

# JIGYASA 2.0

## BACKGROUND GUIDE



**TRAVERSE THE UNCHARTED**

**7<sup>th</sup> - 9<sup>th</sup> September, 2023**



# **UNITED NATIONS HUMAN RIGHTS COUNCIL**

## **AGENDA**

- 1. Deliberating on the Illegal Migration of  
Refugees with Special Emphasis to the EU  
Region and Developing a Global Action Plan to  
End Statelessness**
- 2. Deliberating on Sectarian Violence in the  
Middle East and Asia**



# I. LETTER FROM THE EXECUTIVE BOARD

Dear Delegates,

It gives us great honor and immense pleasure to welcome you all to the United Nations Human Rights Council at JIGYASA 2.0. As representatives of member nations of the UNHRC, you are tasked with debating, deliberating, and reaching a consensus on the agendas at hand.

This background guide has been designed to help you get started on your research. However, this document shouldn't be your only source of research. Building upon the outlook presented by this guide, you are expected to carry out your own research through authentic sources and make sure to engage in comprehensive and pragmatic debate throughout the sessions.

The Executive Board will not interfere in the flow of debate unless absolutely required. Therefore, the onus to ensure that the committee does not stagnate lies on the delegates. We strongly believe that with good research, the delegates will be able to steer the committee in the right direction.

Please do not hesitate to get in touch with the Executive Board at any time before or during the conference in case you have any queries about the agenda or the rules of procedure. Further, we have added

one addendum to this letter that talks about the nature of evidence entailed in this simulation.

We request the delegates not to view this conference as a zero-sum game. Model UN conferences are collaborative rather than competitive and we would like to keep this spirit alive during our committee. Our goal isn't to solve the world's problems in three days, but rather to educate ourselves about them, thereby ensuring that we go on to become a generation of sensitized leaders, equipped with the skills and will to make our world a better place.

With that being said, we wish you all good luck and eagerly look forward to the conference.

**With warm regards,**

**Aryan Sood - Chairperson ([aryansood.work@gmail.com](mailto:aryansood.work@gmail.com))**

**Kshitij Saha - Vice Chairperson ([kshitigsaha@gmail.com](mailto:kshitigsaha@gmail.com))**

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# Addendum 1: Nature and Proof of Evidence

Documents from the following sources will be considered as credible proof for any allegations made in committee or statements that require verification:

**1. Reuters, BBC, Al Jazeera:** Appropriate Documents and articles from the Reuters, BBC & Al Jazeera News agency will be used to corroborate or refute controversial statements made in committee.

**2. UN Documents:** Documents by all UN agencies will be considered sufficient proof. Reports from all UN bodies including treaty-based bodies will also be accepted.

**3. National Government Reports:** Government Reports of a given country used to corroborate an allegation on the same aforementioned country will be accepted as proof. The documents stated above will hold a binding nature of establishment.

**4. Other sources** like Wikipedia, Amnesty International, or newspapers like the Guardian, so on and so forth will not be accepted as credible proof; but may be used for a better understanding of any issue and even be brought up in debate, if the information given in such sources is in line with the beliefs of a government or a delegate.

## **II. Overview of the Committee**

### **A. Introduction to the Human Rights Council**

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, human rights gained formal recognition only after the inception of the United Nations (UN) and the establishment of the UN Charter. In its subsequent attempt to “promote and encourage respect for human rights and fundamental freedoms for all”, the UN established specific Charter Based and Treaty-based mechanisms. Charter-based mechanisms derive from provisions of the charter whereas treaty-based mechanisms include the international conventions and covenants, along with their respective treaty bodies, that aim to promote, protect, and safeguard the human rights of all individuals. The Human Rights Council (HRC) is a UN subsidiary body established under the UN Charter. It is the main organ of the United Nations (UN) responsible for strengthening the promotion and protection of human rights around the globe.

The HRC is mandated to respond to urgent human rights crises and make pertinent recommendations for the cessation of human rights violations prevalent around the world. It has a global scope and works to promote all human rights and uphold the integrity of International Conventions and Covenants on Human Rights.



As a part of the treaty-based mechanisms, the Universal Declaration for Human Rights (UDHR)<sup>1</sup> 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 as the only landmark document on human rights, it was joined by the International Covenant on Economic, Social and Cultural Rights (ICESCR)<sup>2</sup>, and the International Covenant on Civil and Political Rights (ICCPR)<sup>3</sup> and its two Optional Protocols to comprise the International Bill of Rights.

To further facilitate the implementation of the UDHR, the UN Secretariat established a UN department responsible for overseeing its human rights program. This department, known as the Centre for Human Rights, expanded its reach in the 1980s and moved from New York to Geneva. In 1993, at the World Conference on Human Rights, Member States created the Office of the UN High Commissioner for Human Rights (OHCHR)<sup>4</sup> with the responsibility of coordinating the human rights agenda across all intergovernmental agencies and departments within the UN. OHCHR is responsible for the substantive, logistical, and administrative needs of all UN human rights mechanisms, including core treaty-based bodies, thematic working groups, and the HRC.

