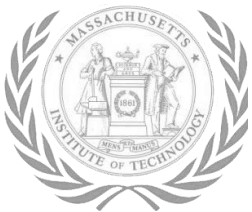


2013

HRC 2013

Background Guide

MIT Model United Nations Conference V



hrc2013@mitmunc.org



Letter from the Dais

Dear Delegates,

Welcome to MITMUNC 2013! I assure you this will be a wonderful experience.

I am thrilled to welcome you all to the Human Rights Council of MITMUNC 2013, and I am so excited for the conference. My name is Areen Bahour, I am from Palestine, and I am freshman at MIT. I still did not decide what I want to major in, but I am leaning towards Chemical Engineering or Materials Science and Engineering. I have until the end of the spring semester to decide. My co-chair, Amna Magzoub, is from Sudan and is also a freshman looking forward to studying Chemical Engineering and minor in Economics. We are both looking forward to meeting you all in February.

A little bit about our MUN experiences: During high school, I traveled to Lorentz' MUN (LMUNA) in Arnhem, Netherlands (2009), and to Athens MUN (AMUN) in Greece (2011). In my junior year, I was head of the MUN board at school, so I helped organize trips to MUN conferences abroad, and organized the very first Palestinian MUN conference in October 2011. I fell in love with MUN after the first day of my first conference, and decided to be involved in it here at MIT. Amna was involved in the MUN club in her high school, and we both think that MUN is such an amazing experience! Not only do you debate and write resolutions on very important worldwide issues, but you also get to meet people from everywhere, and learn all the different views countries (including yours) have on certain topics. It is the perfect opportunity to merge learning with fun.

This year the Human Rights Council (HRC) will focus on two very important, yet very different, topics. The first is the "Rights of

Internally Displaced Persons" and the second is "The Rights of People with Disabilities." The first topic discusses an issue that has been present for years in many areas around the world, but has become even more apparent the past few years. It is the HRC's role to define the rights and responsibilities of people.

Internally displaced persons, and individuals with disabilities form to quite large minority groups, and therefore it is essential to take a stand and define the rights of those people.

Debating these topics will involve creativity, collaboration, and taking the initiative to write resolutions that propose real solutions to these issues. Don't be intimidated by thinking outside the box, for if your solutions are new to you, and to everyone else, this does not mean that they are inadequate. It means that the world needs someone exactly like YOU to propose such solutions. Remember that the people participating in MITMUNC today, including yourself will be tomorrow's leaders.

This background guide should give you a head start on your research. Again, I am delighted to be chairing this year's HRC, and I am looking forward to fruitful debates and seeing you all have fun in February

Sincerely,

Areen Bahour

Amna Magzoub

Human Rights Council Chairs,
MITMUNC V,
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Topic 1: **The Rights of Internally Displaced Persons**

Introduction

Internally Displaced Persons (IDPs) are those who have been ‘forced to flee or leave their places of habitual residence’. People generally leave their homes during armed conflict and there is a risk to their lives, or during natural disasters such as hurricanes, flood or earthquakes. Because of the nature of the temporary living areas they reside in, IDPs face higher mortality rates than the general public.

IDPs are often confused with refugees; unlike refugees, IDPs do not cross international borders, and hence IDPs are still obliged to follow their government’s law. IDPs do not have a special status neither are there international laws specific to their situation.

Persons who have been displaced still have the rights, as any other civilian, within their borders and as expressed by international human rights which range from basic humanitarian rights to economic, social, civil and political rights. These rights include, most importantly, the right to be protected from physical violence. Other rights include the right to humanitarian assistance (such as food, medicine and shelter) the right to education, freedom of movement and residence.

Displaced persons also hold the right to assistance from competent authorities in voluntary, dignified and safe return, resettlement or local integration, including

help in recovering lost property and possessions or compensation.

The responsibility of protecting and assisting IDPs is primarily the state’s (where the IDPs are found) responsibility. However, the international community’s role must not be disregarded. Unfortunately, even with rising numbers of IDPs in the world, there is still no single agency or organization that specializes in the protection and assistance of internally displaced persons on a global level.

IDPs Today

The United Nations estimates that there are about 24.5 million IDPs in 52 countries, half of which are in Africa.

