Stanford Model United Nations Conference 2014

Chair: TBA
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Welcome to the United Nations High Commissioner for Refugees!

We're very excited to have you all at the Stanford Model United Nations Conference 2014! This is going to be an excellent committee with a lot of learning and a lot of fun!

A quick note on the chairing situation: unfortunately, our original chair is no longer able to chair this committee. We will have a replacement chair in the next week. When we do get a replacement chair, we will include an updated chair letter with your chair's email address so that you can turn in background guides and ask any questions you may have. In the mean time, feel free to ask your cochair, Quinton, or either of us any questions!

Lastly, I spent my own summer in Jordan, so I saw firsthand many of the effects of the refugee crisis you will debate for topic 1, and I am very excited to hear about the solutions your brilliant minds come up with.

Sincerely,

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Topic 1: Jordan's Protracted Refugee Crisis

Since the partition of Israel and Palestine, the Hashemite Kingdom of Jordan has become home for hundreds of thousands of refugees. As a relative beacon of stability in a region marred by violence, Jordan has continued to attract refugees en masse. The American invasion of Iraq in 2003, the violent civil war in Syria, and now the successes of the Islamic State have caused a recent uptick in the movement of refugees into the kingdom. While Jordan has been largely welcoming to these refugees, the strain on the country's resources is growing and the need for a comprehensive, long-term solution for these refugees is critical. As Refugees International explains, "the country has few natural resources, significant unemployment, and depends significantly on foreign aid. These factors have both limited its capacity to absorb refugee populations, and led to increasing public protests and calls for reform."[1] It is clear that a solution is needed that addresses both the short-term and long-term challenges facing refugee communities in Jordan. This body is here to produce solutions for Jordan's long-term refugee crisis. Any resolution must take into mind sustainability and the highly protracted nature of the crisis.

Sizing the Problem

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[1] Refugees International, *Jordan, http://www.refugeesinternational.org/where-we-work/middle-east/jordan*

The UNHCR estimates that there are around 1.3 million refugees in Jordan today, whose population is only 6.5 million. Syrians are "the largest refugee population of concern to the UNHCR in Jordan," and the UNHCR "expects the

UNHCR 2014 planning figures for Jordan							
		Dec 2013		Dec 2014		Dec 2015	
TYPE OF POPULATION	ORIGIN	Total in country	of whom assisted by UNHCR	Total in country	of whom assisted by UNHCR	Total in country	of whom assisted by UNHCR
Refugees	Iraq	24,730	24,730	23,290	23,290	20,790	20,790
	Syrian Arab Rep.	1,254,950	1,254,950	1,410,520	1,410,520	1,324,210	1,324,210
	Various	1,350	1,350	1,800	1,800	2,260	2,260
Asylum-seekers	Iraq	1,200	1,200	1,600	1,600	900	900
	Syrian Arab Rep.	490	490	490	490	490	490
	Various	790	790	740	740	680	680
Total		1,283,510	1,283,510	1,438,440	1,438,440	1,349,330	1,349,330

numbers of Syrian refugees fleeing to Jordan to increase." [2] The next biggest group is Iraqis, followed by a number of refugees from Sudan and other countries. A large majority of Syrians (about 80%) are scattered in non-camp settings around the north. About 120,000 Syrians are hosted in the Zataari refugee camp. This camp is "now the fourth largest city in Jordan and the second biggest refugee camp in the world."[3] While official UNHCR numbers have the number of Iraqis in the 20,000s, the government of Jordan "estimates that 450,000 may be in the country."[4]

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[2] UNHCR, *2014 UNHCR country operations profile – Jordan*, http://www.unhcr.org/pages/49e486566.html
[3] Syrian Refugees, *A Snapshot of the Crisis- In the Middle East Europe*, http://syrianrefugees.eu/?page_id=87
[4] Refugees International (see above)

Challenges

Jordan's refugee crisis is what is known as a "protracted refugee crisis." The challenges it poses relate to the sustainability of such a large refugee population on a country with limited resources. Under the UNHCR mandate, refugees in Jordan are free from the risk of "being sent back to their conflict-torn countries" and get "access to food, water, shelter and basic medical services."[5]

Employment and Poverty

Within the refugee camps, there is a support structure, but "many families feel trapped, crowded, and even farther from any sense of home," and thus choose to live in cities.[6] Here, access to aid is much more limited and the standard of living can be much lower. Those lucky enough to have relatives in Jordan will often stay there, but many struggle to find and pay for cheap shelter.

