

*Improving the situation of
internally displaced persons*

Committee Guide

Human Rights Council





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1. Personal Introduction

Dear Delegates of the HRC 2016,

my name is Yannick Markhof and I am honored to be one of your chairs in this year's Human Rights Council. I am 20 years old and from Frankfurt am Main, but since I graduated from school in 2014, I am studying International Economics in Tübingen. Apart from the academic life, I do track and field competitively, I am a member of the student debate-club and love soccer. My MUN career started in 2012 when I first attended MUN-SH in Kiel as a delegate. Several other MUNs as delegate later, I chaired my first international MUN conference last summer at IELMUN in Istanbul. I loved the switch of perspectives and as an MUN is always such a rewarding experience, I am thrilled to work together with you this summer in Oldenburg! Until then, I wish you all the best for your preparation of the conference and I am looking forward to meeting all of you in person in just a couple of months.

Yours truly

Yannick Markhof

Dear delegates of the Human Rights Council,

It is my pleasure to welcome you to the Oldenburg Model United Nations 2016!

My name is Nika Andouz and it is my honor to be one of the chairs of the Human Rights Council. I am a 16-year-old student from Oldenburg and currently attending the eleventh grade of the Altes Gymnasium Oldenburg. OLMUN 2016 is going to be my third MUN and first time as a chair.

Since my first experience with MUN conferences, which was the OLMUN 2014, I was not only fascinated by the debates and discussions, but also by the fun and the new people I met. Beside MUNs I swim and love to make music.

Further, I hope that you will come to the conferences well prepared and ready for fruitful and fun debates. I can't wait to meet all of you in June!

Nika Andouz

2. The Human Rights Council

The Human Rights Council (HRC) works as an inter-governmental organization of the United Nations and was created on March 15th 2006. It replaced the CHR, which was mainly criticized for allowing states with a low human rights standard to join the committee. The HRC has been the main body within the UN task of the protection and promotion of the human rights of all people around the world. It consists of 47 geographically balanced member states, which are elected by the General Assembly (GA) every three years. Having its office in Geneva, the Human Rights Council meets there three times per year.



<http://geneva.usmission.gov/wp-content/uploads/2011/03/HumanRightsCouncil-ArchivePhoto.jpg>

The main tasks of the HRC are addressing human rights violations, providing the GA with recommendations on how to improve international law regarding human rights and also promoting human rights education. Therefore, the council applies a procedure called Universal Periodic Review, which lasts four years. In this way, the HRC is able to survey the human rights situation in all the 192 member states of the UN periodically, such as submitting specific violations of human rights to the Council. During this procedure, not only the Council itself but also other member states are allowed to make proposals inquiring amendments of the human rights in other states. These, then can decide whether to implement or to reject the proposal.

The HRC is for most of the time an observer of the Universal Periodic Review, nevertheless it steps in, if conflicts or problems arise. Furthermore, the HRC can also send its own observers into countries, on the basis of the so-called “Special Procedures”. These involve a resolution-based appointment of experts in the relevant topic, that can either be a “thematic mandate”, which is a general worldwide human rights issue or the situation in a specific territory, which is called a “country mandate”. Currently, there are 41 thematic and 14 county mandates.

