

The Doon School Model United Nations
Conference 2019

Background Guide

United Nations Human Rights Council





DSMUN '19

Secretary General

Vikram Jain

President

Nandil B. Sarma

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chair.hrc@doonschool.comwww.dsmun.in**Secretary General's Address**

Dear delegates,

As the Secretary General, It is my honour and privilege to welcome you all to the 13th Doon School Model United Nations Conference. DSMUN has been growing exponentially and actively augmenting the level and intensity of crises, debate and co-operation with each passing year. It is a legacy that we hope to continue and reinforce with this year's conference.

In an ever volatile, dynamic and adaptive international status-quo, it becomes increasingly vital for us as students- and thereby potential actors in the same system of compromise- to deliberate, discuss and formulate the groundwork of bi-lateral and multi-lateral ties that are to be established in the future.

With firm precedence, it would not be wrong to say that delegates, having attended this conference in the past, have developed a deeper and a more empirical understanding of diplomacy, compromise and conflict. While the Viceroy's Executive Council strives to ensure the peaceful transfer of power from the British to the Indian Union in 1946, the NATO contemplates the feasibility of occupying Antarctica. From condemning theocracies to enforcing climate laws, DSMUN will be an invigorating amalgamation of resolving and debating dissidence, dispute and disparity.

Besides whiling away my time watching typical Netflix Rom-coms, I find myself engrossed in reading about the framework and history of international and national politics. I am in- charge of the historical and political society and the editor of various publications in school. Having participated in various MUNs in India and abroad, I have had the opportunity to serve DSMUN in various capacities, and subsequently feel privileged to be given the opportunity to be at the organisational apex of the conference this year.

I eagerly await your presence at Chandbagh.

Warm regards,

Vikram Jain



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President's Address

Greetings!

As the President of the Doon School Model United Nations Society, it gives me immense pleasure to invite you to the 13th Session of the Doon School Model United Nations Conference. Being at the pinnacle of a conference that finds itself amidst the top ranks in the country, both in terms of global outreach and quality, has been an absolute honour. However, we at Doon constantly strive to outdo ourselves and promise that this edition of DSMUN will outdo all of its predecessors be it in terms of organizational skill, quality of debate or participation not just from the South Asian region but from around the world. It is with this vision in mind that I extend my heartiest welcome to each one of you to this year's conference.

The scope of this year's DSMUN will not remain confined to conventional committees. Keeping this in mind, we have expanded DSMUN's committee choices incorporating some bold and new ideas. With the introduction of highly challenging committees such as Lincoln's War Cabinet (1864), Viceroy's Executive Council (1946), Union Council of Ministers (1984) and the Rajya Sabha, we aim to pull off a conference not limited to one's imagination. This year's committees are aimed at developing informative deliberations and solutions to issues: both of global and national significance. Discussions pertaining to context of historical events allows one to explore the multitude of possibilities and find answers to the fundamental question of 'what if'. Having said so, the essential Model UN committees still remain intact providing an interesting challenge in terms of debate, wit and diplomacy to one and all.

As for myself, I am currently surviving the ISC curriculum and hold a keen interest in Politics and History. I deeply enjoy playing sports be it athletics or football. If not on the sports field, you can probably catch me commenting on Tottenham Hotspurs bleak chances of clinching a trophy. I also serve as the School Captain of the Doon School and the Editor-in-Chief of the Yearbook, one of the school's flagship publications.

Looking forward to seeing you all in August.

Warm Regards,

Nandil B. Sarma

Introduction to the committee

The United Nations' Human Rights Council (UNHRC) is a subsidiary organ of the United Nations (UN) established by the General Assembly on 15th March, 2006. Its main aim is to investigate violations of human rights in UN member states and addresses important thematic human rights issues. It was established to replace the UN Commission of Human Rights which was criticized for allowing poor human rights countries to be members. As of 2019, it consists of 47 member-states serving 3-year terms. A country is not eligible for re-election for a third year in a row. Currently 114 of all the UN member states have served as HRC member states since its establishment in 2006. It holds three meetings per year, in March, June, and in September. It can also hold a special meeting on the request of one third of the members. It has dealt with several specific issues dealing with human rights issues such as the Rohingya Crisis, the Israel-Palestine Conflict among others. It had six generals from Myanmar prosecuted because of their involvement in the genocide of the Rohingya Muslims which is an example of the state of human rights in some parts of the world.

