



Research Report

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Committee: Human Rights Council

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Issue of: Combating the violation of human rights in refugee camps



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Forum: HRC

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Introduction

The combat against human rights violations had been going on for many years, especially for the people living in refugee camps. Over the years, the United Nations have worked to protect many refugees, however, it remains a very complicated and pressing issue. Today the majority of the refugees come from Africa and Asia. About 80% of all refugees are women and children.

The reasons for immigrants to leave their countries have also multiplied. Nowadays, many refugees flee their countries due to extreme poverty and natural and ecological disasters. That results in a new issue, refugees no longer fit the definition contained in the Convention relating to the status of refugees. This refers to victims of persecution, religion, and race.

There is always the issue of finding shelter and a permanent home for all the refugees, this issue is becoming increasingly urgent due to the fact that the amount of refugees is growing at an alarming rate. The situations in many refugee camps are horrible. Due to the growing number of refugees, camps are getting more and more crowded every day. These camps are often very unhygienic, resulting in diseases spreading easily through the camps. Refugees are dependent on free health care provided in the camps. Outside these camps, they usually don't have access to health services. Another issue concerns the crimes in the camps. Even though the security in the camps is provided by the local police, however, they may not take responsibility for the crimes that take place in refugee camps.

Refugee camps are also places where terror attacks, bombings, militia attacks, stabbings and shootings take place. The police can also play a role in attacks on refugees. Refugee camps may sometimes serve as headquarters for the recruitment, support and training of guerrilla organisations engaged in fighting in the refugees' area of origin.

During the process of seeking asylum, a growing number of people are faced with restrictive measures which deny them access to safe territories. In some instances, asylum-seekers and refugees are detained or forcibly returned to areas where their lives, liberty and security are threatened. Asylum-seekers and refugees are also often victims of racist aggression.



Definition of Key Terms

UNHCR

United Nations High Commissioner for Refugees, was established in December 1950 to aid and protect refugees. The commission was founded by the United Nations.

UNWRA

The United Nations Relief and Works Agency for Palestine Refugees in the Near East was established in December 1949. It was founded by the United Nations.

Relief Agencies

Are Non-Governmental organisations that sometimes aid refugees camps and refugees with shelter, medicine, food and clothing. These organisations are usually non-profit and work through donations.

Internal displacement

When refugees are located in a different location in their own country, they are excluded from the present system of refugee protection.

IRO

The International Refugee Organisation was founded by the General Assembly in 1946. The organisation took over the tasks of the United Nations Relief and Rehabilitation Agency (UNRRA).

non-refoulement

Not all of the important rights for refugees are mentioned specifically in the International Bill of Human Rights. A central element of international protection is the right not to be forcibly returned or expelled to a situation which would threaten one's life or freedom. This is the principle of non-refoulement which is embodied in article 33 of the 1951 Convention.

Mass Exoduses

Mass exoduses, in this context, are refugees that travel in huge groups to another country or place, fleeing from their previous destination. In this day and age, a majority of refugees travel in mass exoduses instead of travelling individually.

Regional Instruments

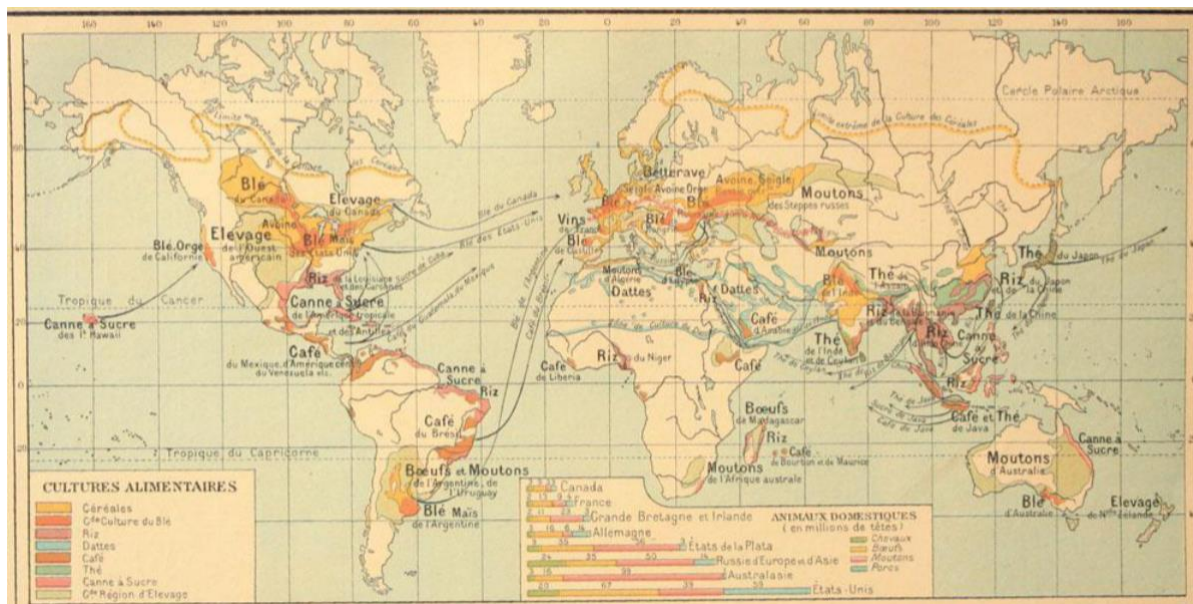
Rules and conventions created concerning refugees in a specific area around the globe. The 'rules' aren't international.