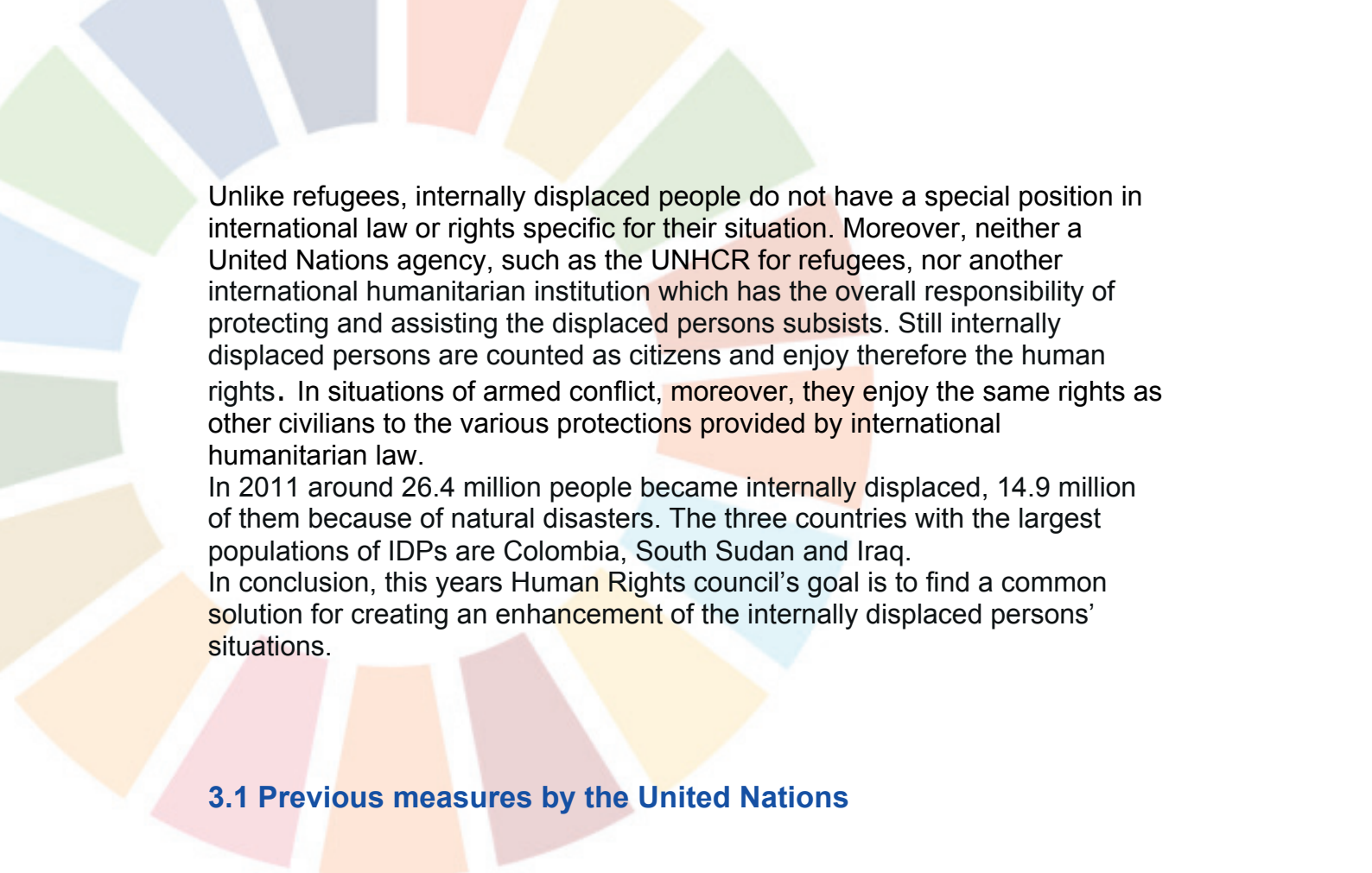


https://upload.wikimedia.org/wikipedia/en/thumb/e/ea/United_Nations_Human_Rights_Council_Logo.svg/1024px-United_Nations_Human_Rights_Council_Logo.svg.png

3. Description of the topic

Improving the situation of internally displaced persons is the topic of this years Human Rights council.

Internally displaced persons or IDPs are the ones, who had to leave their homes and wanted to flee their country but were not able to cross an international border, such as refugees do. Therefore, the IDPs have to remain in their own country and under the protection of their government, even though the government was one of the reasons to escape. Other reasons for their escape might be violations of human rights, armed conflicts, generalized violations and also natural disasters. IDPs suffer higher rate of mortality and also remain at high risk of physical attacks, sexual assaults, abductions and are deprived of a shelter, health and food services. The majority of the IDPs are children and women, who are especially at a risk of abuse of their basic rights. More often than refugees, IDPs become trapped in zones of conflict or caught in cross-fire. Additionally, they are not only used as targets but also as human shields of the belligerents. IDPs have to live in camps, slums or in the wild nature.