A large, light blue watermark of the United Nations Human Rights Council logo is centered on the page. It features a stylized globe with a grid pattern, flanked by olive branches, and a pedestal with five vertical lines. Below the pedestal, the text 'DSMUN '19' is written in a large, light blue serif font.

DSMUN '19

Agenda 1

Reviewing the Sharia Law, Especially the Recent Introduction of
Maiming and Stoning as Punitive Measures in Brunei.

What is the Sharia Law?

The Sharia Law is a religious law based on the teaching in the Quran and the Hadith. It is a strong part of Islamic tradition and is followed by most devout Muslims. There are many laws regarding how to live one's life and how to rigorously follow the Sharia Law, but the actions can be broadly divided into five categories: mandatory, recommended, neutral, abhorred, and prohibited. A Muslim must follow all the laws stated in the Sharia and if they fail to do so they can be punished mercilessly through the means of corporal punishment, which is in a gist what Brunei has introduced in its constitution. However, the Sharia Law is a manifestation of religion and whoever wishes to follow it has the right to do so without being prohibited, but the way the law is applied in modern times is a matter of strong debate between Islamic Conservatives and Modernists.

Of late, Muslim majority countries are beginning to create penal codes based heavily on the Sharia Law. The problem with this is that this applies to everyone regardless of their religion or choice. While the inhumanity of some other laws is clearly evident, what is also troublesome is the lack of choice given to people about their religion and the way one is considered Muslim due to their parentage. It is taken to be God's immutable divine law and is contradicted by *fiqh* which is the human scholarly interpretation of the Quran. The Sharia

Law comes from four sources: the Quran, *sunnah*, *ijma*, and *qiyas*. For one to be prosecuted under Sharia Law there have to be witnessed by a very "pure" Muslim man which makes it difficult for accused people to be prosecuted. In the case of Brunei, Hassanal Bolkiah, the Sultan of Brunei, has argued that the law is more about prevention than reaction. The Sharia Law includes guidelines on how one should live one's life, and some of it reads like a law with clear punishments stated for committing crimes as simple as not dressing up as what is considered proper.

Introduction to and History of Brunei's New Laws

Sultan Hassanal Bolkiah became the Sultan of Brunei on 5th October, 1967, after the abdication of his father, and is the 29th Sultan, or the Yang di-Pertuan, and the first Prime Minister of the country being the only reigning monarch since the country's independence in 1984.

He first published the Sharia Syariah Penal Code Order in October 2013 and said it would be implemented in three phases. The first phase would begin punishing acts with fining or imprisonment whichever was appropriate based on the offence, and the second and third would introduce the more brutal punishments of whipping, stoning and maiming, which was met with vehement and widespread dissent—further leading to the delay of the introduction of the last

two phases. Despite the fulmination, the Brunei government issued a notice on 29th December, 2018 that the law would be enacted from 3rd April, 2019.

The law entails that acts of extramarital sex, anal sex and abortion will be punished by death by stoning; thievery will be punished by amputation of limbs; and lesbian sex will be punished by 40 lashes of a whip. There have been many expressions over the severity and inhumanity for actions that are no longer considered crimes by the rest of the world. Members of the Human Rights Watch have said that these laws should be immediately suspended. However Sultan Hassanal Bolkiah has argued that the law was created to “respect and protect the legitimate rights of all individuals.” The Brunei Government has released various statements through its foreign affairs office defending its new laws and saying how they are being misunderstood by the rest of the world including the UN. They argue that this was a necessary step and was required to help the Muslim community, which Bolkiah has implied is becoming impure due to western influences. This was his main reason for introducing these laws. He wanted to protect his religion from those influences and do everything in his power to defend the ‘purity’ of his religion.

When the current law wasn't existent, religious laws comprised most of the judicial system, with the high priest being

the judge, jury and the executioner. When current statutes were put in place, based on European models, there was a decline in the use of the Sharia Law. It was excluded from the laws and Penal Codes, but now with Brunei spearheading the movement, there may be an adoption of Sharia law back into the Penal codes of some Muslim-majority countries, such as Malaysia and Indonesia as discussed before. However, as mentioned before the Sharia is still religion and many people follow it devoutly and live life in accordance with it and while it may be extreme, it should be approached as any other religion and should not be disrespected in any way, for any reason.