Specifics on Countries

Sudan

“The UN estimated that at least 2.2 million people remained internally displaced in Sudan at the end of 2011. This figure includes 1.9 million IDPs in Darfur, 200,000 IDPs in South Kordofan, and 66,000 IDPs in Blue Nile.”¹

“The UN also estimated that there were 700,000 people remaining in Khartoum who had been internally displaced there before the independence of South Sudan and whose citizenship status had yet to be resolved. Their protection needs should also be addressed as they have lost Sudanese citizenship with the new nationality law, but may not have access to

¹ <http://www.internal-displacement.org/countries/sudan>

documents confirming their South Sudan citizenship. It is unclear if they have any options for a durable solution.”²

Colombia

“Internal armed conflict and human rights abuses by armed groups have caused massive internal displacement in Colombia for over four decades. Parties to the conflict which continued to perpetrate displacement in 2011 included the guerrilla Revolutionary Armed Forces of Colombia (FARC) and National Liberation Army (ELN); the new paramilitary groups which emerged following the demobilization of the paramilitary United Self-Defense Forces of Colombia (AUC) between 2003 and 2006; and the Colombian security forces.”³

Despite improvements in security, the number of newly displaced people in Colombia has risen from 89,000 to 103,000 in the period of January to September 2011 leading to a total of 3.9 million internally displaced people, according to the government and 5.3 million according to the independent Observatory on Human Rights and Displacement (CODHES).⁴

Mass displacements in Colombia, in 2011, followed armed clashes between due to conflict with as well as threats and attacks against Afro-Colombian and indigenous groups.

Iraq

“People in Iraq were displaced up to 2003 by campaigns by the government of Saddam Hussein which considered them opponents; between 2003 and 2005 by the fighting which followed the country’s invasion; and from 2006 by sectarian violence between Sunni and Shi’a militias which led to massive civilian casualties and around 1.6 million new IDPs.”⁵

“By 2011, large-scale new displacement in Iraq had ended, and new displacement was caused only by isolated outbreaks of violence. This sporadic displacement mainly affected members of minorities. Christians continued to be targeted throughout the year, and by the end of 2011, more than half of Iraq’s 1.4 million Christians had fled their places of origin.”⁶

What is Being Done?

The UNHCR in the last 30 years has assisted over 30 IDP operations around the world, including Colombia and Iraq.

In 2005 the UN has identified ‘protection’ as the main institutional gap in humanitarian response. Institutional mechanisms were created to ensure that protection is a core component of humanitarian response. The key mechanism introduced to help fill the gap is known as the “cluster” approach.

As of 1 January 2006, the UNHCR expanded its activities in several countries, including the Democratic Republic of the Congo and Uganda, where by the

² Ibid.

³ <http://www.internal-displacement.org/countries/colombia>

⁴ Ibid.

⁵ <http://www.internal-displacement.org/countries/iraq>

⁶ *ibid.*

beginning of 2007, UNHCR was assisting and protecting 1.1 million and 1.6 million IDPs respectively.

Key IDP Operations in 2010⁷

Haiti

UNHCR has implemented 39 quick impact projects (QIPs) to tend to the needs of those who have been displaced due to the earthquake. QIPs aimed to provide shelter, health and education to IDPs.

Pakistan

The floods experienced in 2010 were one of the worst in the history of the nation. UNHCR established seven field offices in the affected areas to attend to the needs of the 2 million Pakistani and Afghan locals who have been affected. In addition to providing with shelter and non-food assistance, the UNHCR helped the Government facilitate the return of the IDPs to their homes.

Yemen

Out of 221,000 displaced after the ceasefire between the Yemeni government and Al-Houthi rebels, the UNHCR was able to assist 22,000 of them. The rest of the 199,000 were not able to meet their basic needs. The UNHCR found difficulty in identifying IDPs in remote areas that needed assistance and protection. The 22,000 identified were provided with shelter and counseling.

In order to improve their identification process, the UNHCR in conjunction with its cluster partners initiated an IDP profiling exercise that investigated: intentions regarding return, proportion of spontaneous returnees and situation and needs of IDPs living outside camps.

Further Research

Special Rapporteur on the Human Rights of Internally Displaced Persons:
<http://www.ohchr.org/EN/Issues/IDPersons/Pages/IDPersonsIndex.aspx/>