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<sup>1</sup><https://www.ohchr.org/en/universal-declaration-of-human-rights>

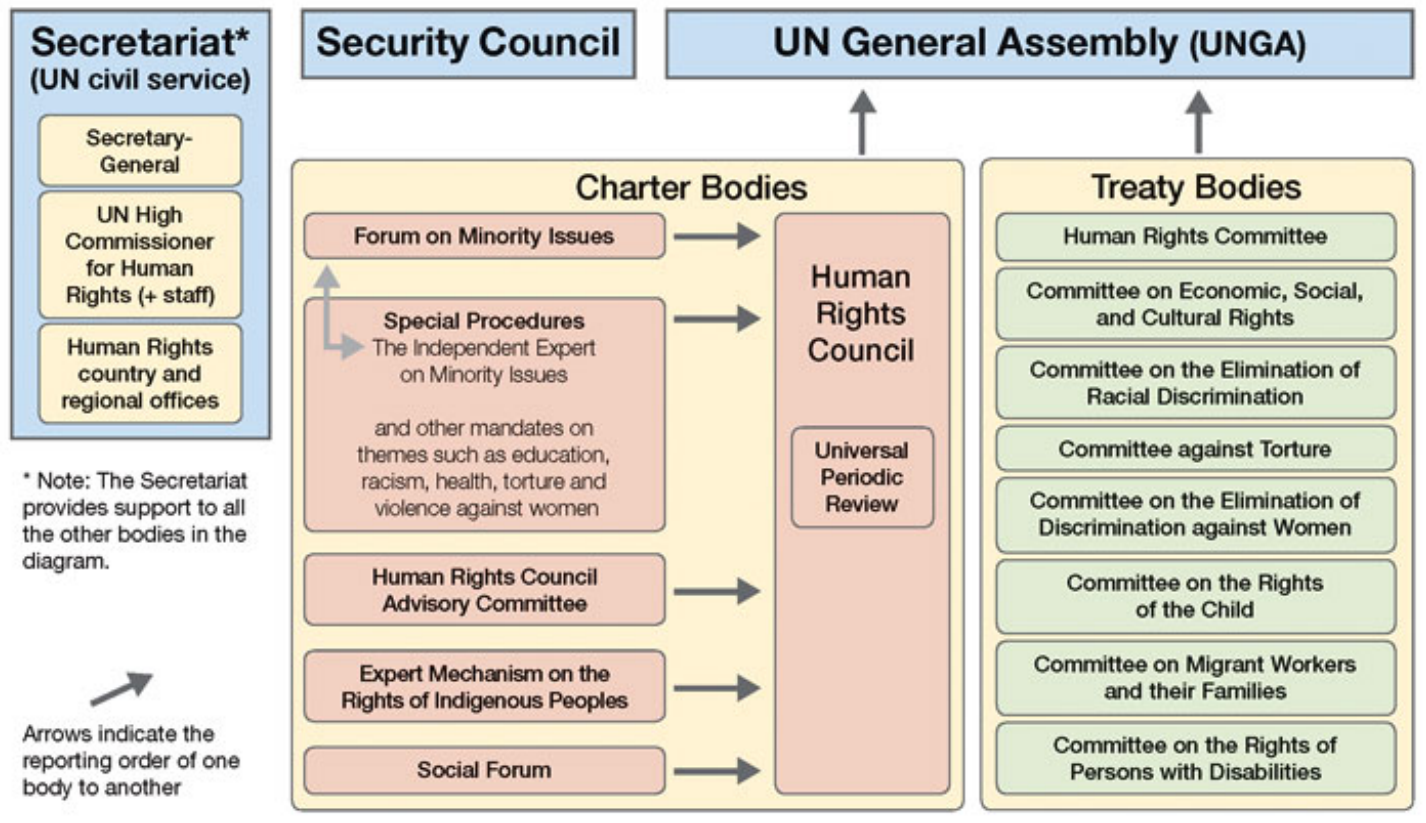
<sup>2</sup><https://www.ohchr.org/en/instruments-mechanisms/instruments/international-covenant-economic-social-and-cultural-rights>

<sup>3</sup><https://www.ohchr.org/en/instruments-mechanisms/instruments/international-covenant-civil-and-political-rights>

<sup>4</sup>[https://www.ohchr.org/en/ohchr\\_homepage](https://www.ohchr.org/en/ohchr_homepage)

## Structure of the UN Human Rights Bodies and Mechanisms

Note: This diagram is not exhaustive. It highlights the major human rights bodies and mechanisms which are covered in this training.



Source: <https://www.minorityrightscourse.org/mod/page/view.php?id=1626>

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## **B. Partnerships**

The HRC continues to spearhead global efforts in upholding human rights by forging partnerships and providing assistance to non-governmental organisations (NGOs), National Human Rights Institutions (NHRIs) of member nations, and other civil society actors playing a role in safeguarding and promoting human rights. These partnerships facilitate many of the HRC's major initiatives, including providing humanitarian assistance and aid through programs or frameworks targeting groups deprived of their access to fundamental human rights and freedoms. NGOs that have received Economic and Social Council (ECOSOC) consultative status and NHRIs can directly address HRC during discussions and debates and inform it of situations occurring in their home states. Groups and NGOs that have not achieved ECOSOC consultative status can also provide written documents on a Member State as part of the Universal Periodic Review (UPR) which serves to assess the human rights situations in all United Nations Member States.

## **C. Mandate and Functions**

The HRC possesses a unique and comprehensive mandate outlined in General Assembly resolution 60/251 of 2006 on the “Human Rights Council” and guided by the principles of “universality, impartiality, objectivity and non-selectivity, constructive international dialogue, and cooperation.” The General Assembly mandates the HRC to promote universal respect for human rights and fundamental

freedoms; to address and provide recommendations on all, particularly grave and systematic violations of human rights, and to promote an effective system of coordination within the UN system with respect to human rights issues.

In 2007, the HRC adopted resolution 5/1 on “institution-building,” which established mechanisms and structures to guide its program of work, rules of procedure, and other operational functions. The resolution also established the format for the Special Procedures, the UPR, and the Complaint Procedure, which comprise the main powers of the HRC.

