Dear Delegates,

Welcome to the 2019 MIT Model United Nations Conference (MITMUNC)! We are pleased to introduce you to our committee, the UN Human Rights Committee (UNHRC). We, Crystal Chang and Aashini Shah, will be your chairs for the course of this conference.

Crystal is a junior at MIT majoring in Biology (Course 7) and minoring in Theatre Arts (21M) and Brain and Cognitive Science (9); she plans to go to medical school and continue being involved in health policy and international relations. She interned twice and served as a Mandarin and Spanish translator for the office of the chairman of the House of Representatives Foreign Affairs Committee, where she worked on issues such as Taiwanese-China relations and sanctions against North Korea and communicated constituents’ concerns about healthcare or immigration to caseworkers. Aashini is a freshman at MIT and has not yet declared a major.

The topics that we plan to debate in the UNHRC include:

I. Consequences for Refugees after Brexit

II. The Internally Displaced Persons Conflict in Myanmar

This is meant to be an introduction to the topics and should not replace individual research. We hope that you take the time to research your topics and your delegation’s affiliation with the given issues. In preparation for the conference, each delegate will submit a single page position paper on each topic to mitmunc-unhcr@mit.edu.

We encourage you to take the time to read up on parliamentary procedures - however in the interest of time and fruitful debate, we will go over a few changes to our committee at the start of the conference. If you have any questions, feel free to reach out to us at mitmunc-unhcr@mit.edu.

We wish you all the best in your preparations and look forward to seeing you at the conference!

Sincerely,

Crystal Chang & Aashini Shah

Chairs, UNHCR
Consequences for Refugees after Brexit

Background

There are 68.5 million forcibly displaced people worldwide,¹ yet more than 86% of refugees remain hosted by developing nations with limited resources.² In 2017, 1.19 million of these people were in dire need of resettlement.³ As part of the United Nations High Council for Refugees (UNHCR) Committee, you will be discussing topics that are crucial to improving the quality of life for not only refugees fleeing certain persecution but also the people who reside in countries of refuge.

As one of the twenty-eight countries that make up the European Union (EU), the United Kingdom (UK) allows market goods and citizens of EU nations to move freely within its borders without paying import or export tariffs (i.e. participates in the “single

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² Ibid.
³ “UNHCR’s Priorities for the UK Government.” UNHCR, The UN Refugee Agency, 04 May 2017..
market”), and is subject to EU laws and governing bodies. However, on June 23, 2016, eligible UK voters chose, by a very thin margin, to leave the EU—a referendum decision known colloquially as Brexit. On March 29, 2017, current Prime Minister Theresa May formally solidified this action by invoking Article 50 of the Lisbon Treaty, giving the UK and the member states of the EU two years (until March 29, 2019) to reach a consensus on the terms of the split. Contingent upon successful ratification of a withdrawal agreement by the UK parliament and the EU member states, a 21-month post-Brexit transition period will also be arranged to further streamline the UK’s exit.

The Impact of Brexit on UK Refugee Legislation

While Brexit has significant consequences with regards to the UK’s ability to negotiate its own trade deals and sovereignty, because the UK will be free to control its own borders, there is also growing alarm over changes in immigration law ultimately affecting the number of refugees the UK chooses to harbor. Anti-immigrant sentiment was a key tenet of the campaign strategy for the “Leave” side of the Brexit debate, with party leaders referring to immigration as “uncontrolled” and emphasizing the need to “regain control” of the border situation. Many notable figures and organizations, including ex-Prime Minister David Cameron and the United Nations Human Rights Committee on the Elimination of Racial Discrimination have denounced either the rhetoric used by British politicians, the increase in hate crimes following the referendum, or both.