The Application of the Law

According to the Quran, the Sharia Law is only applicable to Muslims as they are the ones who must follow the rules set for them, but in the Penal Code of the country both Muslims and non-Muslim people are punishable for the offences they commit. *Liwat* or sodomy is punishable to both Muslims and non-Muslims, however *lina* and *musabaqah* meaning extramarital sex and same sex relations respectively, are applied to a non-Muslim only if the other accused is a Muslim. This law broadens to include children who who have reached puberty, thus adding to the inhumanity of the law. Even children who have not yet reached puberty are not forgiven of these crimes and may be subject to whipping as punishment for crimes if convicted.

People who *khalwat* (the act of living together in close proximity) are also sentenced imprisonment of upto one year and a fine of \$4000. A non-Muslim can only be convicted if the other accused is Muslim. In addition to these crimes, disrespect to the month of Ramadan is also punishable by the same punishment as that of *khalwat*. A person who sells food during the fasting hours is equally guilty as the consumer. These punishments have to be proved through confession of the accused or a witness of the crime. There are a few laws that have not been implemented on 3rd April such as Article 94 deeming a woman who has given birth out of wedlock to be guilty.

Rise of Conservative Islam

Neighboring countries of Brunei have responded to the new laws in silence, which breeds the question of them supporting Sultan Hassanal Bolkiah's decision and stance and if they might follow suit to "protect" Islam due to the Muslim majority in the countries. Malaysia and Indonesia have been trying out Laws in accordance to the Sharia Law, but have not implemented something as harsh as stoning and maiming. In fact, statements have been released by politicians of Malaysia and Indonesia praising and supporting Bolkiah's decision by complimenting his "bravery". Mohd Khairuddin Aman Razali, a member of the Malaysian Islamic Party, has said, "upholding the Sharia is an obligation in ensuring Allah's

rights to maintain peace for humans." This support hints at a rise of Conservative Islam, which, if strengthened through these barbaric and inhuman laws, will add to the deterioration of human rights in the world.

The effects of this law are also one of the major problems and might lead to a regressive mindset in the people and, eventually, mass homophobia, which is no longer the norm in the world with its decriminalization in many countries across the world. The journey to get where the world is right now with its acceptance of the LGBTQIA was not an easy one and this is the first step backward to the time where there wasn't. This is one of the predicted consequences of this rule and also the primary concern of most Western countries.

How the Law Affects

International Human Rights

Brunei's new Sharia Penal Code punishes acts such as adultery, abortion, same-sex relations without any proper trial, and only on the word of witnesses. These acts are done through one's own free will and no one has any right to interfere in these decisions under any circumstances. However, the government is not only fining such these, but is punishing these by amputation and death in brutal ways. These punishments are showcased in the public and people gather around to

witnessed the accused being whipped or executed. These punishments are taking away the free will of the people and is going against the general trend of the rest of the world. At a time when countries are lifting laws criminalising homosexuality, Brunei has intensified the severity of its punishments. In addition to this, the law targets not only homosexuals, but also women.

Women are not allowed to leave marriages and are criminalized if they leave the protection of their parents or guardians. They are criminalized if they have a child out of wedlock, but this law did not take immediate effect on April 3rd. This institutionalizes discrimination against the LGBTQIA community and against women in an explicit and punitive manner. Along with these laws, the Penal Code also criminalizes acts such as distributing, publishing or broadcasting of material that is against Islamic belief. This extremism takes away the right to freedom of expression of the people: an integral fundamental right. It also violates private rights as people can be prosecuted for wearing 'inappropriate' or indecent clothes, which is simply another example of the extremism displayed by the government and speaks volumes of the sectarianism of the laws. Even though the law is enforcing practices of the Muslim religion, it is doing so in a very harsh and outright inhuman way. Religious freedom is also something that should be given to every human being and the fact that the

government is enforcing these apparently Muslim oriented laws on most of its citizens on the basis of their birth is a violation of this right as well. It affects the people of the nation in such a way that one is ready to renounce one's religion and, at the same time, is bereft of one's basic human rights.

