

Heidelberg National Model United Nations Conference 2016

Study Guide “Forced Migration”



I. Introduction

Honourable Delegates,

we warmly welcome you to SOCHUM Committee at Heidelberg National Model United Nations Conference 2016, held at the 9th and 10th of January in the wonderful “Neue Aula” in the old town of Heidelberg.

We believe our surely interesting topic is wide enough for every country to contribute in debate, but still specific enough to create a sufficient draft resolution. This study guide should serve as an introduction and overview, so you get to know different facets and major challenges you should tackle. We would still encourage you to use the suggestions for further research and additionally to get acquainted with your countries position. This combination should be enough for everyone to take part actively in committee.

We are very much looking forward to the conference. We are sure this weekend will be an amazing experience for all of you, with interesting debates, great speeches, and of course meeting delegates from all subjects coming from all over Germany. If not during committee or lunch breaks, then surely at the delegate’s reception on Saturday evening!

We are especially highly welcoming all MUN newcomers in our committee. Don’t be shy, just start talking and debating, and you surely will catch the spirit, feel the groove and quickly be fully in MUN mode! See you all soon!

Best,
your chairs

Jeremy Schmidt and Lukas von Brasch



II. Committee overview: SOCHUM

The Social, Cultural and Humanitarian Committee, short SOCHUM, is the 3rd main body of the United Nations General Assembly. Every member state has got a seat and equal voting rights. As in all GA committees, resolutions work as recommendations to the international community and are passed by simple majority. Since 2012, the current chairman is Mr. Omar Hilale from Morocco.

Established in 1948, SOCHUM's main focus lies on containing problems and offering solutions for social development and humanitarian struggles. With the examination of human rights questions as a main aspect of its work, it strongly cooperates and interacts with the Human Rights Council. Furthermore, SOCHUM deals with e.g. the elimination of racism and racial discrimination and the treatment of refugees. All these topics have a strong connection and are highly relevant concerning the topic of this conference: Forced migration.

In this session, SOCHUM should deal with legal, social and human rights issues, in order to find long-term universal solutions and measures to deal with both causes and consequences.

III. Topic Overview

“Migration is inevitable, in view of the demographic, economic, environmental and other challenges we face; necessary for the vibrancy of our economies and societies; and desirable when governed humanely, fairly and in collaboration as a path to opportunity and the realization of human potential. We believe the world is ready to walk the high road on migration governance.”

Mr. William Lacy Swing
Director General, International Organization for Migration

“In conclusion, I would like to reiterate the fact that forced migration is a growing phenomenon and something which is affecting all of us as time goes on and the world continues to experience periods of economic and social turmoil. We therefore need to adapt to the new reality and find long term solution and make sure we do not fail people, our brothers and sisters, in their hour of need.”

Sue Le Mesurier,
Migration Unit of the IRFC (International Red Cross and Red Crescent Societies)

a. Summary

Migration has always been a topic of international concern. The IFCR estimated that currently around 214 million can be defined as cross-border immigrants and 740 million people as internal immigrants (people who move within their countries' borders, for example due to rural depopulation) (1. IFCR World Report). This is a relevant fraction of the worldwide human



population and shows the relevance of migration to the international policy making – as it always affects neighbouring states.

However, far more than 70 Million people worldwide¹ are defined as victims of forced migration – this means every hundredth of the world population. (2. IFRC World Report)

As it is crucial for our discussion we should clearly define the term forced migration. Forced migration is a general term that refers to the movements of refugees and IDPs (internally displaced people: those displaced by conflicts within their country of origin) as well as people displaced by natural or environmental disasters, chemical or nuclear disasters, famine, or development projects.² (3. Columbia, Forced Migration)

Especially when it comes to natural disasters and famine, the distinction between voluntary and forced migration becomes blurry – experts coined the phrase of “mixed migration”.

i. History and existing legal framework

The United Nations Organization – following the ideas of the League of Nations – has a long tradition of protecting and saving rights of forced migrants.

As a consequence to the atrocities committed in World War II, Article 14 was introduced to the Universal Declaration of Human Rights (4. Universal Declaration of Human Rights). Article 14 grants the right to seek asylum from prosecution in other states.