Refugees are technically not allowed to work, but it is commonplace to find Syrians, Iraqis, and other refugees employed across major cities like Amman.[7] Refugee children "can legally attend Jordanian schools but rarely do," instead having to work. Jordan may be reluctant to grant employment opportunities for a number of reasons. First, there is popular pressure on the government to preserve Jordanian

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[5] The Atlantic, *Jordan's Quiet Emergency*
http://www.theatlantic.com/international/archive/2014/07/jordans-quiet-emergency/374803/?single_page=true
[6] Mercy Corps, *Quick facts: What you need to know about the Syria Crisis*
http://www.mercycorps.org/articles/turkey-iraq-jordan-lebanon-syria/quick-facts-what-you-need-know-about-syria-crisis
[7] The Atlantic, *Jordan's Quiet Emergency (*see above)

jobs from "competition from Syrians in local job markets."[8] Second, some think Jordan is wary to give the appearance that refugees may aid the economy, as this may cause restraint among international donors.

Strain on Resources

Public resources are another area where strain is beginning to show as Syrians and other refugees are increasingly seen as competing with Jordanians for "water, electricity, food, schooling, housing, and health care." The Jordanian government identified 7 sectors in which it faces shortages: education, energy, health, housing, municipal services, social protection, and water. While there are limits to what this body can do, any resolution passed should attempt to deal with the strain caused on these resources. Improving education and health care, providing housing, and aiding with energy needs in order to help refugees both inside and outside camps is critical.

One area that demands a particularly unique solution is "one of Jordan's most pressing problems – water." Many parts of Jordan are "quite literally going dry." In addition, in some districts, nearly 50% of water is lost through leaks in old pipes or "people illegally siphoning water from the municipal system."[9] Groups have dug wells to deal with the problem, but longer-term solutions are needed. A

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[8] National Resilience Plan 2014-2016 (very good source of information) http://static.squarespace.com/static/522c2552e4b0d3c39ccd1e00/t/52d56d14e4 b06cae9d86868b/1389718804621/National%20Resilience%20Plan_Jordan.pdf
[9] Time, *Will Syria's Refugee Crisis Drain Jordan of Its Water?* *http://world.time.com/2013/04/04/how-syrias-refugee-crisis-is-draining-jordans-scarce-water-supply/*

comprehensive plan to make Jordan's water supply system more stable is critical given the protracted nature of its refugee crisis.

Inadequate Funding

In late 2013, the UN said dealing with the Syria crisis alone for the year would require about $6billon, up from last year's $5billion which was itself underfunded by 38%[10]. Dealing with the more recent influx of Iraqis will take more. Finding and providing funding for the continuation of many programs already in effect should be another goal of any resolution to address this issue. Delegates should consider fund raising, contributions from countries, and other means of providing financing for the crisis.

Longer Term Solution

As violence drags on in Syria and Iraq, the chance for short-term repatriation for many refugees is dwindling. While the continued presence of many refugees in Jordan in the future seems inevitable, some think other nations should bear more of the burden by opening their doors in greater numbers. For many of your countries, this will be a particularly thorny issue.

