

METIMUN 2011

First Session



London Metropolitan
University UNYSA
(UNAMET)

COMMITTEE GUIDE HUMAN RIGHTS COUNCIL

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Introduction to the Human Rights Council

The Human Rights Council (HRC) was created by the UN General Assembly on 15 March 2006. Its main purpose is to address situations of human rights violations and to make recommendations on them. The Council is responsible for strengthening the promotion and protection of human rights around the globe and each state can only serve up to three terms.

Membership of the Human Rights Council as of 20 June 2011:

Country	Membership expires on 31.12., year as shown
Angola	2013
Austria	2014
Bangladesh	2012
Belgium	2012
Benin	2014
Botswana	2014
Burkina Faso	2014
Cameroon	2012
Chile	2014
China	2012
Congo	2014
Costa Rica	2014
Cuba	2012
Czech Republic	2014
Djibouti	2012
Ecuador	2013

Guatemala	2013
Hungary	2012
India	2014
Indonesia	2014
Italy	2014
Jordan	2012
Malaysia	2014
Kuwait	2012
Kyrgyzstan	2013
Libyan Arab Jamahiriya*	2013
Malaysia	2013
Maldives	2013
Mauritania	2013
Mauritius	2012
Mexico	2012
Nigeria	2012
Norway	2012
Peru	2014
Philippines	2014
Poland	2013
Qatar	2013
Republic of Moldova	2013
Romania	2014
Russian Federation	2012
Saudi Arabia	2012
Senegal	2012
Spain	2013
Switzerland	2013
Thailand	2013
Uruguay	2012
United States of America	2012

* Suspended by General Assembly Resolution A/65/265 adopted on 1 March 2011.

One year after holding its first meeting, on 18 June 2007, the Council adopted its “Institution-building package” providing elements to guide it in its future work. Among the elements is the new Universal Periodic Review mechanism, which will assess the human rights situations in all 192 UN Member States. Other features include a new Advisory Committee, which serves as the Council’s “think tank” providing it with expertise and advice on thematic human rights issues and the revised Complaints Procedure mechanism, which allows individuals and organizations to bring complaints about human rights violations to the attention of the Council. The Human Rights Council also continues to work closely with the UN Special Procedures established by the former Commission on Human Rights and assumed by the Council.

Key Definitions

Universal Declaration of Human Rights

The Universal Declaration of Human Rights (UDHR) is a milestone document in the history of human rights. Drafted by representatives with different legal and cultural backgrounds from all regions of the world, the Declaration was proclaimed by the United Nations General Assembly in Paris on 10 December 1948 and consists of 30 articles. More information on the Declaration can be found here: <http://www.un.org/en/documents/udhr/>.

Immigration

The entrance of a person (an alien) into a new country for the purpose of establishing permanent residence. Motives for immigration are often economic, although religious or political factors may play a role as well. High rates of immigration are frequently accompanied by militant and sometimes violent calls for immigration restriction or deportation by nationalist groups.

Integration

The term has two meanings:

- Providing stability to a social group: Without a certain level of integration, social organisation cannot exist. In this sense, integration includes organisational principles like the division of labour, the public celebration of solidarity, norms and rules, etc.
- The process of making someone equal or fitting to the rest of society, also called acculturation. Nearly all concepts of acculturation assume that the 'native' members of the host country already share the same traits that the immigrants still have to attain. Acculturation inevitably aims at reducing cultural diversity.

Sexual Violence

The term is used to describe any violence, physical or psychological, carried out through sexual means or by targeting sexuality.

Sexual violence includes rape and attempted rape, and such acts as forcing a person to strip naked in public, forcing two victims to perform sexual acts on one another or harm one another in a sexual manner, mutilating a person's genitals or a woman's breasts, as well as sexual slavery.

