pro-government Janjawid militias are carrying out systematic killings of African villagers in Darfur.

April 2004

Government, Sudan Liberation Army (SLA) and Justice and Equality Movement (Jem) fighters agree on ceasefire.

September 2004

UN says Sudan had not met targets for disarming pro-government militias and must accept outside help to protect civilians. Colin Powell, US secretary of state, describes Darfur killings as genocide.

January 2005

UN report accuses the government and militias of systematic abuses in Darfur, but stops short of calling the violence genocide.

March 2005

UN Security Council authorises sanctions against those who violate ceasefire in Darfur. Council also votes to refer those accused of war crimes in Darfur to International Criminal Court.

May 2006

Khartoum government and the main anti-government faction in Darfur, the Sudan Liberation Movement, sign a peace accord. Rival SLA faction and the smaller Jem reject the deal.

August 2006

Sudan rejects UN Resolution 1706 calling for a UN peacekeeping force in Darfur, saying it would compromise Sudanese sovereignty.

September 2006

Sudan says African Union troops must leave Darfur when their mandate expires at the end of the month, raising fears that the region would descend into full-blown war.

Activists rally in major cities around the world calling on Sudan to allow UN peacekeepers into Darfur.

October 2006

Jan Pronk, the UN's most senior official in Sudan, is expelled.

November 2006

African Union extends mandate of its peacekeeping force in Darfur for another six months.

December 2006

Sudan agrees in principle to accept the deployment of UN troops in Darfur as part of an expanded peacekeeping force.

February 2007

International Criminal Court's chief prosecutor names first two war crimes suspects in Darfur. Sudan says the ICC has no jurisdiction and rejects arrest warrants.

May 2007

George Bush, US president, imposes new US sanctions on Sudan and asks for support for an international arms embargo to end what he calls genocide in Darfur.

August 2007

Security Council authorises 26,000 troops and police for Darfur's hybrid mission and approves the use of force to protect civilians.

October 2007

Darfur peace talks open in Libya and the government declares an immediate unilateral ceasefire, but important anti-government groups are absent.

May 2008

Jem fighters make a lightning attack that reaches outskirts of Khartoum. About 65 people are killed.

July 2008

Luis Moreno-Ocampo, prosecutor for the International Criminal Court (ICC), asks judges for an arrest warrant for al-Bashir on crimes of genocide, crimes against humanity and war crimes in Darfur.

October 2008

Al-Bashir pledges more co-operation with Unamid to secure the passage of aid convoys, along with up to \$350m of spending on development in the region.

The UN says up to 300,000 people have died in Darfur

November 2008

Al-Bashir announces a ceasefire in the region but Jem says the announcement is not serious and vows to fight on.

December 2008

Sudan government sends more troops to Darfur border as a preventive measure, it says, against rebel threat.

The Darfur Consortium of over 50 African charities releases report saying hundreds of non-Arabic speaking civilians have been made slaves to militias and government troops.

February 2009

Sudanese army declares the capture of a town in Darfur after three weeks of clashes with Jem fighters.

Qatar hosts first peace talks in nearly two years between Sudanese government and Jem rebels with the two sides agreeing to undertake "good faith" measures.

March 2009

ICC order the arrest of al-Bashir on seven charges of war crimes and crimes against humanity in Darfur, the first warrant issued for a sitting head of state.

Al-Bashir expels 13 international aid organizations accusing them of working with the ICC on the arrest warrant. Three local groups are also shut down.

Jem rebels pull out of second round of peace talks scheduled to be held in Doha in April and demand that the aid groups are allowed to return.

February 2010

Appeals chamber of the ICC directs judges to rethink their decision to omit genocide from the warrant out for al-Bashir's arrest.

2011 July

South Sudan gains independence after January popular vote, but some border areas remain in dispute.

2011 December

Government forces kill key Darfur rebel leader Khalil Ibrahim.

2012 May

Sudan pledges to pull its troops out of the border region of Abyei, which is also claimed by South Sudan, as bilateral peace talks resume.

2012 June

Protests in Khartoum against austerity measures after government cuts fuel and other subsidies in response to the drop in oil revenue after the independence of South Sudan.

2013 March

Sudan and South Sudan agree to resume pumping oil, ending a shutdown caused by a dispute over fees more than a year earlier, and to withdraw troops from their borders to create a demilitarised zone.

