



## SRMUN ATLANTA 2016

*The United Nations Post-2015 Agenda:  
Peace, Security and Development for a Sustainable Future*  
**November 17 - 19, 2016**  
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Greetings Delegates,

Welcome to SRMUN Atlanta 2016 and the United Nations High Commissioner for Refugees Executive Committee (ExCom). My name is Rachael Wnuk, and I will be serving as your Director for ExCom. This will be my second conference as a SRMUN staff member. Previously, I served as the Assistant Director for the World Health Organization in SRMUN Atlanta 2015. I am currently completing a Bachelor's of Science in Public Health with a Pre-Med Concentration and minors in French, Psychology and Health Care Education with the intent of pursuing my Master of Science Physician Assistant Program at Baylor College of Medicine. Our committee's Assistant Director will be Jordin Dickerson. This will be Jordin's first time as a staff member but she is not new to the SRMUN scene as she has been attending SRMUN as a delegate since 2014. Jordan will be graduating in December and is majoring in both History and Political Science, with a concentration in International Relations.

It is ExCom's responsibility to discuss many sweeping issues that are facing the UNHCR. Some of these include: reviewing the UNHCR's current programs, advising on international protection, and reviewing the budget of the UNHCR. It was founded in 1959 by the United Nations General Assembly. Currently ExCom is composed of 98 Member States, all of whom have demonstrated a true devotion to the solution of problems facing refugees.

By focusing on the mission of ExCom and the SRMUN Atlanta 2016 theme of "*The United Nations Post-2015 Agenda: Peace, Security and Development for a Sustainable Future*," we have developed the following topics for the delegates to discuss come conference:

- I. Ensuring the Rights and Safety of Refugee Children
- II. Protection and Proper Repatriation of Refugees

The background guide provides a strong introduction to the committee and the topics and should be utilized as a foundation for the delegate's independent research. While we have attempted to provide a holistic analysis of the issues, the background guide should not be used as the single mode of analysis for the topics. Delegates are expected to go beyond the background guide and engage in intellectual inquiry of their own. The position papers for the committee should reflect the complexity of these issues and their externalities. Delegations are expected to submit a position paper and be prepared for a vigorous discussion at the conference. Position papers should be no longer than two pages in length (single spaced) and demonstrate your Member State's position, policies and recommendations on each of the two topics. For more detailed information about formatting and how to write position papers, delegates can visit [srmun.org](http://srmun.org). All position papers **MUST** be submitted no later than **Friday, October 28, 2016 by 11:59PM EST** via the SRMUN website.

**UNHCR ExCOM will be a report writing committee at SRMUN Atlanta 2016 and delegates should contact us if there are questions regarding what will be expected at the conference.**

Jordin and I are enthusiastic about serving as your dais for ExCom. We wish you all the best of luck in your conference preparation and look forward to working with you in the near future. Please feel free to contact Allie Molinari, Jordin or myself if you have any questions while preparing for the conference.

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## **Committee History for the United Nations High Commissioner for Refugees Executive Committee**

The United Nations High Commissioner for Refugees Executive Committee (ExCom) was created by the United Nations General Assembly (GA) in Resolution 1166 in 1958, in order to further the efforts of the United Nations Refugee Fund Executive Committee (UNREF) and its predecessor the Advisory Committee on Refugees.<sup>1</sup> The first formal meeting of ExCom was held in 1959.<sup>2</sup> Originally, ExCom focused on refugee problems in Austria, Yugoslavia, Hong Kong, and Zaire.<sup>3</sup> The role of ExCom is: “to advise the High Commissioner on the current actions of UNHCR, oversee funds for the committee including approving any requests the High Commissioner makes for funds, and approving a budget that lasts for two years.”<sup>4</sup> Members of ExCom are elected by Economic and Social Council (ECOSOC) and must demonstrate a commitment to solving the refugee crisis.<sup>5</sup> They also must be a member of the United Nations (UN) or an UN agency and the makeup of the ExCom seeks to represent a wide representation of the globe, in order to represent: that the refugee problem has expanded to all corners of the globe and to show that ExCom is committed to solving the refugee crisis globally instead of focusing solely on one region.<sup>6</sup>

ExCom formally meets each October in Geneva, Switzerland for a period of about ten days.<sup>7</sup> Any decisions made by ExCom are reached by consensus and no formal votes are taken as to promote humility and cooperation among Member States.<sup>8</sup> If formal voting does occur, then each Member State is given one vote and the decision will be made by the majority. Voting usually consists of just a raising of hands or placards, but roll call voting is allowed.<sup>9</sup>

ExCom’s Agenda is comprised of: all items proposed by the High Commissioner, all items discussed at the previous session, and proposed by committee members and subsidiary bodies if they are submitted within 8 days of the provisional agenda.<sup>10</sup> The original provisional agenda will be proposed by the High Commissioner and can be edited thereafter.<sup>11</sup> The committee will elect a chairman, vice-chairman, and a rapporteur from its members to lead the annual committee meetings.<sup>12</sup> Most of the day to day activities of the UNHCR are done in the field by one of the 9,300 staff members.<sup>13</sup>

While the budget for the UNHCR is funded via the GA and ECOSOC within the UN, 86 percent of the budget comes from individual governments and the European Union (EU).<sup>14</sup> The remaining money for the budget comes

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<sup>1</sup> “Background on the Executive Committee,” *United Nations High Commissioner for Refugees*, <http://unhcr.org/3b4f09faa.html>. (Accessed March 5, 2016).

<sup>2</sup> Ibid.

<sup>3</sup> Ibid.

<sup>4</sup> “Excom Mandate and Statutes,” *United Nations High Commissioner for Refugees*, <http://www.unhcr.org/pages/49c3646c86.html>. (Accessed March 5, 2016).

<sup>5</sup> Ibid.

<sup>6</sup> Ibid.

<sup>7</sup> “The Executive Committee’s Structure and Meetings,” *United Nations High Commissioner for Refugees*, <http://www.unhcr.org/pages/49c3646c8f.html>. (Accessed March 5, 2016).

<sup>8</sup> “The Executive Committee’s Rules of Procedure,” *United Nations High Commissioner for Refugees*, <http://www.unhcr.org/4201eb512.html>. “Accessed March 5, 2016).

<sup>9</sup> Ibid.

<sup>10</sup> Ibid.

<sup>11</sup> Ibid.

<sup>12</sup> Ibid.

<sup>13</sup> “How UNHCR is Run and Structured,” *United Nations High Commissioner for Refugees*, <http://www.unhcr.org/pages/49c3646c80.html> (Accessed March 5, 2016).