'Host' country

The country that refugees flee to and where they might be seeking asylum in order to permanently stay in the country of their current residence.

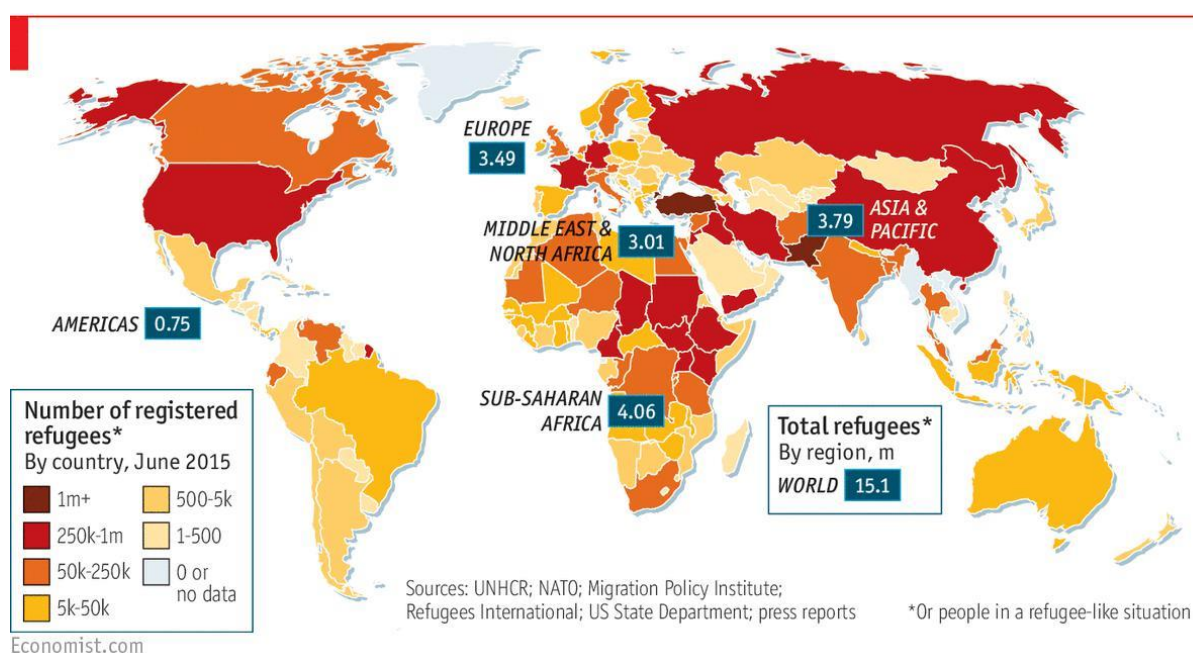
General Overview

Past refugee movements



This map is an accurate picture of the migration situation in 1923. The lack of representation of human flows is essentially due to political factors: representing the main European migration flows would have meant highlighting developed societies in crisis. Thus the spatial structure of economic exchanges between pairs of places of origin and destination was the main subject in the cartography of flows until the 1980s when studies on contemporary international migration developed.