Grounded on the idea of Article 14, the “Convention Relating to the Status of Refugees” of 1951 (the “Geneva Convention”, or CRSR) declares a wide range of rights to asylum seekers. However, the rights in this Convention are only granted to refugees in the sense of the definition of Article 1 CRSR. Refugees are people “[who have a] well-founded fear of being persecuted for reasons of race, religion, nationality, membership of a particular social group or political opinion.” People affected by natural disasters, famine or even war have no right to seek asylum on the ground of Article 1 II. (5. Convention relating to the Status of Refugees)

As internally displaced people do not count as refugees in this sense either, a group of legal experts created the first Guiding Principles (GPs) for internally displaced people. (6. UNHCR Guiding principles on internal displacements) The GPs represent the first international standards for internally displaced persons and comprise 30 principles, which define the rights of IDPs and the obligation of both governments and rebel groups in civil war situations to protect them. Although the Guiding Principles do not constitute a binding legal instrument like a treaty, the 30 principles “address all phases of displacement—providing protection against arbitrary displacement, offering

¹ 72 Million people in 2012 according to the IFRC World Disaster Report 2012
<http://www.ifrcmedia.org/assets/pages/wdr2012/styled/chapter-1/index.html>

² <http://www.columbia.edu/itc/hs/pubhealth/modules/forcedMigration/definitions.html>



a basis for protection and assistance during displacement, and setting forth guarantees for safe return, resettlement and reintegration.”³

More recently, on the occasion of the 2nd High level dialogue on internal migration and development (HLD) in 2013, the International Office of Migration (IOM) – as the main body dealing with questions of international migration - made several propositions for new policies to deal with international migration. They focused on the promotion of human rights and rights of immigrants – as immigrants face discrimination and social exclusion by encouraging national legislation. Besides, they also developed certain principles concerning migration in the aftermath of humanitarian or natural crisis. Some of the ideas in the IOM Migration Crisis Operational Framework (6. IOM Migration Crisis operational Framework) will be central topics of discussion in this committee as well.

ii. Different facets of migration

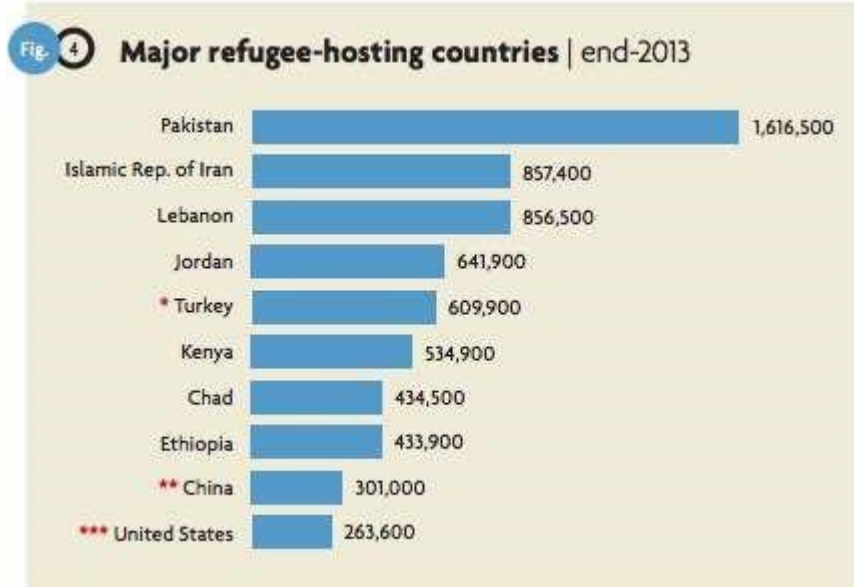
As we try to find general solutions for a broad topic, we have to take the many different facets of migration into consideration. There are several relevant aspects, however we should focus on the main three causes for forced displacement:

- 1. Conflict-Induced Displacement** occurs when people are forced to flee their homes as a result of armed conflict including civil war, generalized violence, and persecution on the grounds of nationality, race, religion, political opinion, or social group. Regarding the current situation in the Middle East and the Sub-Saharan region, the number of conflict-induced displacements tends to rise.
- 2. Development-Induced Displacement** occurs when people are compelled to move as a result of policies and projects implemented to advance ‘development’ efforts. Examples of this include large-scale infrastructure projects such as dams, roads, ports, airports, urban clearance initiatives, mining and deforestation, and the introduction of conservation parks/reserves and biosphere projects. Development-induced displacement mostly leads to internal displacement, and tends to draw less international attention. In many cases it also affects indigenous populations and can lead to further marginalisation of these populations.
- 3. Disaster-Induced Displacement** occurs when people are displaced as a result of natural disasters (floods, volcanoes, landslides, earthquakes), environmental change (deforestation, desertification, land degradation, global warming), and human-made disasters (industrial accidents, radioactivity). Regarding the ongoing desertification and the change to a more erratic weather, the number of disaster-induced displacements will have a significant rise in the following 20 years.