<sup>14</sup> “UNHCR Financial Figures,” *United Nations High Commissioner for Refugees*, <http://www.unhcr.org/pages/49c3646c1a.html> (Accessed March 5, 2016).

from inter-governmental organizations and the private sector.<sup>15</sup> The UNHCR also receives funding from the UN as a whole, but only in order to take care of administrative costs.<sup>16</sup> As of June 2013, the UNHCR typically receives about the equivalent of 5.3 billion USD.<sup>17</sup> ExCom approves the budget of the UNHCR in two year increments.<sup>18</sup>

**Current Member States of ExCom:** AFGHANISTAN, ALGERIA, ARGENTINA, ARMENIA, AUSTRALIA, AUSTRIA, AZERBAIJAN, BANGLADESH, BELARUS, BELGIUM, BENIN, BRAZIL, BULGARIA, CAMEROON, CANADA, CHAD, CHILE, CHINA, COLOMBIA, CONGO, COSTA RICA, COTE d'IVOIRE, CROATIA, CYPRUS, CZECH REPUBLIC, DEMOCRATIC REPUBLIC OF THE CONGO, DENMARK, DJIBOUTI, ECUADOR, EGYPT, ESTONIA, ETHIOPIA, FINLAND, FRANCE, GEORGIA, GERMANY, GHANA, GREECE, GUINEA, HOLY SEE, HUNGARY, INDIA, IRAN, IRELAND, ISRAEL, ITALY, JAPAN, JORDAN, KENYA, LATVIA, LEBANON, LESOTHO, LUXEMBOURG, MADAGASCAR, MEXICO, MONTENEGRO, MOROCCO, MOZAMBIQUE, NAMIBIA, NETHERLANDS, NEW ZEALAND, NICARAGUA, NIGERIA, NORWAY, PAKISTAN, PERU, PHILIPPINES, POLAND, PORTUGAL, REPUBLIC OF KOREA, REPUBLIC OF MOLDOVA, ROMANIA, RUSSIAN FEDERATION, RWANDA, SENEGAL, SERBIA, SLOVAKIA, SLOVENIA, SOMALIA, SOUTH AFRICA, SPAIN, SUDAN, SWEDEN, SWITZERLAND, THAILAND, THE FORMER YUGOSLAV REPUBLIC OF MACEDONIA, TOGO, TUNISIA, TURKEY, TURKMENISTAN, UGANDA, UNITED KINGDOM, UNITED REPUBLIC OF TANZANIA, UNITED STATES OF AMERICA, URUGUAY, VENEZUELA, YEMEN, ZAMBIA<sup>19</sup>

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<sup>15</sup> Ibid.

<sup>16</sup> Ibid.

<sup>17</sup> Ibid.

<sup>18</sup> Ibid.

<sup>19</sup> "Ex Com Members and How To Apply," *United Nations High Commissioner for Refugees*, <http://www.unhcr.org/pages/49c3646c89.html>, (Accessed March 5, 2016).

## I: Ensuring the Rights and Safety of Refugee Children

### Introduction

In the 1990 United Nations Convention of the Rights of the Child (UNCRC), The United Nations (UN) defined a child as: "Every human being below of the age of eighteen years, unless under the law applicable to the child, majority is attained earlier."<sup>20</sup> There are currently over 12 million children who are classified as refugees, making up 46 percent of the total refugee population.<sup>21</sup> The average time that a refugee is uprooted from their home is 17 years of age, meaning many of these children will spend their entire childhood as a refugee or displaced person.<sup>22</sup> Often, these children are separated from parts or even their entire families which leaves them vulnerable for exploitation.<sup>23</sup> In Europe alone, there are over 110,000 refugee children that sought asylum between January and July of 2015.<sup>24</sup> Refugee children are at risk for neglect, abuse, trafficking, exploitation, and for being recruited into armed factions.<sup>25</sup> Additionally, refugee girls face a more unique threat to their safety and are often susceptible to rape, sexual abuse, or sex trafficking.<sup>26</sup>

The number of unaccompanied refugee children is also on the rise, particularly due to the conflict in the Syrian Arab Republic.<sup>27</sup> The United Nations High Commissioner for Refugees (UNHCR), *Guidelines on Policies and Procedures in Dealing with Unaccompanied Children Seeking Asylum* defined unaccompanied children as: "A person who is under the age of eighteen, unless, under the law applicable to the child, majority is, attained earlier and who is separated from both parents and is not being cared for by an adult who by law or custom has responsibility to do so."<sup>28</sup> These children are even more susceptible to harm and exploitation.<sup>29</sup> Furthermore, due to the lack of structure in high crisis areas, these children fall behind in school or stop attending school all together.<sup>30</sup> They suffer immense psychological trauma that stems from violence, loss of family members, and complete uprooting from their normal lives.<sup>31</sup> These children are also at a higher risk for exhibiting violent behavior.<sup>32</sup> At the Za'atari Refugee Camp in Jordan, one-third of all refugee children living there exhibit violent tendencies or self-

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<sup>20</sup> "Convention on the Rights of the Child," *United Nations Human Rights Office of the High Commissioner*, <http://www.ohchr.org/en/professionalinterest/pages/crc.aspx>, (Accessed July 24, 2016).

<sup>21</sup> "Global Issues at the United Nations," *UN News Center*, <http://www.un.org/en/globalissues/briefingpapers/refugees/>, (Accessed July 25, 2016).

<sup>22</sup> "Aid To Refugees & Displaced People Worldwide," *USA for UNHCR*, <http://www.unrefugees.org/what-we-do/>, (Accessed July 24, 2016).

<sup>23</sup> "New UN Report Details Widespread Psychological Distress of Syria's Refugee Children," *UN News Center*, <http://www.un.org/News/> (Accessed July 24, 2016).

<sup>24</sup> "REFUGEE AND MIGRANT CRISIS IN EUROPE," *UNICEF*, [http://www.unicef.org/publicpartnerships/files/Refugee\\_and\\_migrant\\_children\\_in\\_Europe\\_-\\_Sept\\_2015.pdf](http://www.unicef.org/publicpartnerships/files/Refugee_and_migrant_children_in_Europe_-_Sept_2015.pdf), pp. 1-2, (Accessed July 24, 2016).

<sup>25</sup> "Children," *UNHCR News*, <http://www.unhcr.org/pages/49c3646c1e8.html> (Accessed July 25, 2016).

<sup>26</sup> Ibid.

<sup>27</sup> Ibid.

<sup>28</sup> "Guidelines on Policies and Procedures in Dealing with Unaccompanied Children Seeking Asylum. Geneva: Commissioner, 1997," *UNHCR*, Feb. 1997, <http://www.unhcr.org/3d4f91cf4.pdf>, (Accessed July 24, 2016).

<sup>29</sup> "Aid To Refugees & Displaced People Worldwide," *USA for UNHCR*, <http://www.unrefugees.org/what-we-do/>, (Accessed July 24, 2016).

<sup>30</sup> "The Future of Syria | Refugee Children in Crisis," *UNHCR*, <http://unhcr.org/FutureOfSyria/the-challenge-of-education.html> (Accessed July 24, 2016).

<sup>31</sup> "Infographic: Syrian Children Under Siege," *UNICEF USA*, <https://www.unicefusa.org/stories/mission/emergencies/conflict/syria/infographic-syrian-children-under-siege/582> (Accessed Jul 24, 2016).