Topics for the HRC Committee At METiMUN 2011

Topic A:

Immigration and Integration

Topic B:

Sexual Violence and Impunity

Topic A: Immigration and Integration

Introduction

- The panel of the Human Rights Council draws attention to the fact that irregular immigration is often associated with criminal offenses and this promotes the stigmatization of migrants and often encourages hostility and xenophobia.
- It is now being stressed that terms such as “illegal immigrants” should be avoided and replaced by the internationally accepted definitions of “irregular” or “undocumented” migrants, which more accurately describe the situation of not having, or having lost, the proper documents allowing them to reside in a given territory or to work there.
- Under international human rights law, deprivation of liberty should be a measure of last resort. However, undocumented immigrants are often detained as a routine, often without proper judicial safeguards, as noted by NGO specialists.



<http://www.automation-drive.com/immigration-law>

Key definitions

Displaced Person / Displacement:

- The displacement of people refers to the forced movement of people from their locality or environment and occupational activities. It is a form of social change caused by a number of factors, the most common being armed conflict. Natural disasters, famine, development and economic changes may also be a cause of displacement.

Exploitative Migration

- People that are affected by poverty and decide to migrate often do not have another choice. Migration unfortunately includes a broad spectrum of exploitation that migrants may be confronted with, like trafficking, smuggling or exploitative labour of a person in a country of which he or she is not a national.

Migrant/Migration

- This definition indicates that migrant does not refer to refugees, displaced or others forced or compelled to leave their homes. Migrants are people who make choices about when to leave and where to go, even though these choices are sometimes extremely constrained.

Current issues in the 21st century

International migration is a global phenomenon and a fundamental part of the 21st century. With **over 200 million migrants** in the world today, international migration is set to increase in the years ahead. However, beyond regional arrangements (foremost among them - the free movement within the European Union) and the international refugee regime, migration governance lags significantly behind the management of other aspects of globalization. How states can effectively manage human mobility and take advantage of the opportunities it presents in changing demographic and economic conditions has become a crucial challenge.

Immigrants usually have a clear disincentive to return to their home countries. For some of them return migration is simply not possible, whereas some have left mainly for family reunification and it might be safe to go back at any time. The situation in the home country may also change to the better, improving return migration opportunities. Overall, it is a fact that immigrants' source countries are often both politically and economically less stable than their host countries.

Return migration from western societies has decreased considerably over the last decades, primarily due to a change in the composition of immigrant populations. Labor migrants were the ones who dominated immigration prior to the recruitment halt in the early 1970s and they usually displayed high rates of return migration. Refugees, on the other hand, have dominated immigration from the 1970s onwards and have displayed low rates of return migration mainly due the security situation in their home countries.

Important events

The leaders of France and Italy: Reform of the Europe's Schengen open-border treaty;
26th April 2011

The move by President Nicolas Sarkozy and PM Silvio Berlusconi came after they met to discuss the rise in North African migration to Europe. This happened after Italy had angered France by granting visas to thousands of migrants, allowing them to travel across Europe's border-free Schengen zone. About 25,000 migrants had arrived in southern Italy over the past few months before June 2011, most of whom have fled the unrest in North Africa earlier this year.



http://www.adnkronos.com/IGN/Aki/English/Politics/Italy-Berlusconi-Sarkozy-call-for-changes-to-Schengen_311945790734.html

Questions to consider:

How should Europe react to the rise in immigration from Northern Africa and the Middle East?

May that trend have negative impact to the stability and unity of the EU, or will it rather have a positive effect on the cultural diversity in the block?

Should countries bordering Africa and the Middle East be treated specially and receive additional help when it comes to dealing with immigrants?

What should be the stand of the EU in regards to the asylum seekers and refugees coming to Turkey from Syria and Iraq? How should the authorities react in Bulgaria and Greece – the two closest EU countries to Turkey?

What is the situation in North America when it comes to illegal immigration from Mexico and other Latin American countries? May this affect the plans for a new economic union – the USA, Canada and Mexico?

The Somalia famine

The United Nations has declared a famine in two areas of southern Somalia as the region suffers the worst drought in more than half a century. It is the first time that the country has seen famine in 19 years. There is an unimaginable quantity of people that have fled their homes due to lack of basic resources. There have been many reports of struggle to arrive in Kenya to seek aid. How these millions of people are integrated back to a satisfactory situation will be critical for debate. Children and women are the most vulnerable: more than 2 million children under five in Somalia, Kenya and Ethiopia are acutely malnourished, including almost 500,000 children suffering from life-threatening severe acute malnutrition.