Current refugee movements



Since 2015 the amount of refugees have only grown, there are now about 26 million refugees all over the world. This is a huge increase in only three years. In 2015 there were 15.1 million refugees. Most of the refugees come from the North and East of Africa and Asia.

The history of UNHCR



The office of the United Nations High Commissioner for Refugees (UNHCR) was created in 1950, during the aftermath of the Second World War. It was meant to help millions of Europeans who had fled or lost their homes.

International refugee law

The 1951 Convention relating to the Status of Refugees

The 1951 Convention, which was drafted as a result of a recommendation by the newly established United Nations Commission on Human Rights, was a landmark in setting standards for the treatment of refugees. The Convention, in its article 1, provides a general definition of the term "refugee". The term applies to any person who "as a result of events occurring before 1 January 1951 and 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 his nationality and is unable, or owing to such fear, is unwilling, to avail himself of the protection of that country; or who, not having a nationality and being outside the country of his former habitual residence as a result of such events, is unable or, owing to such fear, is unwilling to return to it".

1967 Protocol relating to the Status of Refugees

The 1951 Convention could only benefit people who had become refugees as a result of events occurring prior to 1 January 1951. However, the years following 1951 showed that refugee movements were not merely the temporary results of the Second World War and its aftermath. So the 1967 Protocol relating to the Status of Refugees was put in place in order to give protection to the people who did not fit the description that was given to the term "refugee" in 1951.



Regional Instruments

Europe

(a) European Agreement on the Abolition of Visas for Refugees 1959);
(b) Resolution 14 (1967) on Asylum to Persons in Danger of Persecution;
(c) European Agreement on Transfer of Responsibility for Refugees (1980);
(d) Recommendation on the Harmonisation of National Procedures Relating to Asylum(1981);
(e) Recommendation on the Protection of Persons Satisfying the criteria in the Geneva Convention who are not Formally Refugees 1984);
(f) Dublin Convention (1990), which lays down criteria for determining which member state is responsible for examining an asylum request when the applicant has filed an application for asylum with one or more member states of the Community.
European Conventions on extradition and social security also contain provisions on refugees.

Africa

The growing number of refugees fleeing wars and internal conflicts in Africa, starting in the late 1950s, led to the adoption of what is generally considered the most comprehensive and significant regional treaty dealing with refugees. The Organisation of African Unity, on 10 September 1969, adopted the OAU Convention governing the specific aspects of refugee problems in Africa. The primary importance of this Convention is its expanded definition of the term refugee. The African states felt that "well-founded fear of persecution" was not sufficiently wide a criterion to cover all the refugee situations in Africa.

The second paragraph of article 1 of the African Convention provides that "the term 'refugee' shall also apply to every person who, owing to external aggression, occupation, foreign domination or events seriously disturbing public order in either part or the whole of his country of origin or nationality, is compelled to leave his place of habitual residence in order to seek refuge in another place outside his country of origin or nationality".

Latin America

Latin America has a long tradition of asylum. The Montevideo Treaty on International Criminal Law, signed in 1889, was the first regional instrument which dealt with asylum. It was followed by the Caracas Convention on Territorial Asylum, signed in 1954, and other instruments on asylum.

In the 1980s, the outbreak of civil strife in Central America resulted in massive exoduses of close to a million persons, posing serious economic and social problems for the countries towards which this massive flow was directed.



In 1984, these "host" countries adopted the Cartagena Declaration on Refugees which laid down the legal foundations for the treatment of Central American refugees, including the principle of non-refoulement, the importance of integrating refugees and undertaking efforts to eradicate the causes of the refugee problem.

The definition of "refugee" in the Declaration is similar to that of the OAU Convention-including, as it does "persons who have fled their country because their lives, safety or freedom have been threatened by generalized violence, foreign aggression, internal conflicts, massive violation of human rights or other circumstances which have seriously disturbed public order" (part III, para. 3).

Rights of refugees

- (a) "No one shall be subject to arbitrary arrest, detention or exile" (Universal Declaration of Human Rights, article 9);
- (b) "Everyone has the right to seek and to enjoy in other countries asylum from persecution." (Universal Declaration of Human Rights, article 14);
- (c) "Everyone has the right to a nationality" (Universal Declaration of Human Rights, article 15);
- (d) "Everyone has the right to freedom of movement and residence within the borders of each State" (Universal Declaration of Human rights, article 13; International Covenant on Civil and Political Rights, article 12).