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Unfortunately, there is good reason to be concerned with Brexit-induced shifts in political climate, and their potential impact on future legislation. Upon withdrawal from the EU, the UK will no longer be bound by the Dublin III Regulation, which, besides allowing the UK to return asylum seekers to the country with which they first registered for asylum, also grants asylum seekers with UK relatives the ability to transfer their claim to the UK. In the coming months, Prime Minister Theresa May and her Conservative Party will have to decide if the UK is to continue providing a


similar path to asylum in the UK, and whether or not existing policies relating to refugee family reunification are revised.11

As it stands, the Conservative Party has pledged to “reduce [the number of] asylum claims made in Britain and...increase the number of people [helped] in the most troubled regions,” and to revisit the international legal definitions of refugee status and asylum as defined by the 1951 Convention.12 The Party further emphasizes its dedication to providing refuge "to people in parts of the world affected by conflict and oppression, rather than to those who have made it to Britain,”13 implying that asylum seekers who have not applied for resettlement through official schemes will be of a lower priority. This statement has drawn criticism from refugee rights agencies, who argue that the 1951 Convention promise of non-refoulment should extend to all asylum seekers, regardless of how they have reached the UK.14

The Refugee Crisis: Causes and Global Responses

11 Ibid.
14 Ibid.
Worldwide, nearly 65 million people, including 33 million children, have been forced to flee their homes.\textsuperscript{15} Conflicts in the Middle East and Africa have caused a boom in asylum applications as an estimated 34,000 people per day (and one million asylum seekers per year) brave smugglers, makeshift shelters, and/or reception camps to get to Europe.\textsuperscript{16} Many drown taking dangerous paths across the Mediterranean Sea or succumb to the harsh climate of the Sahara desert.\textsuperscript{17}

Germany remains the country with the most asylum applicants and the highest rate of success in obtaining refugee status. In contrast, the UK receives relatively few applicants due to geographic isolation, and accepts less than half of asylum claims. Those who are not granted refugee status must leave once more.\textsuperscript{18}

With the notable exception of the Dublin III Regulation, the UK has historically opted out of EU initiatives to take in refugees. Most UK asylum applicants are nationals of Iran, Iraq, Pakistan,

\textsuperscript{15} Ibid.


As of 2017-2018, the UK hosts a grand total of 121,837 refugees, 40,365 pending asylum cases and 97 stateless persons, making up only 0.24% of the UK’s population; though this is dwarfed by the number of refugees supported by developing countries such as Uganda (763,086), the UK has provided and continues to provide significant financial support for Syrian refugees living in Lebanon, Turkey and Jordan (funding pledge of £1bn as of April 2017), and for refugees and displaced people in Serbia, Greece, South Sudan, and Nigeria.

While the government has based its capacity limits in part on measures of what local authorities can support, many local authorities have expressed the ability to take in more.

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21 Ibid.

resettlement in the UK include the Gateway Protection Programme (limit of 750 persons); the Mandate Scheme (no quota); the Syrian Vulnerable Persons Resettlement Scheme (VPRS), a pledge to resettle 20,000 persons by 2020; and the Vulnerable Children Resettlement Scheme (VCRS), a pledge to resettle 3,000 children. In the year ending in June 2018, these programs supported resettlement for a total of 5,702 people. This number is small compared to the number supported by UK responses to past crises (7,000-9,000 per year) and with estimates of the UK’s capacity.  

Refugees living in the UK are able to apply for their family members (defined as a spouse or children under the age of 18) to join them. However, this process is hindered by a dearth of legal aid and the narrow definition of a family member (unaccompanied minors cannot seek family reunification visas for their parents; parents cannot seek family reunification visas for adult children or grandparents). Public support for changes in the reunification visa application process has led to creation of the Refugee Family Reunion Bill, which passed its second reading in Parliament in March 2018.

**Key Terms**

**European Union (EU)**

Economic and political partnership between 28 countries begun as a peace initiative in the wake of World War II. The EU has its own governing body and courts of justice; EU member countries are required to pay a membership fee and abide by EU regulations, which span a wide range of topics from the environment to transportation to consumer rights. EU

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23 Ibid.
24 Ibid.
members are part of the “single market,” which allows goods to move freely from state to state without the need for import or export tariffs (i.e. as if the EU were a single country). Migrants can also move freely between member states.26

Asylum seeker

One who seeks international protection/refugee status. While not all asylum seekers are ultimately recognized as refugees, all refugees begin as asylum seekers.27

Refugee

One who cannot return to one’s country of origin due to a fear of persecution as a result of race, nationality, religion, and/or membership of a social group or political organization.28