<sup>32</sup> Ibid.

harm.<sup>33</sup> These child refugees are often desperate and forced to make decisions that adversely affect their futures. One in five refugee girls in Jordan are marrying early to escape their refugee situation.<sup>34</sup>

All children, including those with a refugee status, are entitled to specific rights such as education, healthcare, and safety as outlined in the UNCRC which was passed by the General Assembly (GA) in 1990.<sup>35</sup> All signing and ratifying Member States agreed to grant these rights to all children equally and have agreed to enforce policies that uphold the statutes in the UNCRC.<sup>36</sup> Refugee children are also guaranteed the right to seek asylum regardless of their age or place of origin.<sup>37</sup> The UN is dedicated to protecting and ensuring the rights of children as granted by the UNCRC. Those rights should be guaranteed to all children regardless of their situation. The UNCRC explicitly states that children who are or who are seeking refugee status: "Receive appropriate protection and humanitarian assistance."<sup>38</sup> The UN must continue to provide this essential right to all refugee children.

### ***History***

After World War II (WWII), there were many refugees and displaced people that needed relief and assistance from the international community.<sup>39</sup> The UN initially created the International Refugee Organization (IRO), to address the overwhelming refugee situation in Europe at the end of WWII. In 1952, the UN dissolved the IRO and relied solely on the UNHCR, created in 1950, to directly work towards the relief and return on those refugees.<sup>40</sup>

In the late 1990's, UNHCR and the UN began to differentiate between child refugees and adult refugees. Prior to this time, there had been little discussion on children specifically when discussing refugees. In December 1996, the United Nations General Assembly (GA) passed Resolution 51/73 which emphasized their concern for the growing number of refugee children; and stressed the importance of documenting them quickly to be conscious of their whereabouts and to ensure their safety.<sup>41</sup> Resolution 51/73 called upon UNHCR to focus on incorporating policies that prevented the separation of children from their families and condemned the exploitation of child refugees by military forces.<sup>42</sup>

In 1997, UNHCR passed *Guidelines on Policies and Procedures in dealing with Unaccompanied Children Seeking Asylum*.<sup>43</sup> This document defined what an unaccompanied child was and ensured that children had the same rights and access to seek asylum that adult refugees have.<sup>44</sup> The document also entitled these children to care, protection, and ensured all rights guaranteed to them by the UNCRC.<sup>45</sup>

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<sup>33</sup> Ibid.

<sup>34</sup> Ibid.

<sup>35</sup> Ibid.

<sup>36</sup> Ibid.

<sup>37</sup> "Refugee Children Guidelines on Protection and Care," UNHCR, <http://www.refworld.org/docid/3ae6b3470.html>, (Accessed July 24, 2016).

<sup>38</sup> Ibid.

<sup>39</sup> "Global Issues at the United Nations," UN News Center, <http://www.un.org/en/globalissues/briefingpapers/refugees/aboutUNHCR.html>, (Accessed July 24, 2016).

<sup>40</sup> Ibid.

<sup>41</sup> Ibid.

<sup>42</sup> Ibid.

<sup>43</sup> "Refugee Children Guidelines on Protection and Care," UNHCR, <http://www.refworld.org/docid/3ae6b3470.html>, (Accessed July 24, 2016).

<sup>44</sup> Ibid.

<sup>45</sup> Ibid.

## *Current Situation*

There are over 12 million child refugees living in the world today.<sup>46</sup> Large portions of that number are concentrated in the Middle East in Member States like Syria, Jordan, Lebanon, and Turkey; and in East Africa in Member States like Ethiopia, Sudan, and Kenya.<sup>47</sup> There has also been a large influx of refugees into Southern and Eastern Europe. Over one million refugees have flooded into Southern and Eastern Europe in the last two years alone.<sup>48</sup> 68 percent of these refugees have come from Syria, Iraq, and Afghanistan since 1 January 2016.<sup>49</sup> These refugees are making treacherous and dangerous journeys to Europe often by sea resulting in over 2,000 dead or missing in 2016.<sup>50</sup> 32 percent of the refugees reaching Europe are children.<sup>51</sup>

## *Syria*

Currently, the Member State with the largest source of child refugees is the Syrian Arab Republic. More than 80 percent of all Syrian children have been harmed by the ongoing conflict and upwards of two million children have become refugees.<sup>52</sup> One in three Syrian children have been born since the conflict began in 2011 and 306, 000 children have been born directly into refugee status.<sup>53</sup> Many of these children are separated or unaccompanied, over 15, 000 unaccompanied children have crossed the Syrian border in hopes of finding a safer life.<sup>54</sup>

Since the beginning of the Syrian conflict, refugee children have been exposed to unsafe environments that threaten their health and well-being. After a 14 year absence, Polio has made a re-emergence in Syria and there has been an increase in cases dealing with pneumonia and measles.<sup>55</sup> Prior to the war, Syria had a 99 percent vaccination rate, but that number has fallen to 52 percent resulting the increase of 100 percent preventable diseases that disproportionately affect children.<sup>56</sup> Preventable diseases are also being spread due to lack of clean drinking water.<sup>57</sup> Children are often forced to drink contaminated water because of the damage to the water treatment plants.<sup>58</sup> Over the course of the conflict 105, 886 cases of acute diarrhea have been reported, as well as 1,700 cases of Hepatitis A in February of 2014.<sup>59</sup> Raw sewage is also contaminating the Euphrates river, causing 1,144 cases of Typhoid fever to be reported in the area.<sup>60</sup>

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<sup>46</sup> "Child Refugees," *UNICEF USA*, <https://www.unicefusa.org/mission/emergencies/child-refugees>, (Accessed July 24, 2015).

<sup>47</sup> Ibid.

<sup>48</sup> "UNHCR Refugees/Migrants Emergency Response - Mediterranean," *UNHCR*, <http://data.unhcr.org/mediterranean/regional.php>, (Accessed July 24, 2016).

<sup>49</sup> Ibid.

<sup>50</sup> Ibid.

<sup>51</sup> Ibid.

<sup>52</sup> "Syria Crisis," *UNICEF USA* <https://www.unicefusa.org/mission/emergencies/child-refugees/syria-crisis>, (Accessed July 15, 2016).

<sup>53</sup> "1 in 3 Syrian Children Has Grown Up Knowing Only Crisis as Conflict Reaches 5 Year Point – UNICEF," *UNICEF*, [http://www.unicef.org/media/media\\_90453.html](http://www.unicef.org/media/media_90453.html), (Accessed July 15, 2016).

<sup>54</sup> Ibid.

<sup>55</sup> Ibid.

<sup>56</sup> Ibid.

<sup>57</sup> "Syrian Children at High Risk of Diseases," *Press TV*. Press TV, July 11, 2015, <http://www.presstv.com/Detail/2015/07/11/419704/Syria-UN> (Accessed July 15, 2016).

<sup>58</sup> Ibid.

<sup>59</sup> Ibid.

<sup>60</sup> Ibid.