Major Parties Involved

Turkey

Turkey is the country that has "hosted" the most refugees, which at the moment is 3.7 million refugees. In April 2013, Turkey's first ever asylum law, the Law on Foreigners and International Protection, was endorsed by the Parliament and entered into force on 11 April 2014. The law helps to protect the refugees seeking asylum in Turkey.

Turkey also adopted a Temporary Protection Regulation on 22 October 2014, which sets out the rights and obligations along with procedures for those who are granted temporary protection in Turkey.

Pakistan

Pakistan is the second largest "host" country in the entire world, Pakistan has 1.4 million refugees.

Germany

Germany is the "host"-country for 1.1 million refugees at the moment.



Syria

A majority of all refugees and asylum seekers originate from Syria. Since 2011 6.6 million people have fled the country. This is because of the civil war and violence that has been going on for years. The vast majority of Syrian refugees live in host communities in Turkey, Lebanon, Jordan, Iraq and Egypt. However, living outside of refugee camps does not necessarily mean success or stability for Syrian refugees. Over 60 percent of Syrian refugees live in poverty, while unemployment and uneven access to education and other basic services persist.

Other countries where a majority of the refugees come from are Venezuela and Afghanistan.

Timeline of Key Events

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| August 20 1921 | The League of Nations, forerunner of the United Nations, appoints Norwegian scientist and explorer Dr. Fridtjof Nansen as the first High Commissioner for Refugees |
| 1922 | The High Commissioner introduces the so-called Nansen Passport, the first internationally recognized travel document for refugees which facilitates their repatriation or settlement in another country. |
| December 10 th 1948 | The United Nations General Assembly proclaims the Universal Declaration of Human Rights and urges member states to "cause it to be disseminated, displayed, read and expounded principally in schools and other educational institutions, without distinction based on the political status of countries or territories." |
| January 1 1951 | The General Assembly establishes the United Nations High Commissioner for Refugees after approving its working statute the previous month. The new organization would be humanitarian and non-political. |
| July 28 1951 | The Convention relating to the Status of Refugees is adopted . The Convention will be applied without discrimination to race, religion or country of origin. |
| January 31 1967 | A Protocol to the Refugee Convention is adopted, crucially extending protection to all refugees whatever the date they were forced to leave their homes. |
| September 10 1969 | Africa has become the global epicenter for refugees, nations adopt a Convention urging even greater generosity and assistance for refugees. The OAU (the Organization of African |



Unity) Convention includes people forced to flee because of aggression, foreign occupation or domination or events disturbing public order.

December 10 1984 Ten Latin American governments adopt the Cartagena Declaration, part of an enlightened trend toward expanding international protection and humanitarian assistance to victims of armed conflict and human rights abuses. It is tailored to meet the specific needs of people in Central America.

Previous attempts to resolve the issue

- In 1951 the UNHCR was founded. This organization has helped more than 22 million people whose human rights have been violated worldwide and aiding more than 135 countries.
- *The 1951 Convention relating to the Status of Refugees* – The 1951 Convention, provides a general definition of the term "refugee". The term applies to any person who "as a result of events occurring before 1 January 1951 and owing to 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 his nationality and is unable, or owing to such fear, is unwilling, to avail himself of the protection of that country; or who, not having a nationality and being outside the country of his former habitual residence as a result of such events, is unable or, owing to such fear, is unwilling to return to it".
- *1967 Protocol relating to the Status of Refugees* - The 1951 Convention could only benefit to people who had become refugees as a result of events occurring prior to 1 January 1951. However, the years following 1951 showed that refugee movements were not merely the temporary results of the Second World War and its aftermath. So the 1967 Protocol relating to the Status of Refugees was put in place in order to give protection to the people who did not fit the description that was given to the term "refugee" in 1951.

Possible Solutions

- Although there are human rights for refugees, these are often not protected enough. Which can result in the violation of them. A solution could be to ensure that the local police are under strict observation to ensure that they can no longer cause harm to the refugees in the camps and to further protect their human rights.



- Relocate the refugee camps if the area, where the refugee camps are located, are known to have violent and harmful guerrilla groups. In order to keep the refugees from getting harmed and or recruited.
- Improving the infrastructure of some refugee camps to aid the problem of refugee camps that are too crowded. To ensure that the refugees all have a place to rest and stay prior to being helped further. This can also help with improving the hygienic situations.

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