Special Procedures<sup>5</sup> are mechanisms that enable independent parties to report, monitor, and advise on country-specific or thematic situations for the HRC. Each investigation has a mandate and a mandate holder, who is typically a Special Rapporteur, an independent expert, or a working group, to carry out the investigation. Special Procedures are empowered to undertake country or field visits, with the support of OHCHR, and to bring specific cases and concerns to the attention of Member States. They can send communications detailing accusations of violations or abuses of human rights, engage in advocacy efforts, and offer technical assistance when possible.

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<sup>5</sup><https://www.ohchr.org/en/hr-bodies/hrc/other-sub-bodies>



## **D. Universal Periodic Review**

The Universal Periodic Review (UPR) is a unique process conducted by the United Nations (UN) Human Rights Council. It involves the assessment of the human rights records of all UN Member States. The UPR was established in 2006 with the aim of ensuring that every country's human rights situation is scrutinized by both the international community and the country itself.



# **III. Introduction to Agenda I**

## **Deliberating on the Illegal Migration of Refugees with Special Emphasis on the EU Region and Developing a Global Action Plan to End Statelessness**

### **A. Overview**

In recent times, the European Union has plunged into an economic and energy crisis still battling the effects of the global pandemic as well as countering its dependency on Russia in a response to the war in Ukraine. Accompanying these crises, the EU is dealing with a massive inflow of refugees within its borders from multiple source points. The current refugee crisis exemplifies Europe's ambivalence and failure to manage contemporary forced migrations. Despite being the birthplace of human rights and the concept of political asylum, Europe is presently governed by the securitarian mentality that prevails on a worldwide scale. Faced with the largest influx of migrants and refugees since World War II, Europe has demonstrated the arbitrariness of its internal and external boundaries.

The management of humanitarian migrations is one of the areas where significant progress has been made in the communitarization process, that is, in developing an EU-wide approach to an issue that was previously the prerogative of individual states; however, this has



unfortunately resulted in an increase in national interests and national egoisms. It is vital to notice that the many urgent calls to Europe tend to focus on distributing the burden of refugees rather than on the proclivity to share responsibility for managing this massive task. The predicament that occurs strikes on the fundamental foundation of the international system of protection, given that a State-centric government system with inherent constraints must interact with a problem such as forced migration, which by definition transcends national borders. Ironically, the desperation that allows people to scale barbed wire barricades, as well as legal and regulatory barriers, has resulted in a level of cooperation, albeit modest, that European countries had not before achieved.

The refugee crisis highlights the inescapable schism between the inclusive logic of universal human rights and the nation-state's right to exclude undesirables. Indeed, as a result of a unilateral process of definition by the countries of destination, the figure of the refugee exemplifies the contradiction of a State-centric system in response to the current global society's demands for justice and belonging and demonstrates the limitations of our systems for protecting the poor and vulnerable, which are based on the fiction of national societies delimited by national fences. Critics also claim that the mass inflow of refugees leads to the depletion of national resources, and opportunities and strains the economy of the state forcing residents to compete with refugees.

Over 500,000 persons in Europe are currently stateless. Statelessness occurs due to a variety of factors, including discrimination against minority groups, state succession, gaps or inconsistencies in nationality rules, and purposeful policies to deprive or strip people of their nationality.

The Soviet Union's dissolution in 1991 resulted in widespread statelessness across the Baltic states and Eastern Europe. Groups of people slipped through gaps as borders were redrawn in the countries that once comprised Yugoslavia, leaving people stateless. Despite the fact that many have successfully established their nationality, certain Romani people and members of other minority groups continue to suffer difficulty in obtaining the documentation required to certify their nationality.

Thousands of children are born stateless in Europe each year because states do not have comprehensive measures in place to identify and prevent statelessness.

Furthermore, there are stateless people who have migrated to Europe but have been left in limbo due to a lack of mechanisms for identifying and determining statelessness - often after being denied asylum.



## **B. Important Definitions**

- **Refugee-** As determined by the 1951 Convention relating to the Status of Refugees, a refugee is someone who, “owing to a well-founded fear of being persecuted for reasons of race, religion, nationality, membership of a particular social group, or political opinion, is outside the country of their nationality, and is unable to, or owing to such fear, is unwilling to avail themselves of the protection of that country.”
- **Asylum Seeker-** A person who identifies as a refugee, but who has not yet been formally processed as such by the host country. In layman’s terms, there are people who want to receive refugee status but have yet to be accepted or formally processed.
- **Stateless Person-** This is a person who, according to the 1954 Convention on Status of Stateless Persons, is someone who is not considered a national, kind of like a citizen, of any state under the exercise of each state’s laws. Some people may become stateless while others are so at birth. This can happen when a state does not want to take responsibility any longer for a particular minority, or due to a natural disaster or crisis a group of people is forced from their homes and it is uncertain from whence they came.
- **Internally Displaced Persons (IDPs) -** Internally displaced persons are people who have fled their homes out of necessity, like a refugee, but the key difference is that they have not crossed an international

border. Meaning they remain under the jurisdiction, or everyone's favorite word sovereignty, of their home country (even if their country is the persecutor) and retain the same rights in that country and under international law.

## **C. Conventions, Treaties, Resolutions, and Actions**

### **1. The 1951 Refugee Convention<sup>6</sup>**

The Refugee Convention or the Convention Relating to the Status of Refugees is an international treaty that outlines the obligations and rights of Refugees and the State's responsibility toward them. It defines a refugee and provides a legal framework for determining refugee status and granting protection to those who meet this definition. This includes the principle of non-refoulement [Article 33(1)] i.e. prohibiting States from forcibly returning refugees to a territory where their life or freedom would be threatened. The convention not only recognizes the right of persons to seek asylum from persecution in other countries but also outlines rights that a State must provide including the right to access courts, education, housing, and public assistance, as well as the right to work and the freedom of movement within the host country. The convention is an essential International legal instrument that has formed the basis for the development of regional refugee frameworks.