Education is a right ensured to all children in the UNCRC, however, this right is being violated in Syria. Prior to the civil war, Syria had one of the highest literacy rates in the region.<sup>61</sup> Due to the current conflict, 2.8 million Syrian children are out of school.<sup>62</sup> In the most conflict-riddled areas; such as Jarmana, Qusair, and Damascus, school attendance has dropped to 30 percent.<sup>63</sup> 500,000 refugee children are not enrolled in school and are drastically falling behind their peers.<sup>64</sup>

### *Afghanistan*

Afghanistan is a Member State that has long-known turmoil and has had a significant refugee problem for the last three decades. 2.6 million Afghan refugees are still displaced from the Member State, many residing in the Islamic Republic of Iran and the Islamic Republic of Pakistan.<sup>65</sup> Almost half of these refugees in Iran and Pakistan are below the age of 14.<sup>66</sup> Many of these young refugees were born from generations of Afghan refugees and another 20 percent are between the ages of 15-24.<sup>67</sup>

As with Syrian child refugees, Afghan child refugees have a low enrollment percentage in schools.<sup>68</sup> For example, in Pakistan 80 percent of children are out of school and only 33 percent of them can read and write.<sup>69</sup> Then that number falls to 7.6 percent when considering only the literacy of Afghan girls.<sup>70</sup> While Afghan refugee children are allowed to attend Pakistani schools, Pakistan's own youth have low enrollment rates which effects the Afghan population.<sup>71</sup> In Iran, Afghan refugee children are also allowed to attend their public schools however fees and other monetary issues still prevent many children from achieving their much needed education.<sup>72</sup>

Currently the Member State with the largest source of child refugees is the Syrian Arab Republic.<sup>73</sup> More than 80 percent of all Syrian children have been harmed by the ongoing conflict and upwards of two million children have become refugees.<sup>74</sup> One in three Syrian children have been born since the conflict began in 2011, and 306,000 children have been born directly into refugee status.<sup>75</sup> Many of these children are separated or unaccompanied. Over 15, 000 unaccompanied children have crossed the Syrian border in hopes of finding a safer life.<sup>76</sup>

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<sup>61</sup> Ibid.

<sup>62</sup> Ibid.

<sup>63</sup> Ibid.

<sup>64</sup> Ibid.

<sup>65</sup> "Afghanistan: The Other Refugee Crisis," *Al Jazeera English*, September 16, 2015, <http://www.aljazeera.com/indepth/opinion/2015/09/afghanistan-refugee-crisis-150915073827019.html>, (Accessed July 15, 2016).

<sup>66</sup> Ibid.

<sup>67</sup> Jenner, Charlotte, "Breaking the Cycle: Education and the Future for Afghan Children," *Norwegian Refugee Council*, September 2015, [http://www.unhcr.org/nansen-materials-2015/Nansen-contextual-report-2015Low%20res\\_100dpi.pdf](http://www.unhcr.org/nansen-materials-2015/Nansen-contextual-report-2015Low%20res_100dpi.pdf), (Accessed July 15, 2016).

<sup>68</sup> Ibid.

<sup>69</sup> Ibid.

<sup>70</sup> Ibid.

<sup>71</sup> "Statistics," *UNICEF*, [http://www.unicef.org/infobycountry/pakistan\\_pakistan\\_statistics.html](http://www.unicef.org/infobycountry/pakistan_pakistan_statistics.html), (Accessed July 15, 2016).

<sup>72</sup> Ibid.

<sup>73</sup> Syria Crisis," *UNICEF USA*, <https://www.unicefusa.org/mission/emergencies/child-refugees/syria-crisis>. (Accessed July 15, 2016).

<sup>74</sup> Ibid.

<sup>75</sup> "1 in 3 Syrian Children Has Grown up Knowing Only Crisis as Conflict Reaches 5 Year Point – UNICEF," *UNICEF*, [http://www.unicef.org/media/media\\_90453.html](http://www.unicef.org/media/media_90453.html), (Accessed July 24, 2016).

<sup>76</sup> Ibid.

### ***Actions Taken by the United Nations***

In 2007, the UNHCR Executive Committee (ExCom) issued the Conclusion of Children at Risk, which affirmed that children, especially refugee children, are more vulnerable to injury, illness, and exploitation.<sup>77</sup> This conclusion created an operational guide for UNHCR and other related bodies on how to deal with children at risk, particularly refugee children.<sup>78</sup> It called for Member States to: “create child protection systems, to always act in the best interest of the child, ensure they receive aid first, ensure that there is equal protection for boys and girls, and asked that they refrain from detaining children for the sake of their mental and emotional well-being.”<sup>79</sup> It also called for a two prong approach dealing with: “(1) Mainstreaming of age, gender and diversity into all UNHCR programmes, policies and operations, and (2) targeted action, to ensure that all children, girls and boys of diverse backgrounds, can enjoy protection on an equal basis.”<sup>80</sup> This conclusion also laid out a variety of risk factors such as exploitation and trafficking, and prevention methods such as calculating risk analysis of refugee children before adopting any plans of actions as well as documentation and suggested they be adopted into UNHCR policy.<sup>81</sup>

In October 2015, UNHCR and the Big Heart Campaign co-hosted the Sharjah Conference on Refugee Children.<sup>82</sup> The conference brought together UN bodies, Non-Governmental Organizations (NGOs), child protection experts, child refugees, and young people to find ways to strengthen child protection systems in areas with high refugee concentrations.<sup>83</sup> Gender-based violence, documentation, education, public-private partnerships, and children affected by armed-conflict were all topics of discussion at the conference.<sup>84</sup>

### ***Conclusion***

While great strides have been made to protect the rights of refugee children, more work needs to be done. Children continue to suffer from inadequate health care, living conditions, and food and water supply due to their presence in high conflict and crisis areas. This lack of structure also inhibits access to education which is detrimental to their development, as well as their futures. Refugee children are also extremely vulnerable to exploitation including sexual violence, trafficking, and child soldiers. This rising number of unaccompanied refugee children from the Syrian Civil War continues to be alarming and they are even more vulnerable to exploitation or injury.

The UNHCR has worked particularly hard to ensure that framework has been created in combating the growing refugee children population. The guidelines created by the Executive Committee in the Conclusion for Children at Risk (2007) were substantial, but hard action is needed to get them implemented effectively.

### ***Committee Directive***

The issue of unaccompanied refugee children is of the utmost importance. These children are traveling alone in foreign Member States and are often forced to work or marry in order to survive. This has become a significant problem due to the Syrian Civil War. Delegates should focus on policies that specifically address unaccompanied

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<sup>77</sup> “UNHCR Executive Committee of the High Commissioner's Programme: Conclusion on Children at Risk,” *UNHCR News*, <http://www.unhcr.org/en-us/excom/exconc/4717625c2/conclusion-children-risk.html>, (Accessed July 24, 2016).

<sup>78</sup> Ibid.

<sup>79</sup> Ibid.

<sup>80</sup> Ibid.

<sup>81</sup> Ibid.

<sup>82</sup> “Sharjah Conference on Refugee Children,” *UNHCR News*, <http://www.unhcr.org/pages/540dae4d6.html>, (Accessed July 24, 2016).

<sup>83</sup> Ibid.

<sup>84</sup> Ibid.

refugee children and find ways to ensure that their rights are being upheld especially while moving from place to place. Also, in most instances of child refugees, access to education continues to be an issue. The UNCRC declared that all children have the right to access education. Education is one of the best ways to combat violence and refugee children are one of the most at-risk groups to become susceptible to violent groups or organizations. Delegates should look to Member States that have had success in educating refugee children, like Iran, to find strategies that may work in Member States like Pakistan, Jordan, and Lebanon. While the largest concentrations of child refugees come from Syria and Afghanistan, delegates should also be aware of other areas with child refugee populations like East Africa.