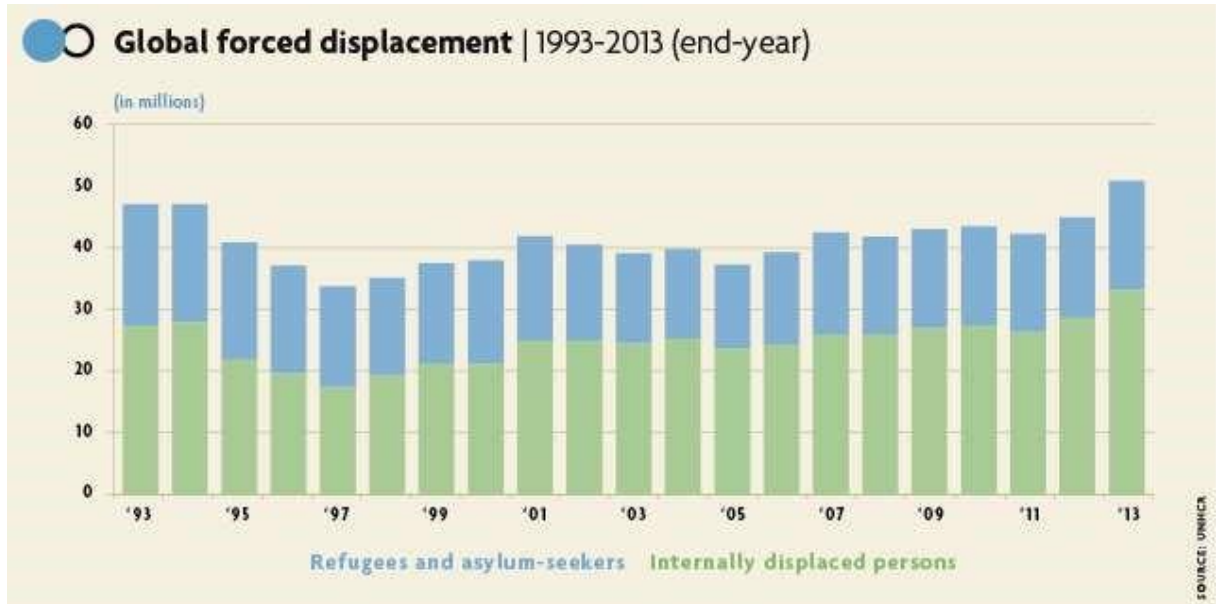
³ <http://www.unhcr.org/43ce1cff2.html>



Despite the current focus on the refugee crisis in the European Union, 86% of the refugees live in developing countries. Taking into account that the events which led to development-induced and disaster-induced displacement mostly took place in the developing world or in transitional countries, the total number of victims of forced displacement provides only a very broad message.



The UNHCR World Trend 2013 clearly shows that there has been a more or less steady rise in the number of people affected by forced displacement. Furthermore, it illustrates that by now 33.3 million of the victims are internally displaced. Every day of the year 2013, about 32.200 people are forced to leave their homes (Data UNHCR World trends). However, only a small fraction (1.2 million) of the victims of forced displacement are according to data of the UNHCR asylum seekers in the sense of Article 1 CRSR. For the rest, there are only few binding instruments of protection.



iii. Major problems

The rising number of migrants may be the cause of numerous economic and legal problems. However, as the committee dealing with social, cultural, and humanitarian questions, we should mainly focus on the humanitarian problems of forced migration. Following the IOM Migration Crisis Framework, human mobility can have a major role in disaster reduction and climate change adaptation. Many developing countries, though, are overburdened by the amount of refugees and IDPs. They cannot provide sufficient living conditions – often even lacking access to clean water and sanitary installations.

Especially in developing countries, the accommodation of refugees can lead to domestic destabilisation – as one can see in countries of the Middle East. A high number of displaced people might provoke - in a worst case scenario - further destabilisation in neighbouring countries. So, even smaller conflicts can transform into a regional humanitarian crisis.

Immigrants – but particularly refugees and IDPs - are often confronted with discrimination, whether its source lies in the legislative power or in society. As we have seen, the majority of countries of residence of displaced people are developing and/or instable countries – often with a difficult human rights record – who cannot or are not willing to handle the situation decently. Despite efforts of the international community, there has been no real progress in reducing the human rights violations against victims of forced migration.



iv. Possible solutions and tasks

There are many possible approaches to improve the conditions of victims of forced displacement. While there are only few legally binding documents – besides the Convention relating to the Status of Refugees - there have been multiple approaches on a consensus-orientated level.

One of these approaches is the IOM Framework. It was developed around the idea that migration can be a key to de-escalation of disasters or humanitarian conflicts. Recognizing the important role that temporary and circular migration can play in facilitating post-crisis recovery and adaptation to climate change and environmental degradation, the committee should think about measures to facilitate migration after crisis situations. So, by producing new concepts of international migration, we might as well have short-term and long-term situations for future problems.