Unlike refugees, internally displaced people do not have a special position in international law or rights specific for their situation. Moreover, neither a United Nations agency, such as the UNHCR for refugees, nor another international humanitarian institution which has the overall responsibility of protecting and assisting the displaced persons subsists. Still internally displaced persons are counted as citizens and enjoy therefore the human rights. In situations of armed conflict, moreover, they enjoy the same rights as other civilians to the various protections provided by international humanitarian law.

In 2011 around 26.4 million people became internally displaced, 14.9 million of them because of natural disasters. The three countries with the largest populations of IDPs are Colombia, South Sudan and Iraq.

In conclusion, this years Human Rights council's goal is to find a common solution for creating an enhancement of the internally displaced persons' situations.

3.1 Previous measures by the United Nations

As already mentioned above, there is no United Nations Agency which is overall responsible for the situation of the IDPs. Nevertheless, the United Nations High Commissioner for Refugees (UNHCR) started relief and rehabilitation programs for IDPs in 1972. Anyhow, it was necessary to find a long-term solution.

3.2. The Cluster Approach

In 2005 the Inter-Agency Standing Committee (IASC) endorsed a "cluster" to address gaps in the humanitarian response to IDPs. The so called Cluster Approach designates individual humanitarian agencies as *sector leaders* to coordinate operations in different areas. Through this Cluster Approach the responsibility for the IDPs becomes divided and different agencies undertake specific tasks. At the global level, the approach is meant to build up capacity in eleven key 'gap' areas by developing better surge capacity, ensuring consistent access to appropriately trained technical expertise and enhanced material stockpiles, and securing the increased engagement of all relevant humanitarian partners

The UNHCR has the leading role in this procedure, in overseeing the protection and shelter needs of IDPs as well as the coordination and management of any camps which are established. Other Agencies have been given similar roles in the areas of health, water, food and logistic, e.g. education is leaded by UNICEF.

This approach has been applied to the Democratic Republic of the Congo, Uganda, Liberia, Chad, Somalia, the African Republic, Côte d'Ivoire, Ethiopia and Colombia in 2007.



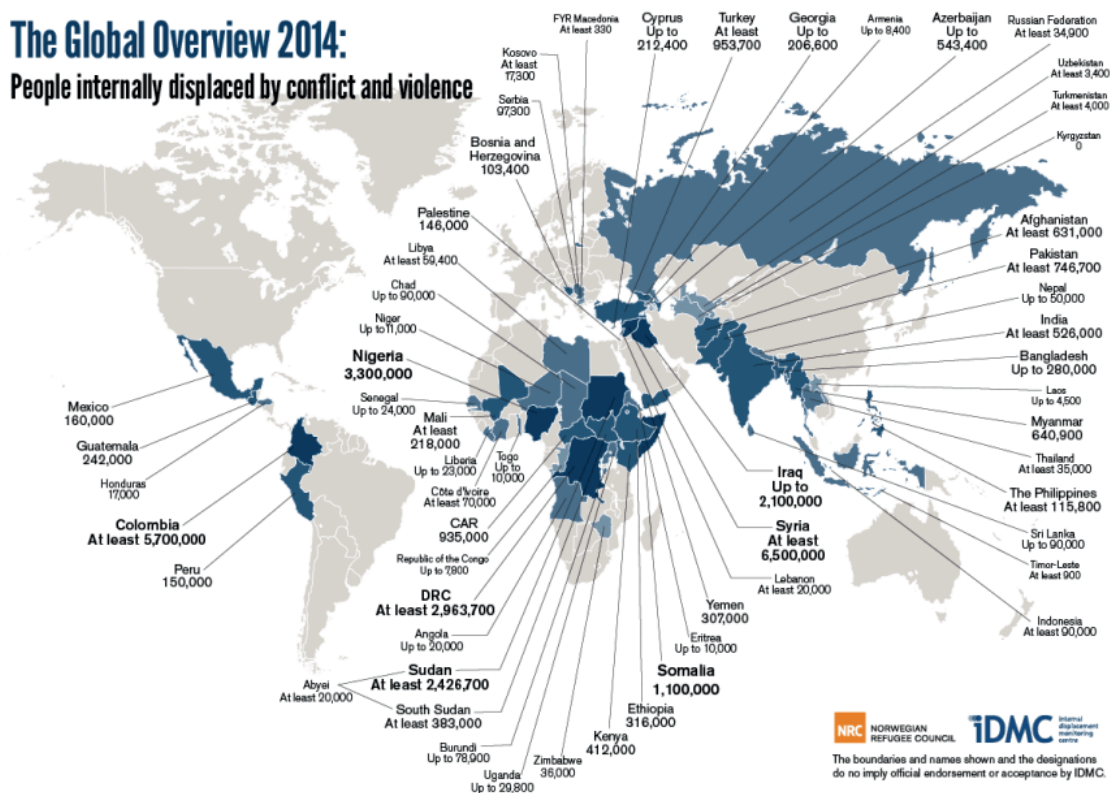
<http://www.unocha.org/what-we-do/coordination-tools/cluster-coordination>