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<sup>6</sup><https://www.unhcr.org/node/5373>



However, it must be noted that the convention only applied to refugees that were displaced before January 1, 1951, in Europe.

## 2. 1967 Protocol Relating to the Status of Refugees<sup>7</sup>

The 1967 Protocol relating to the Status of Refugees further extended the applicability of the 1951 Refugee Convention by removing the temporal and the geographic limitations of the Conventions making them applicable to refugees worldwide and regardless of the time of displacement. The 1967 Protocol does not replace the 1951 Convention but expands its scope. It is considered an integral part of the Convention and is often referred to alongside it as the 1951 Convention and its 1967 Protocol.

## 3. The Global Compact for Safe, Orderly, and Regular Migration(GCM)<sup>8</sup>

The Global Compact for Safe, Orderly, and Regular Migration (GCM) is a non-legally binding framework adopted by UN member states in 2018 to improve international cooperation on migration. It consists of 23 objectives arranged around ten guiding concepts, which include migrant human rights, smuggling and trafficking, migrant children, regular channels and safe migration, return, reintegration, and sustainable reintegration.

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<sup>7</sup><https://www.ohchr.org/en/instruments-mechanisms/instruments/protocol-relating-status-refugees>

<sup>8</sup><https://www.ohchr.org/en/migration/global-compact-safe-orderly-and-regular-migration-gcm>

#### 4. Dublin Regulation<sup>9</sup>

The Dublin Regulation, officially known as Regulation (EU) No. 604/2013, is an important piece of immigration regulation. It is an EU law that set the criteria and methods for identifying which EU Member State is responsible for considering an asylum application. The first country of entry rule, as stated in Article 13 of the Regulation, is an important principle. It states that the Member State of the EU where an asylum seeker first illegally enters the EU is responsible for investigating their asylum claim.

The following is a citation from Article 13 (1):

an applicant has irregularly crossed the border into a Member State by land, sea or air

having come from a third country, the Member State thus entered shall be responsible

for examining the application for international protection.

Because it ignores geographical and geopolitical concerns, the Regulation imposes an undue burden on Member States at the EU's external frontiers. The majority of asylum seekers from the Middle East and Northern Africa (MENA) region come on the coastlines of Greece, Italy, and Spain. These practical considerations are not taken into account by the rule.<sup>10</sup>

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<sup>9</sup>[https://home-affairs.ec.europa.eu/policies/migration-and-asylum/common-european-asylum-system/country-responsible-asylum-application-dublin-regulation\\_en](https://home-affairs.ec.europa.eu/policies/migration-and-asylum/common-european-asylum-system/country-responsible-asylum-application-dublin-regulation_en)

<sup>10</sup><https://www.aljazeera.com/news/2023/6/9/eu-members-sign-deal-to-overhaul-migration-procedures>



## 5. The 1954 Convention on Statelessness<sup>11</sup>

The 1954 Convention is designed to ensure that stateless people enjoy a minimum set of human rights. It establishes the legal definition of a stateless person as someone who is “not recognized as a national by any state under the operation of its law.” Simply put, this means that a stateless person is someone who does not have the nationality of any country. The 1954 Convention also establishes minimum standards of treatment for stateless people with respect to a number of rights. These include but are not limited to, the right to education, employment, and housing. Importantly, the 1954 Convention also guarantees stateless people a right to identity, travel documents, and administrative assistance.

## 6. The 1961 Convention On Statelessness<sup>12</sup>

The 1961 Convention aims to prevent statelessness and reduce it over time. It establishes an international framework to ensure the right of every person to a nationality. It requires that states establish safeguards in their nationality laws to prevent statelessness at birth and later in life. Perhaps the most important provision of the convention establishes that children are to acquire the nationality of the country in which they are born if they do not acquire any other nationality. It also sets out important safeguards to prevent statelessness due to

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<sup>11</sup>[https://www.unhcr.org/ibelong/wp-content/uploads/1954-Convention-relating-to-the-Status-of-Stateless-Persons\\_ENG.pdf](https://www.unhcr.org/ibelong/wp-content/uploads/1954-Convention-relating-to-the-Status-of-Stateless-Persons_ENG.pdf)

<sup>12</sup><https://www.unhcr.org/xt=The%201961%20Convention%20aims%20to,birth%20and%20later%20in%20life>.

loss or renunciation of nationality and state succession. The convention also sets out the very limited situations in which states can deprive a person of his or her nationality, even if this would leave them stateless.

There were 61 states party to the 1961 Convention in November 2014 when teams at UNHCR launched the Campaign to End Statelessness in 10 Years.

## 7. The European Union Platform for Statelessness<sup>13</sup>

The EMN Platform on Statelessness has the intention to raise awareness in regard to statelessness and to bring all the relevant stakeholders in the field together: representatives of Member States, the European Commission, the European Parliament, European agencies, international organizations, and NGOs. The first practical objective of this platform was to determine the state of play of statelessness in the European Union.

## 8. Rome Statute<sup>14</sup>

The International Criminal Court was formed under the Rome Statute, an international treaty. While it is not currently directly relevant to the agenda, it is an important treaty that handles serious international crimes. The Statute can play an important role in international refugee

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<sup>13</sup><https://home-affairs.ec.europa.eu/pages/page/platfo20the%20intention%20to%20raise,%2C%20international%20organisations%2C%20and%20NGOs>.

<sup>14</sup><https://www.icc-cpi.int/sites/default/files/RS-Eng.pdf>



refugee law by addressing human rights breaches that fall under the Statute's purview. Crimes such as genocide, crimes against humanity such as persecution, sexual violence, extermination, enslavement, murder, and other inhumane acts are all deemed criminal acts under the Agenda and International Refugee Law. One example of a Rome Statute violation related to this agenda would be the trafficking of women and sexual assault against them in Northern African countries.