Resettlement within Jordan is also a thorny issue. Refugee camps provide only a short-term solution for any refugee problem. But over time, most see camps as "problematic" at best, and "at worst dehumanizing and dangerous." Camps

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[10] Mercy Corps, *Quick Facts* (see above)

become "breeding grounds for violence," "face health risks like malnutrition and epidemics," and break down traditional, stabilizing social units (ie, families).[11] Such resettlement, however, can be tricky. Jordan is hesitant to integrate refugees into urban environments where there is a less visible "liability" for the international community and there is a great strain on urban resources. Nevertheless, given the magnitude of the current crisis, many refugees have already left for cities. One possible solution that has been used in the past with some success is limited integration of refugees outside of camps in exchange for development aid. (Although some would argue the level of integration today is beyond limited already).

In addition, many of the above problems have already been addressed to some degree in the short term. Finding a long-term solution for them, such as providing long term education or employment opportunities must be considered in your debate and resolutions.

Conclusion and Further Research

It is the aim of this background guide to give you a basic overview of the challenges facing Jordan in its refugee crisis, but it can only really scrape the surface. As you continue your research, a good place to start would be actions already taken by the international community regarding the crisis. Then you should start to consider the ways with which you can fund any solution. With regard to all of these

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[11] Foreign Policy, *The Last Refugee Camp*
http://www.foreignpolicy.com/articles/2013/10/30/the_last_refugee_camp

issues, gaining the continued support of the Jordanian local population will be critical, and should be kept in mind. Good luck in your research, delegates!

Topic 2: Statelessness

Statement of the problem

The Definition of Statelessness

The United Nations High Commissioner for Refugees (UNHCR) defines statelessness as *the condition of an individual who is not considered as a national by any State*. The concept of refugees and statelessness are often misunderstood. Stateless people may be refugees simultaneously, but refugees are not necessarily stateless. In fact, there are two categories of statelessness: de jure statelessness and de facto statelessness. The former situation happens when an individual lacks the legal citizenship or nationality of any state, while the latter involves people who are legally recognized but are in reality not treated as nationals.

The term *de jure* stateless, according to Article 1 of the 1954 Convention relating to the Status of Stateless Persons, describes "a person who is not considered as a national by any State under the operation of its law". Discrimination of nationality laws, political persecution, and even inability to apply for birth certificates are all possible reasons for lack of nationalities. Without the legal bond with any state, it is impossible for a stateless person to enjoy the most basic human rights.

De facto statelessness refers to people who for whatever reason fail to prove their citizenship. The lack of diplomatic relations between one's state of nationality and state of

residence may also result in similar situation. However, the international society has yet to agree on a clear definition of *de facto* statelessness.

Statelessness around the World

Statelessness is a problem that affects at least ten million people worldwide. According to UNHCR, Asia has the highest number of statelessness cases among six continents with six million stateless people. Europe follows with approximately 600,000 people. Due to the limitations of related information in Africa and other regions, UNHCR believes the population of stateless people is definitely underestimated.

History and Discussion

State and Statelessness

Nationality is the legal relationship between an individual and a state; yet, the concept of modern states, or sovereign states, was not confirmed until the signing of Peace of Westphalia in 1648. However, some forms of statelessness did exist before the treaty. For example, the status of slaves, enslaved people, and inhabitants of conquered territories in the antique Greco-Roman world as well as in other ancient cultures in Middle East, India, China, and Europe are analogous to contemporary statelessness. The problem of statelessness does not disappear with the development of the modern states, but persists to be an underlying conflict nowadays.

Causes of Statelessness

A person without a nationality must either fail to acquire it or lose it later in life. Generally speaking, the causes of statelessness can be classified into three categories: (1) conflicts of nationality laws, (2) discriminations in a country's law, and (3) transfer of sovereignty.