4. Possible Solutions

What the world expects from your work or: Possible approaches for a resolution

This year, the HRC has the unique chance to set the agenda for one of the most versatile and complex problems of humanitarian right and international aid. The problem of internally displaced persons has been subject to many resolutions including crucial milestones in 1991, 2004 and 2013. Despite the efforts of the international community and especially the HRC and the GA, the problem has yet to be solved and the course of action has to be adapted to recent developments. As the problem of IDPs nowadays seems to pale beside the refugee crisis the international community is facing, it is all the more important that the HRC arouses attention for the topic and finally establishes working long-term solutions.

The Global Overview 2014: People internally displaced by conflict and violence



NRC NORWEGIAN REFUGEE COUNCIL **IDMC** Internal displacement monitoring centre
The boundaries and names shown and the designations do not imply official endorsement or acceptance by IDMC.

One of the most important concerns with the issue is how to gain access to IDPs in order to provide them with critical aid and stabilizing the situation. In terms of international law and jurisdiction, the categorization of IDPs remains unclear as they are generally subject to national law and remain under national providence. However, the large permeability to other groups of people such as refugees, the lack of national capacity or will to deal appropriately with IDPs and the Responsibility to Protect demand distinct action from the international community. Furthermore, the issue of IDPs does not only concern acts of violence against a certain group of people or prosecution, but also displacement that happens due to natural disasters and the climate change. The HRC should therefore be aware of the fact that the problem goes hand in hand with many other determinants of international peace, security and social safety. Because of that, a focus of the work of the HRC should be the implementation of institutions and resources and the multilateral cooperation with other institutions and humanitarian bodies. Examples could be the United Nations High Commissioner for Refugees (UNHCR), the World Health Organization (WHO), the United Nations Children Fund (UNICEF), the World Food Program (WFP) and the International Federation of Red Cross and Red Crescent Societies (IFRC).

As IDPs are often people who lack the most essential, the work of the council should focus on quick working mechanisms that can immediately take effect when needed. Even though the matters concerning IDPs are always urgent, another problem has come to light in recent years: A large number of protracted situations involving IDPs has emerged and the HRC should lay a focus on dissolving deadlocked situations such as in South Sudan or Colombia and effectively preventing these situations. This includes the need to arrange a working self-reliant structure in the affected regions. Thus, immediate help is inevitable but can only be one step towards a sustainable solution for the regions. Concerning the latter, the cooperation with regional institutions, NGOs and stakeholders should be a decisive step and part of a lasting solution.

With the first World Humanitarian Summit that will be held in Istanbul in May 2016 the UN has already prepared a forum for vital discussions on the topic and the HRC is expected to bring the results to action.

4.1 Questions

Possible questions that could be assessed in a resolution include:

- How can the international community call on nations that face large populations of IDPs to work on a solution?
- How can nations be assisted in their responsibility to guarantee for the safety and compliance to Human Rights for IDPs?
- How can one encourage donors and call on nations to support the program?
- How can a cooperation with stakeholders, institutions and organizations of related problem fields be established?
- How can the HRC establish working and binding mechanisms?
- How can one strengthen self-reliant development in the affected regions?
- How can commitment be institutionalized and vital leadership established (e.g. extension of the monitoring role of the Office of the United Nations High Commissioner for Human Rights (OHCHR))?
- How should the mandate of the Special Rapporteur on the human rights of internally displaced persons be extended again?
- Should the UNHCR be strengthened (no clear mandate for IDPs, lack of resources)?