What makes this decision of Bolkiah evermore inhumane is that this law applies to not only adults, but to children who have reached puberty and are "old enough to know the difference between right and wrong". This decision regarding punishing children as well, restricts their life to what is "the right way to live" according to the Quran. This narrows down their choices and forces them to live by the established guidelines on how to live their life. This law has severely affected everyone in the society, from children and women, to homosexuals.

Sharia Law in other countries

In most Muslim-Majority countries there are three types of constitutional systems that involve the Sharia Law: Mixed, Secular and Classic Sharia.

- Countries like Saudi Arabia and other Gulf States follow the Classic Sharia System. In this system the national law is equivalent of the Sharia Law. It forms the maximum substance of the national law. These states have a ruler who acts as the

highest judiciary and can modify and promulgate laws in most legal domains.

- In a secular system the Sharia Law has absolutely no role and it is not permitted to interfere in any legal or national affairs. Turkey is an example of such a country along with states in West Africa and Central Asia. All of them are Muslim-Majority, but do not incorporate the Sharia Law into their Penal Code.
- The third type is the most common form of Sharia Law in Legal Systems. In a Mixed system countries have a constitution and rule of law, while allowing Islamic law to influence certain areas of the national law. Pakistan, Nigeria and Egypt and Malaysia follow this type of legal systems.

In all of these examples, except the Secular system, there are family laws based on the Sharia law. It is applied in cases like marriage, inheritance and so forth. Other than family and legal systems, criminal law also has aspects of the Sharia Law. Countries like Saudi Arabia have never had a criminal law and judges follow the traditional Hanbali jurisprudence, one of the Sunni Islamic schools of thought on legal systems. It was founded by Ahmad ibn Hanbal. Brunei also follows Sharia Law in its criminal law and bases punishments for

various crimes based on religion as we already know.

The UN's Response

The UN has responded by condemning the country's new laws, saying that they are "inhuman and cruel". The UN has joined a number of celebrities and influential figures in condemning and censuring the new laws set forth by the Sultan. Eminent figures like George Clooney and Elton John have set out a boycott of all Brunei owned luxury hotels and chains including The Dorchester, a London based 5-star hotel owned by the Brunei Investment Agency (BIA).

The UN High Commissioner of Human Rights, Michelle Bachelet, has said, "I appeal to the government to stop the entry into force of this draconian new penal code, which would mark a serious setback for human rights protections for the people of Brunei if implemented." She has also urged the Brunei government to uphold its tradition of not applying the death penalty laws. Its last execution was in 1957. She has further added that any religion-based legislation should not violate human rights whether it is of the majority religion or not.

The UN spokesman Stephane Dujarric has said, "So long as people face criminalisation, bias and violence based on their sexual orientation, gender identity or sex characteristics, we must redouble our efforts to end these

violations.” Many members of the UN have spoken out against the violations of these rights. Despite these expressions Brunei has defended its stance in implementing these laws. The UN was able to delay its implementation in 2013 when they were outraged by its proposition, but was powerless when the government implemented the law silently on April 3rd. It currently puts pressure on the government to retract the laws and backs George Clooney’s boycott of Brunei owned services and infrastructure. The BIA has taken a hit in profits which is giving hope to the UN and the protestants that their strategy might come to fruition, but it will not take effect anytime soon. The UN needs to think of different ways of getting Brunei to retract the new Penal Code.

Possible Alternatives

In order for these current laws to be abolished, the Brunei government will have to think of alternatives that will serve the same purpose but will not be so harsh in nature. A possible substitute is to reduce the punishment for the crimes committed from severe ones like maiming and death to more reasonable ones. To begin with, the law should only apply to the Muslim population, for Sharia Law is framed for them. Moreover, to conform with modern international laws the country should not take such extreme and harsh actions like the ones it is and should allay the punishment given to the people. Even

though the only reason that the new Penal Code was introduced was to protect the Islamic religion and Bolkiah will not change the laws easily, continued pressure will result in some change on the Penal Code and Bolkiah will have to take action to protect Brunei from the international boycott it is currently on.