2013 September

Another wave of demonstrations over subsidies cuts. Scores of people die in clashes.

2013 December

President Bashir drops long-time ally and first vice president Ali Osman Taha from the cabinet in a major shake-up.

2014 May

A court in Khartoum prompts an international outcry by sentencing a pregnant woman born to a Muslim father but raised as a Christian to death for apostasy after failing to recant her Christianity.

2014 December

The chief prosecutor of the International Criminal Court halts investigations into war crimes in Darfur for lack of support from the UN Security Council.

2015 April

President Bashir is re-elected for another five year term. He wins nearly 95 percent of the vote in a poll marked by low turnout and boycotted by most opposition parties.

2016 November to December

Street and stay-at-home protests at IMF-prompted price hikes for basic goods. Government disperses protests, arrests opposition politicians, bans media coverage.

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Political and Diplomatic Efforts

The Secretary-General is pursuing a political settlement to the crisis in Darfur as a top priority. He has worked extensively with all stakeholders in the region and the wider international community. He has also regularly discussed the issue with Sudanese President Omar al-Bashir, including during face-to-face meetings on 29 January 2007 in Addis Ababa, and again on 28 March 2007 in Riyadh, Saudi Arabia.

The UN Security Council members visited Khartoum to meet with President al-Bashir on 17 June 2007, seeking explicit acceptance of all elements of the hybrid force. In Khartoum, Council members indicated they would recommend funding of the joint operation, after receiving assurances its command and control structures and systems would be provided by the UN.

The Secretary-General's Special Envoy for Darfur, Jan Eliasson, appointed in December 2006, is engaged in intensive shuttle diplomacy alongside his AU counterpart Salim Ahmed Salim in pursuit of political progress. The benchmarks of their efforts are an end to violence, a strengthened ceasefire ensured by peacekeepers, improvements in the humanitarian situation, and an end to the marginalisation of Darfur through an inclusive peace agreement, with power and wealth-sharing provisions.

On 9 June 2007, the Special Envoys presented their road map towards peace in Darfur to the UN Security Council. It contains three stages: the first is to unite all ongoing peace initiatives; the second entails shuttle diplomacy to Khartoum and to the non-signatories of the 2006 DPA; and the third phase is peace negotiations. They have echoed the Secretary-General's appeals for all sides to end the fighting and bombings to create an atmosphere favourable to negotiations.

From 3 to 5 August 2007, representatives from the non-signatory movements met in Arusha, Tanzania, for talks chaired by the Special Envoys. They reaffirmed their commitment to the road map and presented a common platform on power-sharing, wealth-sharing, security arrangements, and land and humanitarian issues for the final negotiations to be held towards the end of the year. The non-signatories agreed that parties that did not participate in the Arusha consultations could join the common platform at a later date. The Special Envoys have welcomed the outcome of the talks in Arusha and are now consulting the Government of Sudan and other stakeholders.

UNAMID (United Nations African Mission in Darfur)

On 31 July 2007, the Security Council unanimously adopted resolution 1769 which authorised the establishment of UN- AMID under Chapter VII of the UN Charter, for an initial period of 12 months. It has the protection of civilians as its core mandate, as well as contributing to security for humanitarian assistance, monitoring and verifying implementation of agreements, assisting an inclusive political process, contributing to the promotion of human rights and rule of law, and monitoring and reporting on the situation along the borders with Chad and the CAR. In addition to its mission head- quarters in El Fasher and sector headquarters in El Fasher, El Geneina and Nyala, UNAMID will have up to 55 deployment locations throughout the three Darfur states.

In his statement to the Security Council following the adoption of the resolution, the Secretary-General stated that in establishing UNAMID it was “sending a clear and powerful signal of your commitment to improve the lives of the people of the region, and close this tragic chapter in Sudan’s history”. He called the decision “historic and unprecedented” but warned that it is “only through a political process that we can achieve a sustainable solution to the conflict”.

At full deployment and incorporating AMIS, the mission will be composed of almost 20,000 troops, more than 6,000 police and a significant civilian component. At full strength, UNAMID will become one of the largest UN peacekeeping missions in history, and larger than the UN peace operation currently in the Democratic Republic of the Congo. UNAMID is scheduled to have its management and command and control structures in place by October 2007 and will assume operational command over the LSP, the HSP and AMIS by the end of the year. DPKO is exerting all possible efforts to en- sure that UNAMID will consist of a predominantly African force, and a number of pledges from African troop and police contributing countries have already been made.