The international community relies on the HRC to deal with this urgent problem and to set the agenda for an effective, joint and sustainable humanitarian work!



5. What you should bring to the conference

We require every delegate to bring a Policy Statement and a draft resolution to the OLMUN 2016. The Policy Statement is a brief summary of the country's opinion on the issue and a description of policies the country is willing to support and put forward. As chairs we would like to see the Policy Statements in advance and therefore would like to ask you to send your statements to our email hrc@olmun.org with the deadline set on the 20th of May. That gives us the opportunity to provide you with useful feedback.

The mentioned Draft Resolution functions as the expression of your idea in the role of a delegate of a country. It is an important device, especially in the lobbying process and should contain the policies and solutions your country is trying to gain support for. A resolution must be written in a formal manner and must fulfill certain formal requirements.

You will find the guidelines on how to write both the Policy Statement and the Draft Resolution in the Handbook on the OLMUN homepage.

Apart from that, we ask you to read the "Rules of Procedure" which are also available on the homepage. Especially for those of you who participate in a MUN-conference for the first time, this is very helpful.

If you have any questions or problems, whether it is regarding to the topic, the committee, the resolution and policy statement or any other issue, do not hesitate to contact us at hrc@olmun.org!

6. Useful links

All resolutions topic relevant:

<http://www.ohchr.org/EN/Issues/IDPersons/Pages/Resolutions.aspx>

Especially but not exclusively the following resolutions:

[:http://daccess-dds-](http://daccess-dds-ny.un.org/doc/UNDOC/GEN/G13/154/00/PDF/G1315400.pdf?OpenElement)

[ny.un.org/doc/UNDOC/GEN/G13/154/00/PDF/G1315400.pdf?OpenElement](http://daccess-dds-ny.un.org/doc/UNDOC/GEN/G13/154/00/PDF/G1315400.pdf?OpenElement)

<http://www.un.org/documents/ga/res/46/a46r182.htm>

http://www.un.org/en/ga/search/view_doc.asp?symbol=A/RES/70/106

[http://daccess-dds-](http://daccess-dds-ny.un.org/doc/UNDOC/GEN/N09/471/55/PDF/N0947155.pdf?OpenElement)

[ny.un.org/doc/UNDOC/GEN/N09/471/55/PDF/N0947155.pdf?OpenElement](http://daccess-dds-ny.un.org/doc/UNDOC/GEN/N09/471/55/PDF/N0947155.pdf?OpenElement)

Information on humanitarian help and programs:

<http://www.ifrc.org>

2005 synthesis report on the IDP problematic (covers many points, especially interesting for gaining further insights and impulses for your resolutions):

<http://www.oecd.org/countries/eritrea/35093445.pdf>

IDP Response Matrix of the Internal Displacement Unit in the Office for the Coordination of Humanitarian Affairs (questionnaire on IDPs, especially interesting for empirical background)

https://interagencystandingcommittee.org/system/files/legacy_files/IDP%20Response%20Matrix%202002.pdf

UNHCR Handbook for the Protection of Internally Displaced Persons:

<http://www.unhcr.org/4c2355229.pdf>

Protecting Internally Displaced Persons: A Manual for Law and Policy Makers

<http://www.unhcr.org/50f955599.pdf>

Interesting comment on the current problematic and the need for further improvement in the IDP case:

<http://www.brookings.edu/blogs/up-front/posts/2015/01/28-ten-years-after-humanitarian-reforms-idps-ferris>

Figures:

<http://www.coha.org/colombias-invisible-crisis-internally-displaced-persons/>

Further works cited:

<http://reliefweb.int/report/world/expert-statement-internally-displaced-persons>

<http://www.unhcr.org/pages/49c3646c146.html>