What a Resolution must Contain

Due to the religious sensitivity of the entire situation, delegates are expected to be well-versed with Sharia Law and its implications, and also respect the fact that this is a widely followed way of life. Delegates are expected to propose alternatives to the current Penal Code, which serve the same purpose, but are well structured and do not deviate from the country’s aim. The resolution should entail how the delegate will enforce the alternative laws as well. It should be explained clearly and properly in the resolution and should not be potentially disruptive to the country's society or give rise to the possibility of causing any rifts among the people. The resolution should be economically and socially feasible, and contain easily sustainable solutions to the issue at hand. The resolution must not be negatively inclined towards countries who are accepting the new laws with a supportive stance.

Delegates must arrive to the final resolution after through creative and purely original ideas that conform to the foreign policies and propose a solution

that upholds the supremacy of human rights and takes into account people of all nationalities and cultures. Constructive arguments and reasoning are of prime importance in supporting the solutions and policies proposed by the delegates of various countries.

We hope that through this MUN one learns as much as we ourselves have, in the organization of the committee. It now only remains for us to wish you all the very best for your three days here at Chandbagh!

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DSMUN '19

Agenda 2

Ensuring Inclusive Education in Mainstream Schools for ‘Specially-abled’ Children in Kazakhstan and Russia.

Introduction

People with disabilities that are physical, cognitive or intellectual face discrimination and are hindered by barriers that restrict their stake at equity in society, nearly every day. They are ostracised, rejected and denied their fundamental rights to be included in the general school system, to live independently in the community, to be employed, to move freely, to vote, to participate in sport and cultural activities, to enjoy social protection, to access justice, to choose medical treatment, and to enter freely into legal commitments such as buying and selling property. A disproportionate number of people with disabilities live in developing countries, often marginalised, and are in extreme poverty due to the prejudice they encounter every day from peers and fellow citizens. The aims of the UNHRC are to ensure that a certain level of protection is guaranteed in all human rights treaties, and grounded in the Universal Declaration of Human Rights. These rights should be freely available to all, regardless of physical and intellectual ability in order to promote and preserve an inclusive growing environment for all people. People with disabilities have, however, remained largely 'invisible', often side-lined or neglected in the rights debate and are unable to enjoy the full range of human rights in order to achieve a truly inclusive, non-discriminative

environment as intended in the human rights treaties.

In recent years, a revolutionary change in approach has been observed, globally, to minimise the protection gap and ensure that people with disabilities are able to enjoy the same standards of equality, rights and dignity as every other citizen. The Convention on the Rights of Persons with Disabilities (CRPD), which was adopted in 2006 and later entered into force in 2008, signaled a massive 'paradigm shift' from the conventional charity-oriented, medical-based approaches to disability on to one based on providing basic human rights with the intention to bridge the gap between specially abled people and the rest of the world, as well as attempt to demolish social constructs regarding people with disabilities; the root of such discriminative environments. The CRPD is essential for both, outlining the rights of persons with disabilities and for changing perceptions of disability and the differently abled in society. The UN Office of the High Commissioner for Human Rights describes a human rights-based approach to disabilities as:

"A rights-based approach seeks ways to respect, support and celebrate human diversity by creating the conditions that allow meaningful participation by a wide range of persons,

including persons with disabilities. Protecting and promoting their rights is not only about providing disability-related services. It is about adopting measures to change attitudes and behaviours that stigmatise and marginalise persons with disabilities. It is also about putting in place the policies, laws and programs that remove barriers and guarantee the exercise of civil, cultural, economic, political and social rights by persons with disabilities. Persons with disabilities face wide-ranging human rights abuses including institutionalisation, isolation, stigma and discrimination, and lack of access to health, education and employment opportunities. The CRPD sets out a wide range of rights that address all aspects of life, such as respect for home and the family, education, employment, health, participation in political and public life, participation in cultural life, recreation, leisure and sport, the right to life, freedom from torture or cruel, inhuman or degrading treatment or punishment and the right to equal protection and equal benefit of the law. The CRPD seeks to “ensure the full and equal enjoyment of all human rights and fundamental freedoms by all persons with disabilities and to promote respect for their inherent dignity.

Specially abled people are forced to grow up in secluded environments, where they are regularly treated as ‘inferior’. This can be seen in many scenarios, such as receiving inadequate care, being given unequal opportunities in forums like the workplace, and being unable to achieve a decent standard of living. A human rights-based outlook to this pressing issue, thus, is imperative.