## **D. Case Studies**

### **1. The United Kingdom**

The issue of immigration had a big part in the United Kingdom's secession from the European Union (dubbed "Brexit"). The results of the UK government's Brexit. One of the primary promises made by Brexit supporters was to reclaim control of immigration policy and restrict the number of immigrants arriving in the UK. The United Kingdom then began to reorganize its immigration policy, with the goal of controlling the amount and types of immigrants entering the country while also aligning it with the government's goal of recruiting high-skilled employees while lowering low-skilled worker immigration. Discussants should also be aware of the new Illegal Migration Bill introduced in the UK House of Commons<sup>15</sup>, which aims to curb illegal migration into the UK (small boat crossings) and

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<sup>15</sup><https://www.gov.uk/government/collections/illegal-migration-bill#:~:text=The%20Illegal%20Migration%20Act%20changes,or%20a%20safe%20third%20country.>

expedite the removal of individuals who do not have the right to be here. The UNHCR highlighted their concern over this law, stating If implemented, the measure will amount to an asylum ban, removing the right to seek refugee status in the United Kingdom for people who arrive irregularly, regardless of how compelling their claim may be.

## 2. France

France has struggled with border management, particularly in the context of unauthorized immigration. While the government has implemented measures to strengthen border control, such as increased surveillance, cooperation with neighboring countries, and enhanced security measures, it is important to note that as a member of the European Union, the government can only do so much to implement such policies.<sup>16</sup>

## 3. Italy

The Italian government's stance on refugees and asylum seekers has garnered headlines. Italy prohibited a ship carrying asylum seekers from docking in November 2021. Italy's new far-right government barred 35 asylum seekers from leaving their boats because they were ineligible for refuge. In Italy, there is no one piece of legislation that governs all aspects of asylum (such as requirements, processes for

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<sup>16</sup><https://ecre.org/france-ngos-points-to-violations-of-rights-at-french-border-with-italy-and-spain-authorities-condemned-for-11th-time-for-ill-treatment-of-migrant-children-government-cracks-down-o/>



expedite the removal of individuals who do not have the right to be here.

assessing a person's status, and services for reception and integration of individuals seeking asylum and those obtaining international protection).

#### 4. Germany

Since 2015, Germany has taken the lead in pushing a coordinated EU response to the refugee crisis, and it has actively participated in the development of EU asylum regulations. The Federal Office for Migration and Refugees (BAMF) in Germany analyses and decides on asylum requests.

The BAMF renders asylum decisions based on past applications presented by EU member states and adjacent countries. Germany's reaction to refugees seeking asylum in the EU has been marked by a commitment to humanitarian values and a recognition of the importance of shared responsibility in addressing the issues caused by large refugee migrations.

Germany took the lead in relocating and admitting several hundred refugees, unaccompanied minors, and asylum seekers from Greece in 2020. In 2020, 3,253 refugees were received as part of resettlement and humanitarian admission programs.<sup>17</sup>

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<sup>17</sup>[https://www.unhcr.org/dach/wp-content/uploads/sites/27/2021/03/Bi-annual-fact-sheet-2021-Germany\\_1103\\_final-External.pdf](https://www.unhcr.org/dach/wp-content/uploads/sites/27/2021/03/Bi-annual-fact-sheet-2021-Germany_1103_final-External.pdf)

## 5. Denmark

Danish immigration policies have been more stringent in recent years. Concerning Middle Eastern refugee seekers, Denmark has taken strong measures, including cutting social support for asylum applicants. The Ghetto rules, which target communities with a large Middle-Eastern population, are a famous example of stringent immigration regulations. The legislation attempted to minimize socioeconomic segregation and foster integration by instituting measures such as required creche attendance for children, language requirements, and harsher penalties for specific crimes committed in certain regions. It should be noted that the UN High Commissioner for Human Rights supports the Danish Legal Group Against Ghetto Laws.





## E. QARMA

1. What is the viability of the EU-wide refugee asylum plan?
2. What actions should be included in a global plan to end statelessness?
3. What are the ways for repatriation of refugees and IDPs in conflict zones?
4. What are the loopholes in current legislation both International and EU-centric that need to be addressed to deal with the refugee crisis?
5. How can the HRC safeguard and ensure the basic human rights of asylum seekers, IDPs, and Stateless people?
6. How would temporary asylum status be granted and how would the Non Refoulment principle be applied to the current refugee crisis in Europe?



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## **IV. Introduction to Agenda II**

### **Deliberating on Sectarian Violence in the Middle East & Asia**

#### **A. Overview**

Intercommunal violence and sectarian wars are nothing new. In this diverse environment, inter- and intra-sectarian violence has killed far too many lives on both sides, whether it is Sunni vs. Shi'a Muslims, Muslims vs. Christians, or Buddhists against Muslims. The Middle East and Asia's densely woven cultural and religious fabric extends from Syria and Iraq to Libya and Yemen.

Some contest that the 2003 U.S. invasion of Iraq has become a key component in the reshaping of sectarian identities in the Middle East, igniting a return of sectarian tensions and conflicts in the area. The Iraq war altered the balance of power within Iraq's communities, gave Iran a chance to expand its influence throughout the Arab Levant (intensifying its ties to the Assad regime in Syria and Hezbollah in Lebanon), and made the Sunni-led regimes in the Arab Gulf appear more vulnerable. Additionally, it helped Sunnis and Shia, for whom the connections between religious practice and sectarian identification were previously considerably less obvious, to develop freshly religious and more tightly defined concepts of sectarian identity.