<http://arcticcompass.blogspot.com/2011/07/what-is-happening-in-somalia.html>

Questions to consider:

In addition to political instability, Somalia has suffered from famine in the last few months. What effect does it have worldwide on food prices? What is the stand of the main political blocks globally on this issue?

Should tariffs on import in bordering underdeveloped countries be reduced as a tool to improve their economic situation (this has been suggested by numerous scientists and researchers)? Should trade between Northern and Southern countries be increased with the similar aim to improve wellbeing of the people in the South and thus reduce immigration levels from those countries to the North?

How can people from less developed countries be integrated more easily into the developed ones?

Important to remember!

There is an urgent need to develop a progressive agenda, which establishes the place of immigration in wider economic and demographic policy, the rights of people as they move across borders and the importance of tolerant and trusting communities.

For this topic, please write a position paper of no more than 600 words, detailing your country's position and send it to hrc.metimun2011@gmail.com by 31st October 2011.

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Topic B: Sexual Violence and Impunity

Key Definitions

Abuse

- The violation of an individual's human and civil rights by another person or persons. Abuse may consist of a single act or repeated acts. It may be physical, verbal or psychological. It may be an act of neglect or an omission to act, or it may occur when a vulnerable person is persuaded to enter into a financial or sexual transaction to which he or she has not consented or cannot consent. Abuse can occur in any relationship and may result in significant harm to, or exploitation of, the person subjected to it.

Physical Abuse

- Includes hitting, slapping, pushing, kicking or inappropriate sanctions.

Sexual Abuse

- Includes rape and sexual assault or sexual attacks to which the victim has not consented, or could not consent or was pressurized into consenting.

Psychological Abuse

- Emotional abuse, threats of harm or abandonment, deprivation of contact, humiliating, blaming, controlling, intimidation, coercion, harassment, verbal abuse, isolation or withdrawal from services or supportive networks.

Why is this issue important?

The two main reasons why Sexual Violence needs to be discussed and combated is that it *destroys the glue of society* and that it is often used as a *weapon of war*.

Please visit http://www.economist.com/blogs/multimedia/2011/01/rape_weapon_war for an interview with photographer Marcus Bleasdale and a slideshow of his photos in war-torn regions of Africa.

Numerous human rights organizations worldwide call for stopping sexual and any other sort of violence against women and children and for stricter rules for punishment of the

offenders. Some of these organizations are Human Rights Watch, Amnesty International, Womens International League for Peace and Freedom, etc. Please see for more information: <http://www.stoprapenow.org/ngo-links/>.

“Violence against women and girls continues unabated in every continent, country and culture. It takes a devastating toll on women’s lives, on their families, and on society as a whole. Most societies prohibit such violence — yet the reality is that too often, it is covered up or tacitly condoned”.

— UN Secretary-General Ban Ki-Moon, 8 March 2007

Statistics

Europe

- In a randomly selected study of nearly 1,200 ninth grade students in Geneva, Switzerland, 20% of girls revealed they had experienced at least one incident of sexual abuse (2002).
- Over 20,000 Muslim women were known to be raped in Bosnia and Herzegovina during the Balkan War (1997). After the war estimates of the numbers of women raped range from 10,000 to 60,000 (2000).
- A survey in the United Kingdom found that 19.4 % of women had been victims of sexual violence (2001).
- 11.6 % of women in the Czech Republic reported experiencing forced sexual contact in their lifetime, and 3.4 % of those women reported they had experienced forced sexual contact on more than one occasion (2005).

South America

- In Peru, 90 % of 12 to 16 year old girls giving birth were pregnant from rape, and often incest (2001).
- In Costa Rica, Peru and Uruguay, a rapist can go free under the Penal Code if he proposes to marry the victim and she consents (2002).

Africa

- In South Africa, a sex crime happens every twenty seconds (2001).

- Reported incidents of rapes in 12 South African provinces increased from 182 in 2001 to 270 in 2002.

Russia

- 14,000 of the 331,815 reported crimes committed against women in the Russian Federation were rapes (1993).

Canada

- 23.3 % of women had been victims of rape and attempted rape (1997).