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Humanitarian efforts

UN humanitarian agencies are leading the largest current relief effort in the world aimed at assisting the approximately 4.2 million conflict-affected people in the Darfur crisis. Of these, 2.2 million are internally displaced, and an additional 236,000 Sudanese refugees are in eastern Chad. More than US \$650 million in aid to Darfur is planned for 2007 by the UN and its partners, and more than 12,000 humanitarian workers are deployed in the region to bring assistance to those affected by the crisis. They include staff from 13 UN agencies, the Red Cross/Red Crescent societies and more of than 80 non- governmental organisations (NGOs) Over the last four years, this massive humanitarian effort has saved hundreds of thousands of lives. Mortality rates have been brought below emergency levels and global malnutrition has been halved from the height of the crisis in mid-2004.

The humanitarian operation and its staff continue to be targeted by violence and there has been a rise of 65 per cent in carjackings in the first half of the year compared to 2006. As of 30 July 2007, 100 aid workers had been temporarily abducted, 55 convoys had been attacked or looted, and 81 humanitarian vehicles had been hijacked. Humanitarian organisations have been forced to relocate on 22 occasions, citing violence against aid workers.

The UN estimates that more than half a million people across Darfur are currently cut off from humanitarian assistance. This is an improvement in access since February 2007, when 900,000 were inaccessible, and is attributed to increased efforts by humanitarian workers to reach conflict-affected populations through innovative and often expensive means — not to any improvement in security. The UN has continued to press the authorities in Khartoum for improved humanitarian access and security for aid workers, as stipulated in the joint communiqué signed in March 2007 by the Government of Sudan and the UN to effectively ensure and facilitate humanitarian activities in Darfur.

Donors have funded 61% of the Darfur aid operation (as of 15 June 2007, US \$394.5 million had been pledged or committed out of the US \$651.5 million required), mostly for food aid. Other sectors are seriously underfunded and require commitments. In the face of continuing insecurity, the UN and its humanitarian partners are effectively holding the line for the survival and protection of millions.

On 7 October 2004, the Secretary-General announced the establishment of a Commission of Inquiry to determine whether acts of genocide had occurred in Darfur. In its final report, the Commission concluded that while the Government of Sudan had not pursued a policy of genocide, its forces and allied militia had “conducted indiscriminate attacks, including killing of civilians, torture, enforced disappearances, destruction of villages, rape and other forms of sexual violence, pillaging and forced displacement.” The panel concluded that “international offences such as the crimes against humanity and war crimes that have been

committed in Darfur may be no less serious and heinous than genocide.” It urged the Security Council to “act not only against the perpetrators but also on behalf of the victims”.

On 21 April 2005, the Commission on Human Rights (predecessor of the Human Rights Council) appointed a Special Rapporteur on the situation of human rights in the Sudan. The Special Rapporteur, Sima Samar, has travelled to Sudan regularly and issued oral and written statements to the Commission (and later the Human Rights Council) and to the Third Committee of the General Assembly.

In February and March 2007, the Human Rights Council deployed a special mission to report on the human rights situation in Darfur. The Council subsequently set up a human rights expert group to work with the Sudanese Government and the AU to ensure implementation of all resolutions and recommendations on Darfur in relation to human rights. On 20 June, the mandate of the expert group was extended for another six months. In its seventh report on the human rights situation in the Sudan (18 May), the Office of the High Commissioner for Human Rights (OHCHR) reported on aerial attacks conducted from January to March 2007 against civilians in Darfur. The Secretary-General has repeatedly drawn the attention of the Security Council to the continuing violence in Darfur and has condemned the targeting of civilians, including aerial attacks on villages.



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Guiding Questions

1. How can we collect enough humanitarian aid to support all the refugees?
2. How can we effectively get humanitarian aid to people in need?
3. How can we get nations in the area to accept refugees without overwhelming their own nations?
4. How can we protect refugees and internally displaced people from the Sudanese Civil War and the various militant groups?
5. An efficient aid effort directed toward the civilians displaced as refugees or internally displaced persons?
6. Ways to provide efficient protection for civilians, who are still in the regions afflicted by the civil war?



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