Conflicts of Nationality Laws

Usually, two different principles determine the nationality of a new born baby, *jus soli* and *jus sanguinis*. In a *jus soli* state, people are granted citizenship when they are born in the state's territory, regardless of the nationalities of his/her parents. On the contrary, a *jus sanguinis* state grants automatic nationality to the descendants of its nationals. Two states adopting different nationality policies give rise to possible conflicts that lead to the consequence of statelessness. For instance, when a child was born in a *jus sanguinis* country, while unfortunately the nation of which his/her parents are granted citizenship is a *jus soli* country, he/she faces the problem of statelessness. Statelessness also occurs when the child of migrant workers, whose parents' original country is a *jus soli* state, is unable to obtain nationality in the country of residency, which adopts the principle of *jus sanguinis*. In some states, nationality may even be withdrawn after prolonged residence in another country. All these factors, alone or together, result in statelessness. Although many states have applied a combination of the two systems, many people still find themselves in the cracks of this legal complexity.

Discrimination Under Domestic Law

When a country's nationality law is affected by discrimination against certain people, it could theoretically fail to include every permanent resident in the body of citizenship.

According to the 1957 Convention on the Nationality of Married Women, woman's nationality shall by no means be automatically affected by her marriage to a foreigner, but in many countries' inadequate nationality laws directly or indirectly lead to statelessness for the mother and her children. For instance, if the father is stateless, or the father's country does not permit him to confer his nationality to his child in certain circumstances, statelessness then occurs. Fortunately, since the adoption of the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) in 1979, a great deal of progress has been achieved in most of the states by allowing mothers to confer their nationality to their children and establishing other safeguard mechanism. Take Madagascar for example: a child born to a Malagasy mother and a foreign father can apply for Madagascan nationality when he/she reach majority. Discrimination of ethnic, cultural, religious or linguistic minorities is the prime cause of statelessness nowadays, usually dating back a long historical background. Well-known cases include the Jews and the Romani people across Europe, and the nomadic people in Middle East. The situation worsens in a newly independent state that has possibility to redefine its boundary and nationals, leading to an exclusion of the minority groups in nationality law. Article 9 of the 1961 Convention on the Reduction of Statelessness stresses that "a Contracting State may not deprive any person or group of persons of their nationality on racial, ethnic, religious or political grounds." However, political will to

resolve this problem remains low. Even if such groups are granted nationality, they still encounter hardship to overcome the cultural gap between the majority and the minority.

Transfer of Sovereignty

People living through state succession are easy victim to statelessness. According to the Convention on the Avoidance of Statelessness in relation to State Succession, state succession is defined as "the replacement of one State by another in the responsibility for the international relations of territory" when the state dissolves or breaks up. Dissolution of the Soviet Union, dismemberment of the Socialist Federal Republic of Yugoslavia, and Eritrea's split from Ethiopia are some important cases.

Theoretically, the transfer of sovereignty should simultaneously change the nationals' nationality from the predecessor country to the successor country. If the nationality laws of both the successor and the predecessor states (if the predecessor state still exists) allow their residents to have dual nationalities, statelessness might decrease in this situation. If the successor state is a post-colonial state, concerns of discrimination in this process are even more prominent. It is also disputed whether the residents' nationality should be decided just by the state or by their own self-determination.

Past actions

The United Nations plays an important role in the past actions regarding the reduction of statelessness. In line with the development of international human rights law, the Economic and Social Council appointed the Committee on Refugees and Stateless Persons, the predecessor of the United Nations High Commissioner for Refugees

(UNHCR), to address the national and legal status of refugees. Two conventions on statelessness came into existence respectively in 1954 and 1961. The General Assembly further passed several resolutions in the past decades to reiterate its dedication to the matter, while the UNHCR also launched a new campaign in 2014 aiming to end statelessness.

1948 The Universal Declaration of Human Rights

The Universal Declaration of Human Rights, along with the 1966 International Covenant on Civil and Political Rights, and 1966 International Covenant on Economic, Social and Cultural Rights, are the most fundamental bills of human rights in the global society. The declaration has noted in Article 15 that "everyone has the right to nationality," and "no one shall be arbitrarily deprived of his nationality nor deprived the right to change his nationality."