Migrant

One who moves to live in a different country.29

Dublin III Regulation

Binding for member states of the EU. Allows asylum seekers who arrive in Europe and have a family member in an EU member state to have their asylum claim transferred to that

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28 Ibid.
country. Also allows for member states to return asylum seekers to the country with which they first registered for asylum.\textsuperscript{30}

‘1951 Convention’ (Travaux préparatoires)

Legal document that defines what a refugee is and the rights one is guaranteed as a refugee, including non-refoulement (right to not be returned to a country where one faces a well-founded fear of persecution). Ratified by 145 State parties at the 1951 Conference of Plenipotentiaries on the Status of Refugees and Stateless Persons in Geneva, and amended by the 1967 Protocol.\textsuperscript{31}

Resettlement

Process by which an asylum seeker’s claim is accepted by a third country separate from the country (often close in geography to the country from which the asylum seeker is fleeing) where the claim was initially made.\textsuperscript{32}

Gateway Protection Programme (GPP)

The UK’s main resettlement programme. Established by Section 59 of the Nationality, Immigration and Asylum Act (2002).\textsuperscript{33}


United Nations High Council for Refugees (UNHCR) Involvement

The UNHCR, also known as the UN Refugee Agency, is in charge of protecting the clauses outlined in the 1951 Refugee Convention and its subsequent amendment, the 1967 Protocol.\(^\text{34}\) It has outlined the following six priorities for the UK government\(^\text{35}\)

1. **Increasing the number of refugees resettled to at least 10,000 a year**, as opposed to the current total of 5,000-6,000. In 2017, the UK resettled 6,212 persons through the VPRS program, and is over halfway in meeting its goal of resettling 20,000 persons by 2020. UNHCR representatives have commended the UK for its upscaling of resettlement procedures in a relatively short period of time, but continue to emphasize the gravity of the situation: less than one percent of refugees worldwide have been resettled.\(^\text{36}\) Moreover, UNHCR urges for the consolidation of the UK’s many resettlement programs into a single cohesive unit for ease of processing and consistency of care. The UK also lacks resettlement plans for emergency (<7 days between submission and resettlement) and urgent (maximum 6 weeks between submission and resettlement).

2. **Expand existing requirements for family reunification programs.** Together with more than 20 other humanitarian groups including Amnesty International, British Red Cross, Oxfam, the UNHCR has launched the #FamiliesTogether Petition, which petitions British Home Secretary Sajid Javid to (1) allow refugee minors to sponsor their close family for reunification visas, (2) expand the definition of family members to include elderly parents and young adult children,

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and (3) reintroduce legal aid. UNHCR has also urged the UK to expand the quota on its resettlement schemes, and to open up VPRS for those of other nationalities (not just Syrians).

3. **Decrease usage of detention in favor of alternative methods.** The UK remains one of the only countries in the EU to detain immigrants (and with them, asylum seekers) without a statutory time limit; indeed, four out of five detainees reported not being told when they were to be released. The amount of detainees has increased dramatically over the past decade, with over 27,000 people being held in 2017. Detainees can be taken during surprise raids, and some are held in prison without explanation, despite having already served their sentence. In 2018, detention cost the UK an estimated £85.92 per day per person; detention centers reported profit margins as high as 41.5%. Considering that more than half of detainees are ultimately released back into the community, the financial merits of detention have been questioned. The UNHCR has urged the UK to introduce a time limit and to consider alternatives to detention, which have proven to be more effective in both promoting integration and rates of voluntary return.

4. **Treat all refugees and asylum seekers equally irrespective of their method of arrival in the UK.** As described above, this statement seems to be at odds with the priorities of the leading political party.

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5. **Improve integration initiatives.** A 2010 evaluation of the UK’s main resettlement program, the Gateway Protection Programme (GPP), found wide regional fluctuations in efficacy of integration and satisfaction. As the GPP lacks a language-learning component, the UNHCR has urged the UK to improve integration initiatives to better support long-term socioeconomic improvement of resettled refugees, and to take a strong stance in addressing hate crimes.