South Pacific

- Among 95 women interviewed in Papua New Guinea, about half of them said their husbands had forced them into sex. 1/3 of those forced said they had been beaten into sex, and 1/5 had been manipulated into it by drunken husbands (1997).

United States of America

- It is estimated that one in three American women will be sexually assaulted in her lifetime.
- 89% of sexual assaults are committed by someone the victim knows.
- For every sexual assault reported to the police, three to ten others go unreported.
- 13% of males will be sexually assaulted during their lifetimes.

Worldwide

- One out of three women worldwide has experienced rape or sexual assault (2001).
- In some countries, up to one-third of adolescent girls report forced sexual initiation (2002).
- One preliminary study in eight different countries found a 24.7 % rate of sexual violence in dating relationships (2001).
- Studies show that 5-10 percent of men report a history of childhood sexual abuse (2002).
- Hundreds of thousands of women and girls throughout the world are forcibly trafficked and prostituted each year which makes this business *the second most profitable trade business in the world after trafficking of weapons*.

- A report of seven different countries found that more than 60% of sexual assault victims know their attackers (2000).

Current Events

UN envoy welcomes study into extent of sexual violence in DR Congo

12 May 2011 – The United Nations envoy leading the world's body efforts to eliminate sexual violence during conflict has welcomed the release of a new study on sexual violence in the Democratic Republic of the Congo (DRC) that indicates the prevalence of the crime is much worse than previously reported.

The American Journal of Public Health estimates that almost two million Congolese women have been raped and that women and girls are victimized at a rate of *nearly one per minute*.

An explanation of the normally big difference in figures of different NGOs researching in the DRC and the official UN figures might be that the UN can only report to the Security Council on sexual violence that *it has been able to verify*.

It is underscored that conflict-related sexual violence remains one of the biggest obstacles to peace in the DRC.

Of particular importance is the *UN Security Council resolution 1960* which is to ensure that mass rape is criminalized and offenders shall be penalized. The resolution is available here: <http://daccess-dds-ny.un.org/doc/UNDOC/GEN/N10/698/34/PDF/N1069834.pdf?OpenElement>.



<http://berkeleycollegestudentblogger6.blogspot.com/2011/04/sexual-assault-awareness-month.html>

An interesting fact is that April 2011 was a Sexual Violence Awareness Month in the USA. The unfortunate reality is that every 2 minutes someone in the US is sexually assaulted.

Sexual Abuses in women's prisons

Ongoing - A well known problem in American prisons – and not only there – is that incarcerated women are often being abused by their guards. An excerpt from a letter from an inmate in an Alabama jail reads:

"I am 7 months pregnant [and] I got pregnant here during a sexual assault. I have been sexually assaulted here numerous times! The jailers here are the ones doing it!"

It is a fact that prisoners rely on their guards for almost everything – for necessities like food, as well as for privileges like cigarettes. In addition, guards have unlimited access to all areas where prisoners are – where they sleep, eat, bathe, etc. This increases very much the likelihood of those prisoners becoming victims of assaults.

In addition, just like outside of prison, there too it is very common of sexual violence to go unreported. This is due to fear of the victims that their claims might be hard to prove, that their offenders will retaliate or just because of embarrassment and shame. Also, the possibility of pregnancy exists and it is yet more difficult for incarcerated women to get a hold of emergency contraception or to make an abortion, which are quite often not even available as options.

Despite this, many argue that sexual assaults in prisons can be preventable. This could be done through efforts such as good training for the prison staff, better education of the prisoners about their rights, elimination of impunity for the guards and better investigation and follow up when it comes to reports of sexual violence.

Questions to consider:

What is the penalty for sexual violence in your country and what are some relevant statistics?

What should be the role of the UN I in order to limit sexual violence and human trafficking?

How can different NGOs help in the attempts to reduce sexual violence?

What should be the international standard in regards to sexual impunity – is there really reluctance to prosecute high-ranking officials and do judicial systems worldwide have enough capacity to resolve the issue?

For this topic, please write a position paper of no more than 600 words, detailing your country's position and send it to hrc.metimun2011@gmail.com by 31st October 2011.

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