## II: Protection and Proper Repatriation of Refugees

### *Introduction*

As defined by the 1951 Convention Relating to the Status of Refugees (1951 Convention), a refugee is defined as a person who:

“Is outside his/her country of origin and has a well-founded fear of persecution because of his/her race, religion, nationality, membership in a particular social group, or political opinion; and is unable or unwilling to avail him/herself of the protection of that country, or to return there, for fear of persecution.”<sup>85</sup>

This definition has remained the primary international standard in determining refugees and has only been revised once at the international level since its adoption by the international community. In 1967, the Protocol Relating to the Status of Refugees (1967 Protocol) removed any and all geographical and material restrictions from the 1951 Convention.<sup>86</sup> It is important to note that although there is an accepted international standard as to the definition of a refugee, many Member States have their own separate standards as to how a refugee is defined.

In 2015, it was reported by the United Nations High Commissioner for Refugees (UNHCR) that the number of refugees under UNHCR mandate worldwide was approximately 14.4 million refugees, which is the highest number seen by the UNHCR in the last 20 years.<sup>87</sup> This vast increase of the number of refugees has pushed the concepts of protection and repatriation of said refugees into the forefront of discussion on the international stage and the Executive Committee of the United Nations High Commissioner for Refugees (ExCom). In regards to the protection of refugees, it is important to understand the two key components of refugee protection: protection in a general understanding of the word and legal protection. Protection of the world’s refugees is the core mandate of the UNHCR and, by extension, the ExCom.<sup>88</sup> Protection is two-pronged, with a focus on both short term and long term solutions. Short-term focus is centered on ensuring the basic human rights of refugees while they are seeking asylum in another Member State.<sup>89</sup> Long term focus is centered on either voluntary repatriation of a refugee to their homeland once it is safe to return, helping refugees integrate into the society of the Member States they are seeking asylum in or assisting refugees in resettling in third Member States.<sup>90</sup> Legal protection is a major tool that is used in helping to facilitate both short and long term protection for refugees. Legal protection not only covers the basic human rights of refugees but it also helps to prevent refugees from being returned involuntarily to a Member States where they would face certain persecution.<sup>91</sup> Legal protection also assists in the creation of international refugee agreements and the establishment of international asylum structures.<sup>92</sup> The UNHCR sees both protection and legal protection, even long term, as a temporary solution: “The purpose of international protection is not, however, that a refugees remain a refugee forever, but to ensure the individual’s renewed membership of a community and the restoration of national protection, either in the homeland or through integration elsewhere.”<sup>93</sup>

Repatriation is an area that is under serious discussion in the international community in regards to refugees. Repatriation is generally defined as: “The process of returning a person to their place of origin or citizenship.”<sup>94</sup> The UNHCR and the ExCom has always stressed the mandate of voluntary repatriation, which is an important

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<sup>85</sup> *Convention and Protocol Relating to the Status of Refugees*. United Nations General Assembly. July 25, 1951.

<sup>86</sup> Ibid.

<sup>87</sup> “Figures at a Glance.” *United Nations High Commissioner for Refugees*, <http://www.unhcr.org/figures-at-a-glance.html> (accessed May 12, 2016).

<sup>88</sup> “Protection.” *United Nations High Commissioner for Refugees*, <http://www.unhcr.org/pages/49c3646cc8.html> (accessed May 12, 2016).

<sup>89</sup> Ibid.

<sup>90</sup> Ibid.

<sup>91</sup> “Legal Protection.” *United Nations High Commissioner for Refugees*, <http://www.unhcr.org/pages/49c3646cce.html> (accessed May 12, 2016).

<sup>92</sup> Ibid.

<sup>93</sup> *Voluntary Repatriation: International Protection*. United Nations High Commissioner for Refugees. 1996. <http://www.unhcr.org/4164f6404.pdf> (accessed May 14, 2016).

<sup>94</sup> Ibid.

distinction to make when discussing long term solutions for the world's refugees.<sup>95</sup> Voluntary repatriation is considered the most lasting and durable solution for the world's current refugees.<sup>96</sup>

### *History of Protection and Repatriation*

The League of Nations was created on 10 January 1920 in the wake of World War I (WWI) as means of discussing and solving international disputes.<sup>97</sup> Although the concept of refugees had been established for centuries, the concept of international protection for refugees did not start until what is now identified as the League of Nations Period.<sup>98</sup> Until the 1920s, the bulk of the responsibility of emergency relief was shouldered by private organizations and the extent of the relief that could be provided by these organizations was solely material.<sup>99</sup> The International Committee of the Red Cross (ICRC), through the League of Nations, called for and created an appointment of a Commissioner, who would be tasked with defining the status of refugees and to coordinate assistance for said refugees.<sup>100</sup> WWI had only spread a long standing refugee problem in Eastern Europe and Western Asia to almost all of Europe.<sup>101</sup> Civil unrest in the Ottoman Empire and multiple armed conflicts in the Balkan and Caucasus Regions from 1912 to 1913 caused the significant persecution and movement of minority ethnic and religious populations.<sup>102</sup> From 1913 to 1923, both during and in the wake of the Greco-Turkish Wars, huge numbers of Greek, Bulgarian, and Turkish refugees were constantly moved to new areas by five separate treaties.<sup>103</sup> In order to not only provide protection for these refugees, but create a framework for monitoring and enforcing this protection, four institutions were created by the League of Nations: the Nansen International Office for Refugees, the Office of the High Commissioner for Refugees coming from Germany, the Office of the High Commissioner of the League of Nations for Refugees, and the Intergovernmental Committee on Refugees.<sup>104</sup> On 28 October 1933 the Convention Relating to the International Status of Refugees (1933 Convention) was ratified and it, along with the four previously mentioned institutions, created the first real shift of Member States making sustained and impactful protection measures for refugees.<sup>105</sup> The 1933 Convention dealt with multiple topics that mainly dealt with: administrative protocols, legal issues, labor conditions, and economic concerns for refugees.<sup>106</sup> It is important to note that during this period, all resources and focus of the League of Nations was being placed on refugees who were being displaced by war in Europe and Western Asia, refugee issues in the Global South were not being addressed by the League of Nations during this time.<sup>107</sup>

The next historical period regarding the protection of refugees, was the United Nations (UN) period, which continues to present day. The main focus in regards to the historical development of refugee protection was from 1946 to 1951.<sup>108</sup> On 15 December 1946, the International Refugee Organization (IRO) was created by the UN General Assembly (GA).<sup>109</sup> The IRO was mainly concerned with the resettlement of refugees, but there was also a

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<sup>95</sup> "Voluntary Repatriation." *United Nations High Commissioner for Refugees*, <http://www.unhcr.org/pages/49c3646cfe.html> (accessed May 14, 2016).

<sup>96</sup> Ibid.

<sup>97</sup> "The League of Nations, 1920." *United States of America Department of State: Office of the Historian*, <https://history.state.gov/milestones/1914-1920/league> (accessed May 14, 2016).