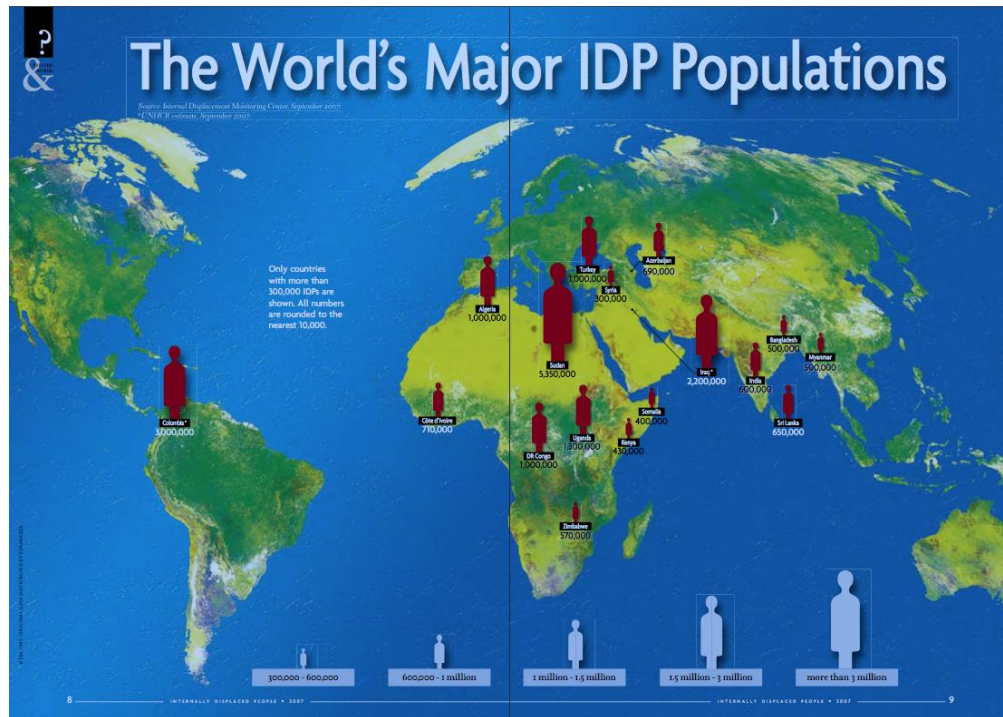
UNHCR – The UN Refugee Agency:
<http://www.unhcr.org/>

Internally Displaced Monitoring Center (IDMC):
<http://www.internal-displacement.org/>

ICRC – Refugees and IDPs:
<http://www.icrc.org/eng/war-and-law/protected-persons/refugees-displaced-persons/index.jsp/>

⁷ UNHCR Global Report 2010.
<http://www.unhcr.org/4d4dbf380.html>

Figures



Topic Two: The Rights of People with Disabilities

Introduction

The issue of the rights the HRC should grant for people with disabilities is very controversial, and has been around forever. It is a rather important issue that involves every community and society worldwide. Often, we cannot find direct answers and solutions to such problems because we are dealing with issues that integrate ethics and social issues into them, and that always results in different perspectives.

The main controversy is determining what is considered fair when dealing with people with disabilities in terms of their rights and responsibilities. On the one hand, we could think that it is very unfair to give disabled people special treatment, for this means we are reinforcing their disability and constantly reminding them that they are different and we are not treating them as equals. On the other hand, we think that it is rather unfair to grant them the same rights as non-disabled people because then we might be putting their security and well-being at stake since they might not be able to fully protect themselves.

The Problem

Latest UN statistics estimate that individuals with disabilities form about 10% of the population worldwide (that is about 650 million individuals!) The majority of disabled persons live in

developing countries. Unfortunately, 90% of disabled children do not get proper education or even go to school, 30% of disabled youth live on the streets, and people with disabilities are more prone to abuse, yet get less legal intervention and protection. When one discusses the rights of disabled individual, they must keep in mind these facts and work to maximize opportunities, and minimize the difficulties disabled individuals are facing.⁸

In the HRC we will discuss this issue in great depth, and write resolutions that define the rights of people with disabilities and clearly states the rights they should be granted, and the responsibilities if any, that they have towards their communities.

Some Important Definitions

A Disability

A *disability* is a “disadvantage or deficiency, especially a physical or mental impairment that interferes with or prevents normal achievement in a particular area”.⁹ And therefore a *disabled person* is an individual who has a disadvantage or deficiency in a mental or physical sense and that prevents some sort of normal action/thought.

Human Rights

Human rights “are freedoms established by custom or international agreement that impose standards of conduct on all nations”¹⁰ Human rights include rights of

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<http://www.un.org/en/globalissues/disabilities/index.shtml>

⁹ <http://www.thefreedictionary.com/disability>

¹⁰ <http://legal-dictionary.thefreedictionary.com/Human+Rights>

employment, education, healthcare, and so on. An abbreviated list of the Universal Declaration of Human Rights could be found here:

http://www1.umn.edu/humanrts/edumat/hreduseries/hereandnow/Part-5/8_udhr-abbr.htm.

Discrimination of Persons with Disabilities

Discrimination on the basis of disability “means any distinction, exclusion or restriction on the basis of disability which has the purpose or effect of impairing or nullifying the recognition, enjoyment or exercise, on an equal basis with others, of all human rights and fundamental freedoms in the political, economic, social, cultural, civil or any other field. It includes all forms of discrimination, including denial of reasonable accommodation”¹¹

What Has the UN Done Regarding this Issue?