6. **Continue to meet the UK's commitment to spending 0.7% of its GDP on overseas aid (serve as a ‘0.7 donor’) to support the UN and other trusted partners.** In accordance with the UN’s goal for developed countries, the UK has pledged to spend 0.7% of its GDP on overseas aid since 1974, but met that goal for the first time in 2013.\(^3^9\)
   
a. In addition to outlining the six priorities, the UNHCR continues to work towards a positive image of refugees and asylum-seekers through its “A Great British Welcome” series, a digital celebration of refugees in the UK and the people who support them.\(^4^0\)

7. Lastly, at the 2018 UN General Assembly, the **UNHCR proposed a global compact on refugees** that contains an introduction to the issues to be addressed, a comprehensive refugee response framework, a programme of action, and a follow-up/review section. The global compact, which has wide support from the international community, is aimed at producing a more equitable division of the responsibility for the protection of refugees and outlining a set of steps that countries can take to respond more effectively to emergency situations.\(^4^1\)

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Key Issues

As this event is very current, feel free to backtrack a bit when we are discussing (or when you are writing your resolutions) to describe things you may have done differently from the actual world leaders. Keep in mind that there are many aspects from which to approach an issue (legislative/things controlled by the UK Parliament, funding pledges to local non-profit/organizational, international declarations from UN the UN/support from other countries), and many ways to create an impact (e.g. social media).

1. What is our goal, and what issues do we need to address?
2. Short-term: What Asylum Seekers Need the Most
3. Long-term Considerations: Adopting the Global Compact and Changing Policy

Bloc Positions

These statements are based on the general sentiments of the region, and may not reflect your country’s position accurately. This is meant to give a general overview of where key players stand; thus, not every region and not every country will be mentioned.

Europe (excluding UK)

With regards to migrants, Europe remains deeply split.

The UK and France remain committed to the “Le Toquet agreement,” a 2003 treaty with France that prevents migrants and refugees stationed in Calais from crossing the English Channel. France requires that the UK pay more for increased border security and that it take in more asylum seekers
to compensate. In January 2018, French President Emmanuel Macron and UK Prime Minister Theresa May signed the Sandhurst treaty, in which the UK agreed to pay an additional £44.5m.\textsuperscript{42} Germany faces pressure over asylum scandals (asylum seekers being approved as refugees despite not meeting criteria)\textsuperscript{43} and a wave of UK nationals of German descent who are applying for German passports so that it will be easier for them to work and travel in the wake of Brexit.\textsuperscript{44} Though migration to Germany remains high, numbers have dropped due largely to closure of a common route through the Balkans and 2016 EU deal with Turkey.\textsuperscript{45}

Spain is refusing to approve of the UK’s Brexit Withdrawal Agreement unless wording regarding Gibraltar, a disputed territory, is clarified.\textsuperscript{46} While Spain does not have veto power, it is very likely that the other members states of the EU will not approve of the agreement without Spain’s support. Hungary and Slovakia are facing a possible complaint from the European Court of Justice for refusing to accept migrants under an EU quota plan, and for Hungary’s unilateral decision to build a razor-wire fence and prosecute illegal migrants.\textsuperscript{47} Hungary, Bulgaria, Poland, Italy, and Croatia are among the countries that accept very few or no refugees.\textsuperscript{48}

Lastly, by virtue of their position on the Mediterranean Sea and the EU requirement that asylum seekers register their claim in the first EU country they enter, Spain, Greece, and Italy continue to

\begin{itemize}
  \item \textsuperscript{43}Scally, Derek. “Merkel Faces Tide of Criticism as Asylum Scandal Overruns Germany.” The Irish Times, 4 Jun. 2018. \url{irishtimes.com}. Web. 22 Nov. 2018.
  \item \textsuperscript{47}“How is the Migrant Crisis Dividing EU Countries?” BBC News, 4 Mar. 2016. \url{bbc.com}. Web. 22 Nov. 2018.
  \item \textsuperscript{48}Kirk, Ashley. “The maps and charts that explain how Europe's refugee crisis developed in 2016.” The Telegraph, 7 July 2017. \url{telegraph.co.uk}. Web. 21 Nov. 2018.
\end{itemize}
struggle with border control and asylum claim processing.\textsuperscript{49} Far-right parties in Italy and Austria have promised voters to send back migrants, and drownings in the Mediterranean Sea have increased after non-Italian NGO rescue vessels were no longer allowed to dock at Italian ports.\textsuperscript{50}