<sup>98</sup> Jaeger, Gilbert. "On the History of the International Protection of Refugees." *International Committee of the Red Cross*, [https://www.icrc.org/eng/assets/files/other/727\\_738\\_jaeger.pdf](https://www.icrc.org/eng/assets/files/other/727_738_jaeger.pdf) pp.727 (accessed May 14, 2016).

<sup>99</sup> Ibid. pp 728.

<sup>100</sup> Simpson, John Hope. *The Refugee Problem*. Oxford University Press, 1939. pp. 199.

<sup>101</sup> Jaeger, Gilbert. "On the History of the International Protection of Refugees." *International Committee of the Red Cross*, [https://www.icrc.org/eng/assets/files/other/727\\_738\\_jaeger.pdf](https://www.icrc.org/eng/assets/files/other/727_738_jaeger.pdf) pp.729 (accessed May 14, 2016).

<sup>102</sup> Ibid. pp.728.

<sup>103</sup> Ibid.

<sup>104</sup> Ibid. pp. 729.

<sup>105</sup> Ibid. pp. 729-730.

<sup>106</sup> *Convention Relating to the Status of Refugees*. League of Nations. October 28, 1933.

<sup>107</sup> Jaeger, Gilbert. "On the History of the International Protection of Refugees." *International Committee of the Red Cross*, [https://www.icrc.org/eng/assets/files/other/727\\_738\\_jaeger.pdf](https://www.icrc.org/eng/assets/files/other/727_738_jaeger.pdf) pp.727-732 (accessed May 14, 2016).

<sup>108</sup> Ibid. pp. 732.

<sup>109</sup> Ibid.

special designation in its Constitution that placed the legal protection of refugees as a priority of the IRO.<sup>110</sup> The IRO's regulation of refugee protection was also seen in individual agreements made with Member States where refugee resettlement was occurring. These agreements all contained a general clause that specifically stated a Member State's ability to successfully provide protection for the refugees moving into said Member State.<sup>111</sup> The IRO also began to shift the focus of refugee issues from only Europe and Western Asia, to a global focus on both developed and developing Member States. On 28 July 1951, the 1951 Convention was adopted by the GA.<sup>112</sup> The 1951 Convention created the standard international definition of who a refugee is and, to date, is the most comprehensive legislation regarding refugees that the UN has produced.<sup>113</sup> On 14 December 1950, the GA adopted the Statute of the Office of the United Nations High Commissioner for Refugees and on 1 January 1951, the UNHCR took over monitoring the protection of refugees at the international level.<sup>114</sup> The UN period showed a major focus on the international stage in regards to refugees. International agencies began to focus on refugees from all areas of the world, not just Member States in the Global North, and protection of refugees became an area of true international concern.

The repatriation of refugees does not have as long or as detailed a history on the international stage as that of the protection of refugees. The first historical period regarding repatriation was from 1945 to 1985.<sup>115</sup> During this period, UNHCR directed almost all of its resources towards resettlement as a lasting solution for post-World War II (WWII) and Cold War era refugees; as there was little to mandate or resources to be devoted towards repatriation.<sup>116</sup> After WWII, this was partially due to an overwhelming number of refugees choosing not to return to their Member States of origin; this, combined with a blatant disregard of the human rights of refugees by some international organizations, caused some refugees to go as far as to physically oppose attempts by international organizations to repatriate them.<sup>117</sup> For the majority of the Cold War, politics in the Global North had an overwhelming influence on repatriation, with the Soviet Union supporting voluntary repatriation and the majority of Western Member States supporting resettlement. It was during the Cold War period that individual's right to choose where he or she wanted to live was recognized by the UN.<sup>118</sup> Although the IRO adopted voluntary repatriation as a solution for refugees, only five percent of all displaced persons registered with the IRO were ever repatriated and most of the IRO's efforts were focused on resettlement.<sup>119</sup> Western Member States experienced economic booms during the Cold War and there was a large demand for workers. As such, the influx of refugees into many Member States in the Global North was not seen as an issue and little need was seen for pushing repatriation as a solution for these refugees.<sup>120</sup>

The second historical period of repatriation was from 1985 to 1998.<sup>121</sup> During this time, a new emphasis was placed on the importance of human rights when discussing solutions for refugees. There was also a large amount of dialogue, especially by UNHCR, regarding concerns that repatriation had not been examined as a solution by any experts or scholars.<sup>122</sup> In 1985, ExCom issued Executive Committee Conclusion No. 40 (Conclusion No. 40), which directly dealt with voluntary repatriation and essentially made voluntary repatriation the most desired solution for

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<sup>110</sup> Ibid.

<sup>111</sup> Ibid.

<sup>112</sup> Ibid. pp. 736.

<sup>113</sup> Ibid. pp. 735-736.

<sup>114</sup> Ibid. pp. 736.

<sup>115</sup> Chimni, B.S. "From Resettlement to Involuntary Repatriation: Towards A Critical History of Durable Solutions to Refugee Problems." *Refugee Review Quarterly*, 2004. <http://rsq.oxfordjournals.org/content/23/3/55.full.pdf+html> (accessed May 14, 2016). pp. 55.

<sup>116</sup> Ibid. pp. 56.

<sup>117</sup> Ibid. pp. 56-58.

<sup>118</sup> Ibid. pp. 58.

<sup>119</sup> Stoessinger, John G. *Refugee and the World Community*. University of Minnesota Press, 1956. pp. 111.

<sup>120</sup> Chimni, B.S. "From Resettlement to Involuntary Repatriation: Towards A Critical History of Durable Solutions to Refugee Problems." *Refugee Review Quarterly*, 2004. <http://rsq.oxfordjournals.org/content/23/3/55.full.pdf+html> (accessed May 14, 2016). pp. 57-58.

<sup>121</sup> Ibid. pp. 58.

<sup>122</sup> Ibid. pp. 59.

refugees.<sup>123</sup> Just prior to the new decade, UNHCR decided to make the 1990s the “decade of repatriation”.<sup>124</sup> Researchers, scholars, and experts began criticizing UNHCR’s support of repatriation, which at the time had no published research data, studies, or any evidence of success.<sup>125</sup> Critics of the decision also cited the assumption that all refugees wished to return home, denied refugees a voice in their own future.<sup>126</sup>

### ***Current Situation***

As previously stated, the number of refugees presently in the world is the highest it has been in the last 20 years.<sup>127</sup> Currently, 53 percent of the world’s refugees come from three Member States: the Syrian Arab Republic, Afghanistan, and Somalia.<sup>128</sup> The protection of refugees is becoming a growing concern as more individuals flee from armed conflict and protracted refugee situations continue with little to no improvement.<sup>129</sup> In 2007, UNHCR created a 10-Point Plan of Action, which focused on refugee protection and mixed migration.<sup>130</sup> The areas of focus in this plan were: cooperation among key partners, data collection and analysis, protection-sensitive entry systems, reception arrangements, mechanisms for profiling and referral, differentiated processes and procedures, solutions for refugees, addressing secondary movements, return arrangements for non-refugees and alternative migration options, and information strategy.<sup>131</sup> The 10-Point Plan of Action was UNHCR’s attempt at helping to establish entry systems for the ever increasing populations of refugees and quickly identifying areas of need and improvement.<sup>132</sup> In 2012, UNHCR assessed the effectiveness of the 10-Point Plan of Action and found that it had been successful in all areas.<sup>133</sup> Currently, the international community is working on some areas of improvement which included: need of an overall strategy of implementation, improving knowledge gaps, and more clearly defining the role of the UNHCR in global protection efforts.<sup>134</sup> One of the most recent areas of focus in regards to the protection of refugees is protection while in transit and more specifically, protection of refugees at sea.<sup>135</sup> The two main goals of this new focus by UNHCR are to: reduce loss of life at sea, reduce abuse and violence experienced by refugees traveling by sea, and establish protection-sensitive responses to irregular mixed migration by sea.<sup>136</sup>