Other examples of discrimination against the differently abled are when they are treated as burdens by teachers, rather than people who require special attention; instead of acting rationally with these specially abled students, teachers and educators are likely to get irritable and often lose their patience. Such an aggressive response, in turn, affects these children later in life. At a much larger scale, certain nations transfer the differently-abled to adult institutions without properly caring for them and respecting their disabilities.

It is the consolidated responsibility of governments, the community and differently abled persons themselves for accomplishing these aims of an inclusive environment for people with disabilities. In this context, there is no doubt that one of the most notable features of the decade has been the leading role played by non-governmental organisations (NGOs) some of which are headed by differently abled people themselves, and the acknowledgement of their social status as experts in their own affairs fighting social constructs. At the social level, there has also been an extremely positive development as increasing importance is attached to the integration of disabled persons in the community. This has been suitably reflected in the conceptual metamorphosis of rehabilitation, by reducing their strictly medical approaches and rightfully incorporating the social dimension of a

human rights approach, previously lacking. Nevertheless, more than a few governments, on the broad pretext of “economic crisis”, have sent replies that often present a picture of a “hands off” State, which believes itself exempt from any social function as a result of the prevailing economic situation.

Adverse Effects and Socio-economic Outcomes

Disability and poverty have had a direct relationship for a long time in the world economy. The treatment of people with disabilities in a nation and their economic conditions get worse as we go further down the national development ladder. It is often assumed that specially abled persons are treated better, with the appropriate medical attention in a safe environment in developed countries. In reality, they face major issues in developing countries regarding employment and education. The truth is that the relationship between disability and unemployment and, eventually, economic instability is prominent in developed nations too. In developed countries, people with disabilities experience worse educational and labour market outcomes and are more likely to face impoverishment than persons without disabilities. A 2009 OECD study covering 21 upper-middle and high-income countries explicitly shows higher poverty rates among working-age people with disabilities than among working-age

people without disability in all but three countries (Norway, Slovakia, and Sweden, which are known to be leading the economic development index and have the best living conditions in the world). The relative poverty risk (poverty rate of working-age disabled relative to that of working-age non-disabled people) was shown to be the highest – more than two times higher – in Australia, Ireland, and the Republic of Korea, and the lowest – only slightly higher than it is for non-disabled people – in Iceland, Mexico, and the Netherlands. Working age people with disabilities were found to be twice as likely to be unemployed. When employed, they are more likely to work part-time. Unless they were highly educated and have a job, their incomes were likely to be minimum wage in most cases.

Various studies have attempted to estimate poverty rates among households with specially abled people taking into account the extra cost of living with disabilities. A study conducted in the U.K. found that the poverty rate among households with disabled people, depending on the assumptions used, was nearly double or higher after equalising for disability. Fortunately, quantitative research on the socioeconomic status of persons with disabilities in developing countries, while small, has grown exponentially. As with developed countries, descriptive data suggest that persons with disabilities are at a

disadvantage in succeeding in school, or gaining employment. Very few studies have looked at the prevalence of disability among the poor, or across the distribution of a particular welfare indicator (income, consumption, assets), or across education status thus proving that even the studies that show drastic discriminative impacts on the economy, are only a fraction of the whole picture. A study of 20 countries found that children in the poorest strata of households in most countries are at greater risk of disability than the others due to their poor living conditions.

An inclusive school comprises a safe, acceptive, and non-discriminative environment which welcomes students from all backgrounds, ethnicities, gender, and abilities.

“The World Health Organisation and the World Bank estimate that one billion people experience some form of disability. Of those, it is estimated that 93 to 150 million are children. According to Plan International specially abled children are less likely to go to school than other children, and when they do attend school it is likely to be in a segregated setting or in a special institution. The Global Partnership for Education estimates that 90% of children with disabilities in low and lower-middle income countries do not go to school. In 2016, the UN reported that less than half of the world’s six million refugee children were in school whilst in a report on the

education of Syrian refugee children, Human Rights Watch (HRW) identified that refugee children with disabilities faced ongoing barriers to school enrolment.”