**UK**

The UK representative to the UNHCR has expressed a desire for the UNHCR to shift its focus from Agency mandates to unbiased Joint Needs Assessments based on the needs of the people in the field, and has also reiterated the need to prevent sexual exploitation of asylum seekers.\textsuperscript{51} The UK government continues to be deeply split between pro- and anti-Brexiteers, with Prime Minister Theresa May struggling to negotiate a post-Brexit deal that is acceptable to both the UK and the EU.\textsuperscript{52}

**The United States**

Due to geographic isolation, the US has not been as privy to conversations regarding Brexit and the European migration crisis as have European countries. However, as of June 2018, the US has surpassed Germany to become the country with the most new asylum applications, with the majority of applicants hailing from North and Central America.\textsuperscript{53} Due to similar shifts in political climate with the election of President Donald Trump and the


\textsuperscript{50} Ibid.


Republican Party’s stance on immigration, however, the US’s policy recommendations with regards to post-Brexit asylum legislation (as well as its contributions to the sharing of the global responsibility to protect refugees) remain relevant in the global scene.

Image Sources


Further Research

1. UK Resettlement and Integration Procedure Overview and Summary of Current Resettlement Data:

   2. [https://www.resettlement.eu/country/uk#resettlement-quota--actors](https://www.resettlement.eu/country/uk#resettlement-quota--actors)

3. Current State of the European Migration Crisis:

The Internally Displaced Persons Conflict in Myanmar

Case Study: Kachin, Myanmar

The United Nations defines internally displaced persons as “persons or groups of persons who have been forced or obliged to flee or to leave their homes or places of habitual residence, in particular as a result of or in order to avoid the effects of armed conflict, situations of generalized violence, violations of human rights or natural or human-made disasters, and who have not crossed an internationally recognized border.” They remain in their country and are thereby not recognized as refugees by the United Nations, making them highly vulnerable. The reasons for staying in their own countries varies; it could be because they lack the physical stamina to undertake such an arduous journey, or it may be that the border is littered with too many dangerous obstacles to justify the journey. Figure 1 shows the number of internally displaced persons (IDPs) over the world and their distribution due to conflict (political, cultural, etc.) or disasters (earthquakes, hurricanes, fires, etc.). As one would expect, most IDPs are from emerging countries. Figure 1: The orange dots indicate
the number of IDPs due to conflicts and the blue dots indicate the number of IDPs due to disasters. Even after the crisis is over, many IDPs face challenges returning home because of inherent distrust amongst their peers. When displacement happens, the regions that people are forced to relocate to are usually culturally very different from their home countries. As if those differences were not ostracizing enough, the IDPs also put a strain on the resources of their new host. Sometimes, IDPs are even incapable of contributing to the success of the new region because their skills are in agrarian fields, not urban environments. The problems do not stop when they return home, where there is a question of where their loyalty has shifted and if they have really returned home for nefarious means. Take the example of Boko Haram. When the Chibok girls were returned, many families refused to accept them because of their fear that the girls had been tainted by the many years under the influence of the terrorist organization. Currently, the UNHCR has a cluster approach to aiding IDPs. They set up stations in centrally located areas and try to provide as much assistance as possible. The problem arises when they try to become too involved or forge too deep into the nation. They risk infringing on one of the largest tenants of the United Nations: a state’s right to national sovereignty. Figure 2: The ratio of IDPs to refugees to asylum seekers worldwide.