The invasion, therefore, accelerated the sectarianization of regional politics of balance of power while also giving renewed vigor to unresolved sectarian grievances in a number of states, including Syria, where a minority Alawite regime ruled a majority Sunni population; Lebanon, where the Shia political movement, Hezbollah, became a dominant power broker within a precarious political system organized along confessional lines. In Bahrain, a minority Sunni ruling family struggled to quell demands for equality from the Shia majority. In Saudi Arabia, a small Shia minority mobilized to promote greater communal rights and autonomy. In Yemen, a small, heterodox Shia community, the Houthi, began an insurgency in the country's northwest provinces bordering Saudi Arabia.

These trends were intensified and hastened by the Arab revolutions that got started in early 2011. The Arab Spring in Bahrain came to an end as a result of strong government repression, while in Syria, peaceful mass protest movements triggered rising bloodshed that turned into a full-fledged civil war. The current Syrian war challenges the fundamental integrity of the Levantine state order by entangling both renewed sectarian conflicts between Lebanon and Iraq.

Two-thirds or more of Iraq's 1.5 million Christians fled their homes when sectarian violence broke out after the American invasion in 2003, many to the north. A homicidal campaign against Christians, Yazidi "infidels," who practice a monotheistic, syncretic faith deemed Satanic by ISIS, and other religious minorities has been carried out

by the Islamic State more recently. Many of the people who were being attacked tried to flee to Kurdistan. ISIS-hating Shia and even Sunnis are treated poorly and occasionally killed. Approximately 5000 women were sold into sex slavery, many of them were Yazidis or Christians. Numerous kids were taken, brainwashed, and deployed into battle.

Furthermore, even though ISIS has been substantially neutralized, Christians' and other religious minorities' situation would still be, at best, perilous. The Islamic State's success was aided by the sectarian policies of the unstable Iraqi government, which also encouraged other extremist Sunni movements to emerge.

Moreover, religious intolerance is not a transient reaction to an infrequently occurring dispute. In the Middle East, North Africa, and South Asia, however, it is the rule. Religious minorities face discrimination in every country with a large Muslim population. Harsh repression is frequently the norm. Simply put, the Islamic State, also known as Daesh, went back in time and made persecution a particularly brutal activity.

## Freedom of Speech

The authoritarian nature of the majority of Arab and Islamic regimes is also rooted in religion. All are biased. most punishable. Failure to uphold religious minorities' right to freedom of conscience serves as



a collective canary in the mine, alerting society to the presence of a hostile, oppressive atmosphere where extremism is likely to thrive and other rights, such as the right to free speech, assembly, and the press, are not likely to be preserved. This could help to understand the link between the protection of religious freedom and the vitality of civic society.

Unfortunately, even Washington's so-called friends, like Saudi Arabia and Pakistan, have contributed significantly to the growth of violent Islamic extremism outside of their borders.

## Refugees, Migrants, and Internally Displaced People

Conflicts from the past and present still jeopardize the rights of migrants, refugees, and internally displaced persons. The rights of refugees were violated by host countries like Jordan and Lebanon, and international donor states underfunded humanitarian response initiatives. Authorities kept making arbitrary arrests, detaining migrants and refugees, and refoulement and large expulsions of them.

An estimated 1.5 million Syrians continued to reside in Lebanon, but the government's failure to address the country's economic problems resulted in the majority of refugees living in abject poverty and being denied access to basic human rights including food, housing, education, and healthcare. Despite the well-known oppression of Syrians there, the Lebanese government increased the number of

ostensibly voluntary returns of Syrians.

Around 2 million Palestinian refugees and more than 750,000 refugees from other Middle Eastern and North African nations continued to reside in neighbouring Jordan, which suffered from significant underfunding. The majority of these refugees had limited access to vital services. Israel accepted tens of thousands of Ukrainian refugees and permitted a small number of Jewish Ukrainians to move there, but it continued to deny the right of return to millions of Palestinians. Tens of thousands of migrants escaping from African nations, mainly Eritrea and Sudan, were also denied asylum.

Security personnel in Iran opened fire on Afghan nationals trying to cross the border, arbitrarily imprisoned some of them, tortured them, and then forcibly expelled them. Tens of thousands of Ethiopian migrants were forced deported by Saudi Arabia after being arbitrarily imprisoned in horrific conditions for lack of legal residency permits and suffering torture and other cruel punishment. Internally displaced persons in Iraq, Libya, and Syria were unable to return to their homes because of security dangers, the possibility of arbitrary detention and harassment by security personnel, and a lack of access to basic services and employment opportunities.



## **B. Past Actions By UN and Other Multinational Organizations**

### **1. United Nations Relief and Works Agency for Palestine Refugees (UNRWA)<sup>18</sup>**

In terms of its long-standing dedication to one group of refugees, the United Nations Relief and Works Agency for Palestine Refugees is exceptional. The welfare and growth of four generations of Palestinian refugees have been aided by it. Education, health care, relief, and social services, camp infrastructure and improvement, microfinance, and emergency assistance, particularly during times of armed conflict, are all included in the Agency's offerings. By assisting Palestine refugees to gain knowledge and skills, live long and healthy lives, reach respectable standards of living, and exercise their human rights to the best degree feasible, UNRWA is dedicated to supporting their human development. Both the Jordan Field Office and the UNRWA Headquarters are situated in Amman, Jordan. Additionally, UNRWA operates in Lebanon, the West Bank, Gaza Strip, and Syria.

### **2. United Nations Disengagement Observer Force<sup>19</sup>**

In order to enforce Resolution 338 (1973), which demanded an immediate ceasefire and the execution of Resolution 242, the United

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<sup>18</sup><https://www.unrwa.org/>

<sup>19</sup><https://undof.unmissions.org/>

Nations Security Council established the United Nations Disengagement Observer Force (UNDOF) on May 31, 1974.