The main action the United Nations took in favor of clearly defining and setting the rights of people with disabilities was the Convention on the Rights of Persons with Disabilities¹². The convention and its

protocol were adopted in 2006 in the UN Headquarters (New York). There were 82 countries who signed the convention, with 44 signatures to the Optional Protocol in 2007 (when the convention was open for signatures), and finally the convention was finalized and taken applied in May 2008.¹³

A summary of the convention can be found here:

<http://www.un.org/disabilities/convention/convention.shtml>

And the detailed clauses of the convention can also be found here:

<http://www.un.org/disabilities/convention/conventionfull.shtml>

Every country that signed the protocol commits to the rights and laws recognized by the convention and must apply them in their societies. The convention focuses on giving individuals with disabilities the same rights as others, and treating them as equals. The convention also ensures that children, men and women are all treated equally even if they are disabled (so no rights are given to one category but not the other).

It is important to ensure that all aspects are covered, and civil, political, social, economic and cultural rights are clearly discussed. The convention article mention and deals with all these aspects of life, and try to clearly define the rights of people with disabilities in each aspect of life. A list of countries which signed the

¹¹<http://www.un.org/disabilities/convention/conventionfull.shtml>

¹² The Convention on the Rights of Persons with Disabilities is an international treaty that identifies the rights of persons with disabilities as well as the obligations on States parties to the Convention to promote, protect and ensure those rights. The Convention also establishes two implementation mechanisms: the Committee on the Rights of Persons with Disabilities, established to monitor implementation, and the Conference of States Parties, established to consider matters regarding implementation.

See:

<http://www.un.org/disabilities/default.asp?navid=24&pid=151#iq1>

¹³<http://www.un.org/disabilities/default.asp?navid=14&pid=150>

convention and/or the protocol can be found here:

<http://www.un.org/disabilities/countries.asp?navid=17&pid=166>

Of course, there are other international treaties, committees, and official documents that deal with this issue, many of which were released earlier such as:

- 1981: The World Programme of Action concerning Disabled Persons.
- 1991: The Principles for the Protection of Persons with Mental Illness and the Improvement of Mental Health Care.
- 1993: The Standard Rules on the Equalization of Opportunities for Persons with Disabilities.
- 1995: The Declaration on the Rights of Disabled Persons.
- 2006-2008: Convention on the Rights of Persons with Disabilities. (Mentioned above)

The Role of HRC Delegates

Research your country's views and position on this topic. This entails finding out on what agreements and resolutions they signed, what the government is doing in regard to disabled individuals, and what is needed to fulfill the rights of the disabled in your country.

You must know which countries agree with your position and views and will be willing to collaborate and work with you (know who your allies and enemies are) because you will collaborate with other

countries as you write a resolution together.

Question to Think about

Does the deceleration of human rights exclude people with disabilities, and should they be an exception? Should individuals with disabilities have the exact same rights as those in the deceleration of human rights and should that include special treatment? Why or why not?

Is it ethical to deprive people with disabilities from certain rights that others benefit from due to their certain disability? Conversely, is it unethical to treat them the same and disregard their disability?

Should the capability of one to fulfill their responsibilities in the community be linked to the rights they are granted, or could we oversee capabilities of those with a disability and grant them the rights in the Deceleration of Human Rights?

Are the clauses in the latest Convention (2006-2008) sufficient in defining and giving people with disabilities their full rights? If yes, why so, and if not, how can we fix this?

Further Research

Main UN Page:

<http://www.un.org/disabilities/>

Summary of Convention:

<http://www.un.org/disabilities/convention/convention.shtml>

Detailed Convention:

<http://www.un.org/disabilities/convention/conventionfull.shtml>

List of Signatories:

<http://www.un.org/disabilities/countries.asp?navid=17&pid=166>

World Health Organization Report on Disability:

http://whqlibdoc.who.int/publications/2011/9789240685215_eng.pdf

Appendix A

General Research

CIA World Fact-book for facts about your country:

<https://www.cia.gov/library/publications/the-world-factbook/>

UN Cyber School Bus for General Info about country, topic, and UN committees:

<https://www.un.org/Pubs/CyberSchoolBus/>

UN Document Centre:

<http://www.un.org/en/documents/index.shtml>

UN Global Issues Site:

<http://www.un.org/en/globalissues/>

UN Human Rights Council:

<http://www.un.org/en/rights/>

The Universal Declaration of Human Rights:

<http://www.un.org/en/documents/udhr/index.shtml>

Committee Expectations

Please be well prepared and have your research ready when you come to MITMUNC. Definitely read the background guide! However, the guide on its own is not sufficient, so make sure you widen your scope of research and really understand your country's positions. Think outside the box. Do not follow the already written resolutions and solutions, but rather evaluate and critique current available solution. See what should be

kept, what should be avoided and what should be edited and fixed.

We expect you to send in position papers on time. This will help us help you. We will know what to expect and how to organize the committee sessions, and it will also assure us that you are all on the right track in terms of research. We are going to read every single position paper and evaluate it, so it will be really appreciated if you send them on time.

Finally, the most important expectation is that we expect you all to have a wonderful time at MITMUNC. Enjoy every second of it.