Kids with inabilities have been barred from the general educational framework and are enrolled in 'special schools'. Time and again, they are isolated from their families and enrolled in long-term private establishments where they are educated with isolation from the community, on the off chance that they are actually educated at all. The two practices continue in numerous districts, for instance, Eastern Europe has the most noteworthy number of organised youngsters on the planet and specially abled children are increasingly facing barriers to gain secondary education than other kids (UNICEF, 2012). A few of the many barriers face by students with disabilities in conventional educational institutions include:

- lack of accessibility, both in terms of physically inaccessible school buildings and unsuitable learning materials.
- discrimination and prejudice which prevents people with disabilities from accessing education on equal terms to others.
- exclusion or segregation from mainstream school settings (also referred to as ‘regular schools’).

- inferior quality of education, including in mainstream settings where children with disabilities have been 'integrated' into the existing non-inclusive system.

Human rights initiatives looks to directly handle these issues by putting commitments on states to regard, ensure, and satisfy the privilege to education of individuals with disabilities, through the execution of 'inclusive education'.

An unbalanced number of children who are put in foundations have disabilities. Many are held in harsh conditions, isolated from their families and their networks, neglected and denied education. HRW has archived an overrepresentation of specially abled youngsters in institutions in India, Japan, Serbia, and Russia. In spite of the fact that the Russian government has propelled a program to move far from the abuse of institutionalisation of the specially abled, HRW has archived that numerous specially abled children wound up in orphanages since healthcare workers constrained their parents to give them up. Such issues are identified as an absence of access to important human services, an absence of satisfactory nourishment and consideration, inadequate opportunities for play and low dimensions of formal education; mostly due to poor training of hospital staff and understaffing. In Croatia, Ghana, Greece, India, Indonesia, and Japan, HRW has observed similar abusive practices

involving specially abled children and adults.

"Nearly 30 percent of all children with disabilities in Russia live in state orphanages where they may face violence and neglect. Russia should stop abuse of children with disabilities in state care, and make it a priority to provide support for children with disabilities to live with their families or in other family settings, rather than in institutions."

—A report from Moscow

"The Russian government should establish a zero-tolerance policy for violence against children in institutions and immediately strengthen programs to keep children in their families."

—HRW

Children and children's rights activists revealed that in shelters kids were regularly denied access to required health care services, satisfactory nourishment, consideration, and opportunities for play, and that numerous kids get practically zero formal education. The children barely had any significant opportunities to search for help or report abuse. Institutional consideration for children is regularly characterised by physical, mental, and sexual violence by staff and other kids. Viciousness that children may experience in institutions has a long term effect and can prompt serious developmental deferrals, further deterioration, irreversible psychological harm, and increased rates of suicide and crime. Likewise, institutionalisation

results in isolation of specially abled children from their families and networks – in some cases for their whole lives.

The Situation in Kazakhstan

At the same time, **Kazakhstan** has quite a few challenging problems involving compliance with all the provisions of the Convention on the Rights of the Child for social, economic and environmental reasons. Some cases on record include issues like decline in accessibility of medical assistance, inadequate sanitary competence of the population, parents' increased inattention to their own health and to that of their children, a rise in general child and adolescent morbidity rates, and the suchlike. Against the background of dropping fertility rates, there is a growing number of sick or weak children born each year, something that affects their condition in the first years of their life and eventually hampers their growth. In 80% of children, disability is caused by epilepsy, as well as the congenital and hereditary pathology of the nervous system due to Down's syndrome, microcephaly, and infantile cerebral palsy. In all kinds of institutions, you will never come across a child or adult with disabilities. Visually impaired, hearing impaired or deaf children, children dealing with autism, cerebral palsy or Down's syndrome - these are all outside the comprehension of the Kazakh society. Thus, specially abled persons attend special boarding schools and employment opportunities are

limited to a range dictated by the state, for example: shoemaking, key cutting, and minor repairs, provided that they are lucky enough in the first place.

In the interim, Kazakhstan's administration is endeavouring to bring 'inclusive education' into its standard secondary schools, in spite of the fact that its endeavours feel increasingly like shallow promises, for there is no concrete plan for their implementation. Also, the remote term "inclusive" has just recently made its way into the Kazakh vocabulary.