The resolution was approved on the same day as Israeli and Syrian soldiers on the Golan Heights signed an agreement on disengagement, putting an end to the Yom Kippur War of 1973 and establishing a cease-fire.

Since then, the Force has operated with the full support of both parties. Since 1974, the UNDOF's mission has been extended every six months (most recently through December 31, 2018). The United Nations Truce Supervision Organisation (UNTSO) and UNDOF are present in the area and are in charge of maintaining the ceasefire.

### 3. 1979 International Convention against the Taking of Hostages<sup>20</sup>

Provides that “any person who seizes or detains and threatens to kill, to injure, or to continue to detain another person in order to compel a third party, namely, a State, an international intergovernmental organization, a natural or juridical person, or a group of persons, to do or abstain from doing any act as an explicit or implicit condition for the release of the hostage commits the offence of taking of hostage within the meaning of this Convention”.

### 4. Resolution (A/HRC/53/L.23): Countering religious hatred constituting incitement to discrimination, hostility or violence<sup>21</sup>

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<sup>20</sup><https://treaties.un.org/doc/db/terrorism/english-18-5.pdf>

<sup>21</sup><https://www.legal-tools.org/doc/85uaa7>



Nations Security Council established the United Nations

The Human Rights Council calls upon States to adopt national laws, policies and law enforcement frameworks that address, prevent and prosecute acts and advocacy of religious hatred that constitute incitement to discrimination, hostility or violence, and to take immediate steps to ensure accountability, and requests the High Commissioner to present at its fifty-fourth session an oral update on the various drivers, root causes and human rights impacts of religious hatred constituting incitement to discrimination, hostility or violence.

#### 5. Resolution (A/HRC/53/16): On the Situation of human rights in the Syrian Arab Republic<sup>22</sup>

The Human Rights Council demands that the Syrian Arab Republic meet its responsibility to respect and protect the human rights of all persons within its jurisdiction in a manner consistent with the applicable international law obligations of the Syrian Arab Republic, and also demands that all parties to the conflict respect the human rights of all persons.

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<sup>22</sup>[https://digitallibrary.un.org/record/4011758/files/A\\_HRC\\_53\\_16-EN.pdf](https://digitallibrary.un.org/record/4011758/files/A_HRC_53_16-EN.pdf)

## **C. Relevant Thematic Mandate Holders of the UN**

### **1. Special Rapporteur on Freedom of Religion or Belief<sup>23</sup>**

The United Nations Commission on Human Rights appointed further to resolution 1986/20 a “Special Rapporteur on religious intolerance”. In 2000, the Commission on Human Rights decided to change the mandate title to “Special Rapporteur on Freedom of Religion or Belief”, which was subsequently endorsed by ECOSOC decision 2000/261 and welcomed by General Assembly resolution 55/97.

### **2. Special Rapporteur on Minority Issues<sup>24</sup>**

The mandate of the Special Rapporteur on minority issues was established by the Commission on Human Rights in its resolution 2005/79 of 21 April 2005. It was extended by subsequent resolutions for periods of three years, most recently in 2020 in resolution 43/8. The mandate of the Special Rapporteur works to increase the visibility and raise awareness of minority issues among UN institutions and Member States, other regional and international organizations, and the general public. The mandate also enhances the work of other UN bodies and mechanisms that address minority rights and minority issues, including the Forum on Minority Issues.

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<sup>23</sup><https://www.ohchr.org/en/special-procedures/sr-religion-or-belief#:~:text=about%20the%20mandate-Current%20mandate%20holder,freedom%20of%20religion%20or%20belief>.

<sup>24</sup><https://www.ohchr.org/en/special-procedures/sr-minority-issues>



### 3. Special Rapporteur on the situation of human rights in the Islamic Republic of Iran<sup>25</sup>

The Human Rights Council Resolution 37/30 requests the Special Rapporteur on the situation of human rights in the Islamic Republic of Iran to submit a report on the implementation of the mandate to the Human Rights Council at its fortieth session and to the General Assembly at its seventy-third session and calls upon the Government of the Islamic Republic of Iran to cooperate fully with the Special Rapporteur, to permit access to visit the country, and to provide all information necessary to allow the fulfillment of the mandate.

In the discharge of his mandate, the Special Rapporteur will:

- Monitor and investigate human rights violations, transmits urgent appeals and letters to Iran on alleged violations of human rights;
- Seek to undertake country visits to Iran and to the region and engage with relevant stakeholders;
- Submit reports to General Assembly and Human Rights Council on the situation of human rights in the Islamic Republic of Iran;
- Engages publicly on issues of concern, including through press releases.

### 4. Special Rapporteur on the situation of human rights in the Palestinian Territories occupied since 1967<sup>26</sup>

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<sup>25</sup><https://www.ohchr.org/en/special-procedures/sr-iran#:~:text=Javaid%20Rehman%20was%20appointed%20as,officially%20on%2013%20July%202018.>

<sup>26</sup><https://www.ohchr.org/en/special-procedures/sr-palestine>

The task of the Special Rapporteur is to assess the human rights situation in the Occupied Palestinian Territory, report publicly about it, and work with governments, civil society, and others to foster international cooperation. The Special Rapporteur undertakes regular visits or missions to the Occupied Palestinian Territory and reports annually to the Human Rights Council. OHCHR provides the mandate holder with logistical and technical assistance.