### ***Somali Refugees in Kenya***

Conflict has ravaged Somalia since the early 1990s and has caused many people to flee their homes for neighboring countries, mainly Kenya.<sup>137</sup> Since the early 1990s, Refugees have been seeking some sort of refuge in the Kenyan area, and protection by the Kenyan government.<sup>138</sup> Since Somali refugees arrival in Kenya, there has been three

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<sup>123</sup> *Executive Committee Decision No. 40*. Executive Committee for the United Nations Commissioner for Refugees. October 18, 1985.

<sup>124</sup> Chimni, B.S. “From Resettlement to Involuntary Repatriation: Towards A Critical History of Durable Solutions to Refugee Problems.” *Refugee Review Quarterly*, 2004. <http://rsq.oxfordjournals.org/content/23/3/55.full.pdf+html> (accessed May 14, 2016). pp. 59.

<sup>125</sup> Ibid. pp. 59-60.

<sup>126</sup> Ibid.

<sup>127</sup> “Figures at a Glance.” *United Nations High Commissioner for Refugees*, <http://www.unhcr.org/figures-at-a-glance.html> (accessed May 15, 2016).

<sup>128</sup> Ibid.

<sup>129</sup> “Refugee Protection and International Migration-Trends August 2013-July 2014,” *United Nations High Commissioner for Refugees*, November 2014, <http://www.refworld.org/docid/548713624.html> (accessed May 15, 2016). pp. 3.

<sup>130</sup> “Refugee Protection and Mixed Migration: 10-Point Plan of Action,” *United Nations High Commissioner for Refugees*, January 2007, <http://www.refworld.org/docid/45b0c09b2.html> (accessed May 15, 2016).

<sup>131</sup> Ibid. pp. 1.

<sup>132</sup> Ibid. pp. 2-7.

<sup>133</sup> Ibid. pp. 7-18.

<sup>134</sup> Ibid. pp. 19-22.

<sup>135</sup> “Global Initiative on Protection at Sea,” *United Nations High Commissioner for Refugees*, May 1, 2014, <http://www.refworld.org/docid/53abd14d4.html> (accessed May 15, 2016).

<sup>136</sup> Ibid.

<sup>137</sup> “Case Studies of Repatriation in Africa,” *University of Manitoba*, [https://www.umanitoba.ca/institutes/disaster\\_research/refugee\\_thesis/chapter5.pdf](https://www.umanitoba.ca/institutes/disaster_research/refugee_thesis/chapter5.pdf), (Accessed May 1, 2016).

<sup>138</sup> Ibid.

attempts to send them back safely to their homeland in 1993, 1994, and most recently in 2013.<sup>139</sup> While most refugees did not want to return to their homeland, the conditions of the refugee camps in Kenya offered no immediate difference from the conditions of their war-torn country.<sup>140</sup> The repatriation of the Refugees back to Somalia in 1993 and 1994 did not happen in one massive movement; instead it took place steadily over the course of the two years, once the cross-border Program was set up in 1992.<sup>141</sup> After the first half of 1993, over 32, 000 refugees had returned to Somalia.<sup>142</sup> The UNHCR began to suspect that the Kenyan government was forcing repatriation and doubted that security had improved enough in Somalia to warrant sending refugees back to Somalia on such a large scale.<sup>143</sup> The Mandera refugee camp, situated on the border between Somalia, Ethiopia, and Kenya, became the focus of large-scale repatriation efforts beginning in 1993 and lasting until 1994.<sup>144</sup> In order to encourage repatriation to Somalia, the UNHCR decided to take a minimalist aid approach, and only provided the basic necessities associated with relief assistance.<sup>145</sup> The UNHCR hoped that this lack of sufficient supplies and aid would encourage the refugees to make their way back home, and it did. By 1994, the Mandera refugee camp was shut down when all 30, 000 residents had returned to Somalia, adding to the total of 170, 000 refugees from Somalia that left Kenya to return home.<sup>146</sup>

In 2013, there was reported to be 474, 483 Somali refugees living in Kenya with most of them living in refugee camps in the eastern part of the Member State.<sup>147</sup> After months of negotiation, the UNHCR along with the governments of Somalia and Kenya created a Tripartite Agreement, which outlined guidelines and legalities in order to ensure the safe return of Somalia refugees who wished to return home.<sup>148</sup> While the UNHCR and other agencies across the world do not believe that large-scale returns to Somalia were safe at the time, they were confident that there were pockets of safety that refugees could return to if they so wished.<sup>149</sup> While the UNHCR would have liked for the refugees to have large-full scale returns to the Member State, it was deemed a risk of further destabilization.<sup>150</sup> However, the Tripartite Agreement guarantees the safety of those who stay in Kenya and offers measures of safety for those wishing to return to Somalia.<sup>151</sup>

### ***Democratic Republic of the Congo***

From 1997 to 2002 some 16, 000 Democratic Republic of the Congo (DRC) citizens fled Member State to the neighboring Congo in search of refuge and this number only increased in the coming years.<sup>152</sup> Considered one of the only repatriation long term successes, the repatriation of refugees back to the DRC began in 2004 when just 1, 946 refugees made their way back.<sup>153</sup> This number steadily increased in the coming years, reaching approximately 10, 655 returned refugees in 2006.<sup>154</sup> This success stems from the UNHCR's dedication to providing medical screening at transit centers, centers that transport refugees across the Congo-DRC river border, and vaccinating children against measles.<sup>155</sup> Partner programs also warn and educate returnees on HIV/AIDs and potential dangers posed by land-mines.<sup>156</sup> The UNHCR also rehabilitated schools and health-centers, as well as supported income-

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<sup>139</sup> Ibid.

<sup>140</sup> Ibid.

<sup>141</sup> Ibid.

<sup>142</sup> Ibid.

<sup>143</sup> Ibid.

<sup>144</sup> Ibid.

<sup>145</sup> Ibid.

<sup>146</sup> Ibid.

<sup>147</sup> "Repatriating Somali refugees from Kenya," *IRIN*, <http://www.irinnews.org/report/99117/briefing-repatriating-somali-refugees-kenya>, (Accessed May 1, 2016).

<sup>148</sup> Ibid.

<sup>149</sup> Ibid.

<sup>150</sup> Ibid.

<sup>151</sup> Ibid.

<sup>152</sup> "Refugee repatriation from Congo gathers pace," *IRIN*, <http://www.irinnews.org/report/75038/drc-refugee-repatriation-congo-gathers-pace>, (Accessed May 1, 2016).