The administration's educational development plan for 2011– 2020 incorporates a stipulation for 70% of schools to become 'inclusive' by 2020. In any case, neither the school structures, nor the teaching staff themselves are prepared for the change. Neither the experienced teachers whose careers debuted under the Soviet Union, nor new alumni of academic colleges are adequately equipped to adopt the new methodology. Schools have so far no specially trained mentors for students with learning concerns, and the essential framework for those with a physical impedance (lifts, ramps, specialised desks and other items of furniture, as well as equipment and classrooms themselves) also does not suffice.

Objectives and proposed systems up for implementation in the concerned regions

Of late, the **Kazakh** society has been recognising flaws and impediments in the conventional secondary school system and discussions between parents and the concerned staff and facilitators help to come up with projected developments in the education system. ‘Specialised schools’ were promoted as an alternative as specialised schools offered better facilities than general and inclusive schools.

All respondents stated that school facilities are seldom built to accommodate special-needs students, particularly those who make use of a wheel-chair and hence cannot use the stairs. The coordinator of an inclusive education program provided a poignant example: “One girl with cerebral palsy studied here, her father teaches technology at our school... He came, he carried her from one lesson to another, he himself carried her with the wheelchair, and boys helped him. And imagine if they will be two, three. What to do? The teachers, of course, will not be able. That is, we have no conditions to receive such disabled children.” A teacher at another school stated that major reconstruction would be necessary for full inclusion to take place: “...we do not have ramps. The school was built for healthy children, and before we open the doors of our school to children with disabilities, we need to change many things; it would be better to build a new school, which would be fully equipped

for a relaxing and independent movement of children with disabilities.”

The respondent obviously felt that lacking infrastructure was used to justify the rejection of specially abled students. The absence of responsiveness about the mobility needs of specially abled children appeared to be an impression of general aloofness about their consideration. The space for improvement is visible, yet it is an issue that requires noteworthy financing and backing from the state.

The situation in Russia

The **Russian** government is presently undertaking considerable legal and policy changes with the objective of ensuring access to quality education for all children, incorporating kids with disabilities. For these policies to advance, the progressions ought to change the education methodology by ensuring that children are not rejected from the general education framework based on physical/intellectual impairment and that they can get an inclusive, quality, and free primary and secondary education on an equal level with their peers. It is imperative for the administration to allow each child to thrive, while still taking cognisance of one’s individual necessities.

Inclusive education has been recognised as one of the appropriate methods for governments to ensure nondiscrimination of specially abled persons. Furthermore, inclusive education is essential for full

consideration and investment of individuals in the community, and for countering their separation from society.

Under Russian administrative law, guardians of specially abled children have the alternative of applying to the Russian government for their children to study at home, with visits from local teachers few times each week to review course material. This alternative might be valuable on an impermanent premise when kids are unfit to go to class, for example, amid a time of serious sickness. In any case, activists, children with inabilities, and guardians whom Human Rights Watch revealed that numerous kids with disabilities studied at home since they needed inclusive schools in their communities, or on the grounds that inaccessible housing and transportation made it troublesome or perilous for kids to leave their homes for school every day. Most specially abled children, who learned at home, disclosed to Human Rights Watch that their collaborations with educators were often restricted and characterised by detachment from their companions.

Course of committee

The executive board encourages delegates to work together to protect human rights around the world, as is expected at the UNHRC, especially those of people that lack activism and discourse in their communities, for instance Kazakhstan and Russia. Along those lines, it becomes

important for delegates to also make sure that there is immediacy of action with regard to this issue and the situation is amicably sorted out, with support from majority of the committee in order to deliver effective solutions. Hence, it becomes imperative, for the executive board, to strongly recommend that collaboration and cooperation in committee would be looked upon more favourably than competitiveness and conflict- embodying the mission statement of the UN. In that regard, it is also worth considering that in order to frame policies that benefit the global community at large, it remains important to put aside differences between nations and work towards the universal cause to protect and provide human rights, as stated by the UDHR (**Universal Declaration of Human Rights**). In conclusion, the executive board will be expecting draft resolutions from the various blocs in committee or better yet one that encompasses the views of all members in tandem, considering that this is a simulation of the UNHRC it becomes essential to come up with documentation that has proposals and solutions for the agenda.

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