## 5. Special Rapporteur on the situation of human rights in the Syrian Arab Republic<sup>27</sup>

The mandate of the Special Rapporteur is to monitor the situation of human rights in the Syrian Arab Republic as well as the implementation of the recommendations made by the Commission of Inquiry addressed to the authorities of the Syrian Arab Republic and of the resolutions of the Human Rights Council on the situation of human rights in the Syrian Arab Republic.

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<sup>27</sup><https://www.ohchr.org/en/special-procedures/sr-syria>



## **D. Case Studies**

### **1. Israel**

A complicated and pervasive problem in Israel, sectarian violence is frequently rooted in conflicts between various ethnic and religious groups in the area. Conflicts over land, borders, and holy sites have exacerbated the situation, which has been primarily fueled by animosity between Jews and Arabs. The epicenter of these conflicts has frequently been Jerusalem, which is revered by a wide range of religions. A cycle of violence that has taken many different forms, from street fights to more organized acts of terrorism, has been fueled by the Israeli-Palestinian conflict, which is characterized by decades of territorial conflicts and conflicting national aspirations. There have been several obstacles in the way of attempts to address and lessen sectarian violence, from political entanglements to divergent accounts of the legal and historical context.

### **2. Iran**

Tensions between Iran's two main Islamic branches, Sunni and Shia Islam, have frequently resulted in sectarian violence. Despite the fact that Sunnis make up a sizable portion of the population in Iran, disputes over religious issues do arise occasionally. Power struggles, historical circumstances, and geopolitical considerations have all contributed to this occurrence. Sectarian conflict has often

resulted in fatalities and heightened social tensions, ranging from spontaneous fights to more planned terrorist attacks. Although the Iranian government has made an effort to resolve these problems through policies that support religious harmony and tolerance, difficulties nevertheless exist as a result of the country's enduring political and theological conflicts. The environment is still being shaped by the intricate interactions between politics, religion, and local dynamics.

### 3. Iraq

Iraq's deadly sectarian violence problem has its roots in historical hostilities between different religious and ethnic groups, particularly Shia and Sunni Muslims. After Saddam Hussein's administration fell in 2003, the violence grew worse as a result of the political unrest and power vacuums that resulted. The emergence of extremist organizations like Al-Qaeda and later ISIS, who exploited existing differences to advance their objectives, contributed to the escalation of sectarian strife. Numerous people were killed and displaced during the horrific attacks on mosques, neighborhoods, and sometimes entire villages that took place in the years after the U.S.-led invasion. Iraq's social fabric continues to bear the wounds of sectarian violence, despite efforts to reduce these tensions through political changes and security measures.



#### 4. Syrian Arab Republic

The very upsetting and ongoing problem of sectarian violence in Syria has exacerbated the already difficult war in the area. The violence has frequently pitted Sunni and Shiite Muslims, as well as other minority sects, against one another and has its roots in historical tensions and power struggles among diverse religious and ethnic groups. As several factions fought for control of territory and resources throughout the Syrian Civil War, which started in 2011, tensions increased. External actors' involvement exacerbated sectarian divisions and turned the battle into a proxy war. Devastating outcomes include mass evictions, fatalities, and the dissolution of entire communities.

#### 5. Saudi Arabia

Conflicts between the two main Islamic sects, Sunni and Shia, have been a complex and gravely worrying factor in Saudi Arabia's sectarian bloodshed. The Saudi government follows the Wahhabi version of Sunni Islam, and the majority of the population is Sunni. This has caused injustices and resentment among the Shia minority, who are primarily found in the Eastern Province, where the majority of the nation's oil riches are found. Periodic outbreaks of sectarian violence have occurred over the years, frequently exacerbated by political, economic, and religious concerns. After famous Shia preacher Nimr al-Nimr was executed in 2016, tensions increased,

sparking demonstrations and violence.

## 6. Yemen

The historical religious conflicts between the Sunni and Shia Muslim communities have historically been the main cause of sectarian violence in Yemen, which has been a gravely worrying and ongoing problem. Tensions in politics and the economy, as well as rivalry for control of resources, have all contributed to this violence. These tensions were further raised by the Houthi insurgency against the Yemeni government, which was led by a Zaidi Shia movement. This war became intricate and multilayered. The violence has not only led to widespread misery and displaced populations, but it has also attracted regional and outside actors, adding to the complexity of the issue.

## 7. Afghanistan

The Islamic State affiliate has claimed responsibility for 13 assaults against Hazaras and has been implicated in at least 3 more since the Taliban seized control of Afghanistan in August 2021, resulting in the deaths and injuries of at least 700 people. Additional attacks are likely to have gone unreported due to the Taliban's escalating crackdown on the media, particularly in the provinces. More than 120 people were killed and injured in recent attacks by the organization on Shia gatherings in Kabul, according to the United Nations Assistance



Mission in Afghanistan (UNAMA). Since more than a century ago, successive Afghan governments have discriminated against and mistreated the Hazara, a primarily Shia Muslim ethnic group. Taliban forces attacked Shia people in the 1990s for mass murder and other heinous crimes. The Hazara have grown more worried about their safety and whether the new government will protect them since the Taliban retook power.

## **E. QARMA**

1. Why have the terms “sectarianism,” “sectarian divide,” “sectarian fault lines,” “sectarian fissures” and the like become so prominent in the political discourse?
2. what mechanisms and approaches have been or could be employed to avert sectarian violence, to foster tolerance and peaceful coexistence, and to promote reconciliation?
3. What forms of protection can be offered to minority groups facing persecution?
4. What efforts can be made to enforce UN legislation on human rights?
5. What differences and issues divide the Shia and Sunni sects of Islam? What efforts can be made to bridge this schism?



जिज्ञासा २.०



جیغیاسا ۲.۰



JIGYASA 2.0



吉亚萨 二. 〇



JIGYASA 2.0



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