The IOM Framework is focused on a consultative and consensus-orientated approach. The main responsibility should remain in the hands of the national state – only little financial support is available to avoid financially overburdening the other member states. Critics demand more international financial support and repatriation of refugees to maintain stability in developing countries.

To establish these approaches, one could put in place measures to protect and assist vulnerable migrants stranded in host countries in crisis situations, and migrants in mixed migration flows more effectively. Both origin and destination countries have responsibilities in this regard. (IOM Framework)

Finally, the protection must go along with an efficient human rights support which respects the fundamental rights of displaced people.

b. Possible committee and country positions

The following abstracts should provide general ideas for the position your country might take during our session. Still, of course, you are encouraged to develop your own position much more detailed. Our suggestions for further research can hopefully assist you.

All countries:

The United Nations have stated through various resolution on human rights, most notably in the Geneva Convention, their commitment to protect all humans, independent of their circumstances. Currently, a lot of examples show that this principle not always followed. Additionally, the Sustainable Development Goals (SDGs) should always be kept in mind when approaching long-term solutions.

Countries of migrant's origin:

The countries which host different causes of migration should generally be interested in solving the reasons for migration if possible, and in not contradicting the current policy ideas. Dependent on the specific facet of migration (see above), states will present demands to the international



community, for both short-term (e.g. financial support, development aid, technical assistance) and long-term assistance (e.g. climate change programs, future legal framework, diplomatic assistance).

Countries of migrant's destination:

The political conflict, finding the fine line between guaranteeing every migrant a general life standard out of a humanitarian perspective and on the other hand protecting the home culture, economy, and social life against too much disturbance, should be debated and tackled. Some states will focus more on the chances of migration from an economic and also social point of view, others will be sceptical and rather focus on the risks. Minimizing this discrepancy will be one of the main tasks of these states, but also of the whole committee.

European Union and other western nations:

The treatment of immigrant integration diverges significantly across the European Union. A fresh approach is urgently needed. Especially in the current climate, where social cohesion and economic resilience are being widely tested, and in which the differences between the member states increase, a common position would be helpful. The widest consensus of all western nations can surely be found in the humanitarian perspective: every state should have a moral demand for fighting against any kind of human rights violation.

IV. Suggestions for further research

When reading through the following documents, please keep in mind the difference between forced migration and migration in general, securing that you deal with correct facts and numbers, since some of the documents (also) deal with migration as a whole, including self-induced migration due to political and economic reasons.

For information on the topic:

Report of the Secretary General concerning the 69th session of the IOM in 2014:
http://www.iom.int/sites/default/files/UN_Documents/69th_Session/N1448855.pdf

Publications of the United Nations Refugee Agency UNHCR (e.g. Global Trends):
<http://www.unhcr.org/pages/49c3646c4b8.html>

Migration policy institute:
<http://www.migrationpolicy.org/>

Report on EU and US dealing with forced migration:
<http://cadmus.eui.eu/bitstream/handle/1814/19074/US-EUimmigrationsystemsfinalreport.pdf?sequence=1&isAllowed=y>



Map on world migration flows:

<http://www.iom.int/world-migration>

Official International migration report by members of the UN Secretariat:

<http://www.un.org/en/development/desa/population/migration/publications/migrationreport/migreport.shtml>

UNHCR Guiding Principles on Internal Displacement: <http://www.unhcr.org/43ce1cff2.html>

IOM Migration Operational Framework MC/2355: https://www.iom.int/files/live/sites/iom/files/What-We-Do/docs/MC2355_IOM_Migration_Crisis_Operational_Framework.pdf

For general information on your country:

CIA World Factbook: <https://www.cia.gov/library/publications/resources/the-worldfactbook/index.html>

Auswärtiges Amt:

http://www.auswaertigesamt.de/DE/Aussenpolitik/Laender/Laender_Uebersicht_node.html
(only in German)

Official websites of your country

For information on SOCHUM:

www.un.org/en/ga/third

<http://muntr.org/ga-3-sochum/>

V. References

<http://www.iom.int/>

<http://www.iom.int/68th-session-2013>

http://www.iom.int/sites/default/files/UN_Documents/69th_Session/N1448855.pdf

<http://www.un.org/esa/population/meetings/HLD2013/mainhld2013.html>

<http://daccess-ods.un.org/TMP/3790564.23902512.htm>

<http://www.fmreview.org/>

https://en.wikipedia.org/wiki/Forced_migration



Citations:

<http://www.ifrc.org/en/news-and-media/opinions-andpositions/speeches/2012/people-on-the-move-the-complexity-of-forcedmigration-in-todays-world/>

http://www.iom.int/sites/default/files/UN_Documents/69th_Session/N1448855.pdf

(all others are named in IV. Suggestions for further research)