Background on Kachin’s Crisis

Myanmar borders Bangladesh, India, China, Laos, and Thailand, therefore putting it in the crossfire of extensive political maneuvering from other major powers and also making it one of the centers of highest ethnic diversity in the Eastern Hemisphere. It has 135 ‘national races,’ predominated by the Bamar, a race akin to Caucasians in Europe. The second majorities are Indians and the Chinese. Ethnicity is defined differently in Myanmar (see below links to learn more), but the main information to keep in mind is that anyone not of the Bamar classification is viewed as a minority.
Kachin itself is divided in two by de facto proximity; China is on one side and Burma is on the other side. This created a very distinct divide in terms of social, religious, political, and business networks. The ethnic majority is delineated as Kachin (ethnic minority in Burma as a whole), and is part of the same ethnolinguistic family as the Bamar. Due to how there is a clearly identifiable ethnic grouping in Kachin separate from the surrounding areas, this issue, in simplest form, is that of desiring an independent nation-state. Kachin has allied itself with China and the United Kingdom in the past, but nothing has come of it. They have been largely ignored by all of the major powers. The key players in the conflict under consideration are the Chinese government, the Burmese government, and the Kachin Independence Organization (KIO). The conflict started out small, with Kachin citizens protesting the dam built in their area that was meant to provide electricity to China, not Kachin. Other smaller scale disagreements included the Myanmar government's attempt to take control of all of the ethnic groups near the border of Myanmar by offering them a place in the Border Guard Forces in exchange for a cut of the profits garnered from the border trade. When the Kachin State Progressive Party was forbidden to participate because of their support of the KIO, the Kachin Independence Army (KIA), about 10,000 strong, was re-initiated from the previous 1994 conflict. In May 2018, a new alliance was formed between the KIA and the other, smaller, ethnic groups that were also fighting personal wars with the Myanmar government. The alliance has been named the Federal Political Negotiating and Consultative Committee. Much of the fighting is being done guerrilla style, between the KIA and the Tatmadaw (the Myanmar military) so there is no designated area for a neutral cluster camp to be set up. The closest thing most civilians have are Baptist or Catholic church compounds, which are widely left alone by all parties involved. The roads are constantly in peril, due to roadside bombs and roaming pockets of the army that are desperate for supplies and are willing to divest any travelers of their goods. In June 2017, the Myanmar government threatened all civilians who lived in mining areas by dropping leaflets from a helicopter
that said to either move or be seen as an ally to the KIA. The conflict has slowly been spilling into Chinese townships: Tanai, Hpkant, Injingyang, Sumprabaum, and Waingmaw (Time 2018). China has been the funnel through which most of the aid is getting through, but the Kachin people are still having to resort to natural remedies for most of their ailments. China is also starting to take a more active role in working to resolve the conflict by publicly supporting the FPNCC and backing them at the negotiating table with the Burmese government.

Conclusion

As one can see, Kachin’s crisis is a little more complex than just delivering aid to IDPs. There are significant barriers in place from the government and other ethnic minorities, not to mention the disparity in culture between all of the different IDPs. To add to that, there is also no clear liaison that could potentially aid the UNHCR. Both the KIO and the Burmese government have equivocated supporting the UNHCR or actively protecting the refugees. Another factor to consider is that Myanmar is not solely filled with IDPs. There are refugees from China, Bangladesh, and the other neighboring countries. There is conflict with those persons in addition to the conflicts that are already happening. When debating this conflict, the UNHCR must be very careful to respect Kachin’s diversity and border location. When and if the larger issue of debating the rights of IDPs comes to the table, it is important to remember the differences between IDPs and refugees and all of the reasons why IDPs were incapable of reaching refugee status. We are looking to debate the ways we can help these IDPs in Kachin

Considerations
Should the UN have an overarching policy for IDPs? If so, what?

Should there be effort to unite the refugees and IDPs?

Should China lead the efforts to aid IDPs?

What should be done with the refugees from Bangladesh and other areas that fled to Myanmar?

Should there be a separate policy for them?

Do they get the same protections?

Should the UN support the KIO?

Should the Rohingya be included in this conversation?

Further Reading


https://www.cfr.org/blog/humanitarian-crisis-you-havent-heard-about

https://www.unhcr.org/information-on-unhcr-resettlement.html

https://www.unocha.org/myanmar/about-ocha-myanmar


https://static1.squarespace.com/static/54c899d3e4b0938266f57ab0/t/597ee216e58c621d069855d3/1501487668732/Mahalia_Gaskin_McDaniel_IID_Final_Report+%281%29.pdf