1954 Convention relating to the Status of Stateless Persons

The Convention relating to the Status of Stateless Persons was adopted by the UN General Assembly in 1954, providing an official definition of statelessness and therefore the basis for the international protection of stateless persons. According to the convention, "a stateless person" is somebody "who is not a considered as a national of any State under the operation of its law". It specifically requires contracting states to provide stateless persons residing within their territories with the same social, economic, cultural and political rights foreigners shall enjoy.

The convention has acquired 80 ratifications and accessions as of today. Yet this number is relatively modest, compared with the 1951 Convention relating to the status of Refugees, which was also adopted in 1951. But its number of parties now stands at 145 states in total.

1961 Convention on the Reduction of Statelessness

The wider-reaching 1961 Convention on the Reduction of Statelessness formally entered into force in 1975, aiming to eliminate the astonishingly large number of stateless persons in Africa, Eastern Europe, South-East Asia and other regions in the world. The convention demands the contracting state to modify their nationality laws that might result in statelessness, and further requires that stateless people who have habitual and lawful residence shall be naturalized as citizens. However, it acknowledges a state's sovereignty to deprive certain people of their nationalities when they commit treason or other serious non-political crime. As of January 2014, only 55 countries had ratified it.

The campaign to End Statelessness (2014)

On the 60th anniversary of 1954 Convention relating to the status of Stateless People, UNHCR launched "The Campaign to End Statelessness", in the hope of eradicating statelessness by 2024 and preventing new possibilities from taking place. To enhance global awareness and political commitment, the campaign wishes to facilitate a series of dialogues between stateless people and the world by establishing the organization of the First Global Forum on Statelessness, which took place in the Hague, the Netherlands from 15 to 17 September of 2014.

Key Players and Case Studies

United Nations High Commissioner for Refugees (UNHCR)

Also known as the UN Refugee Agency, United Nations High Commissioner for Refugees (UNHCR) not only aims at dealing with refugee issues, but is also the main UN organ to provide real assistance to stateless individuals after it was given the mandate through a series of GA resolutions since 1994. UNHCR categorizes its actions into four categories in this regard: identification, prevention, reduction and protection. Working closely with other UN agencies, IGOs, governments, and civil societies,

UNHCR has achieved some success in e.g. Kyrgyzstan, Sri Lanka, and Czech Republic. It also cooperates with different NGOs at local operational level by providing legal services to help the stateless people confirm their nationalities or acquire legal documents to prove their identities.

Possible solutions

Universal consensus has been achieved in the Universal Declaration of Human Rights that 'everyone has the right to a nationality,' and that 'no one shall be arbitrarily deprived of his nationality nor denied the right to change his nationality.' The two following conventions – 1954 Convention relating to the Status of Stateless Persons and 1961 Convention on the Reduction of Statelessness – further defines the term 'stateless

persons' and specifies the actions states should undertake to protect stateless persons and reduce future statelessness.

The two Conventions still have limitations on what they could achieve, with little political commitment to truly protect the most vulnerable stateless population. With nearly two hundred countries in the world, the 1954 convention acquired 80 state ratifications, and the 1961 convention only 55. Furthermore, some clauses in the conventions actually permit ambiguity to respect of state sovereignty. Some doubt the previous efforts can fully tackle various cases of statelessness. A thorough discussion on how to improve and strengthen the current international legal instruments is therefore important, while other initiatives to raise public awareness and carry out practical programs at international, national and local levels are necessary.

Question to Consider

Delegates should keep in mind of the capability and power limit of the United Nations High Commissioner for Refugees as well as every nation's sovereignty when drafting possible resolutions. Below are some questions to consider in the course of research and the conference.

1. Lack of an official definition of *de facto* statelessness results in difficulties targeting the group in need and promoting corresponding resolutions. What could be a revised definition of "statelessness" that a majority of members of the committee can agree on?

2. The causes and problems of statelessness vary *from case to case*. What are aspects that need to be explored to draft a comprehensive resolution, which should include feasible and multi-layered solutions both in the short and the long term?

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