<sup>153</sup> Ibid.

<sup>154</sup> Ibid.

<sup>155</sup> Ibid.

<sup>156</sup> Ibid.

generating projects.<sup>157</sup> Final repatriation for these refugees occurred in 2014, when 81 final refugees crossed the border from the Republic of the Congo to the DRC.<sup>158</sup> This marked the last of 119, 000 refugees who were returned successfully to their homes in the DRC.<sup>159</sup> Once home, these refugees benefit from UNHCR sponsored reintegration programs that provide everything from health care to income generating activities.<sup>160</sup>

### *The United Nations: Protection and Repatriation*

Protection of refugees has been an ongoing focus of ExCom for many years. It is a constant struggle to protect refugees once they arrive in the Member State they are attempting to claim refugee status in.<sup>161</sup> ExCom has released conclusions regarding multiple areas of refugee protection.<sup>162</sup> Executive Committee Conclusion No. 108 (Conclusion No. 108) deals directly with protection at an international level.<sup>163</sup> Conclusion No. 108 reiterated the positions that UNHCR took on non-refoulment, protracted refugee situations, and the maintaining of basic human rights for all refugees.<sup>164</sup> It also stressed the importance of UNHCR being allowed access to refugee populations within Member States as a way for UNHCR to best serve refugee populations.<sup>165</sup>

Although repatriation has been a topic of focus for ExCom, there have been far fewer conclusions released on it than protection of refugees. This is partially due to ExCom establishing voluntary repatriation as being the most desired outcome for refugees in Conclusion No. 40.<sup>166</sup> In 2004, ExCom discussed the legality of voluntary repatriation and issued Executive Committee Conclusion No. 101 (Conclusion No. 101) in regards to their decisions.<sup>167</sup> In Conclusion No. 101, ExCom reiterated that voluntary repatriation was still the preferred solution for the majority of refugees and defended the legality of voluntary repatriation.<sup>168</sup>

### *Conclusions*

Although the protection of refugees has been discussed by the international community at length and there is an extensive amount of resources available to Member States, there has been little effort to implement findings and attempt to improve the global refugee situation. Although there has been steady improvement in protecting the rights of refugees, there is still a dire need to insure that the basic human rights of refugees are still being maintained. Repatriation maybe one of the more desired outcomes for refugees but there are still many legal issues regarding it. The general safety of refugees during the process of repatriation is one of the top priorities and has not always been guaranteed to them in the past. The international community must come together in the coming years to improve the standards associated with and the laws surrounding repatriation of refugees.

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<sup>157</sup> Ibid.

<sup>158</sup> Ibid.

<sup>159</sup> "Final voluntary repatriation of DRC refugees from the Republic of the Congo," *United Nations High Commissioner for Refugees*, <http://www.unhcr.org/en-us/news/briefing/2014/8/53e0c0af110f/final-voluntary-repatriation-drc-refugees-republic-congo.html> (Accessed May 1, 2016).

<sup>160</sup> Ibid.

<sup>161</sup> "Protection." *United Nations High Commissioner for Refugees*, <http://www.unhcr.org/pages/49c3646cc8.html> (accessed May 16, 2016).

<sup>162</sup> "Conclusions on International Protection." *United Nations High Commissioner for Refugees*, <http://www.unhcr.org/cgi-bin/texis/vtx/search?page=&comid=49eee4826&cid=49aea93a20&scid=49aea93a12&tid=49ec6f17f> (accessed May 16, 2016).

<sup>163</sup> *Executive Committee Decision No. 108*. Executive Committee for the United Nations High Commissioner for Refugees, October 10, 2008. <http://www.unhcr.org/excom/exconc/49086bfd2/general-conclusion-international-protection.html> (accessed May 16, 2016).

<sup>164</sup> Ibid.

<sup>165</sup> Ibid.

<sup>166</sup> *Executive Committee Decision No. 40*. Executive Committee for the United Nations High Commissioner for Refugees, October 18, 1985. <http://www.unhcr.org/3ae68c9518.html> (accessed May 17, 2016).

<sup>167</sup> *Executive Committee Decision No. 101*. Executive Committee for the United Nations High Commissioner for Refugees, October 8, 2004. <http://www.unhcr.org/417527674.html> (accessed May 17, 2016).

<sup>168</sup> Ibid.

### ***Committee Directive***

Examine the current standards regarding the protection of refugees. What areas are successful? Are these areas of protection successfully provided across all Member States? What areas of protection need improvement? How would these areas be improved not only at an international level, but at the level of individual Member States? Safety in transit is becoming an increasingly difficult problem for many refugee populations. Does more attention need to be paid to this issue? How can a greater or lesser focus on legal protection be used to facilitate these improvements? Protection and legal protection are fast becoming the extended solutions for many refugees. Should the designation of “short-term solution” still be used for protection and legal protection? Examine repatriation as a whole. Reflect on why despite being the UNHCR and ExCom’s most preferred solution for refugees, there are few instances of success. Do more studies need to be conducted regarding this solution for refugees? Does the UNHCR as a whole need to reevaluate and possibly shift the importance of repatriation as a solution for refugees?

## Technical Appendix Guide

### Topic I: Ensuring the Rights and Safety of Refugee Children

A/AC.96/1048, *Conclusion on Children at Risk No. 107*, United Nations High Commissioner for Refugees Executive Committee, October 5, 2007.

Conclusion No. 107 details some of the most current policies that the UNHCR ExCom has made regarding at risk refugee children. It not only details how these children are at risk but what is recommended to help improve the situations of refugee children.

“Child Refugee Crisis,” *UNICEF United States Fund*,

<https://www.unicefusa.org/mission/emergencies/child-refugees>.

This article provides valuable information regarding the current refugee crisis, with a major focus on child refugees. It gives general statistics and also details the current programs that UNICEF is supporting to combat the current refugee crisis. There are also links within the article to individual stories about various child refugees around the world.

*Convention on the Rights of the Child*, United Nations General Assembly, November 20, 1989.

The Convention on the Rights of the Child provides clear definitions as to who is considered a child and what rights that children are entitled to. This document was one of the first times that an international body had solely addressed the right of children at the international level. This document lays out detailed rights and regulations regarding the rights of children and they are still used currently at the international level.

“Sharjah Conference,” *United Nations High Commissioner for Refugees*, October 15-16, 2014,

<http://www.unhcr.org/pages/540dae4d6.html>.

This conference was held in October 2014 in the United Arab Emirates to address the protection of refugee children and teenagers in the region. The conference brought together governments, international organizations, NGOs, child protection experts, and young people. The conference examined and proposed new ways of addressing the protection of refugee children.

### Topic II: Protection and Proper Repatriation of Refugees

“Global Trends Report,” *United Nations High Commissioner for Refugees*,

<http://www.unhcr.org/en-us/statistics/unhcrstats/576408cd7/unhcr-global-trends-2015.html>.

The Global Trends Report for 2015 provides important statistics regarding the current status of refugees and displaced persons all over the world. The report also provides summaries of the statistics and the general conclusions to be made regarding those statistics. The report also provides several case studies regarding the current international refugee crisis.

Megan Bradley, “Refugee Repatriation: Justice, Responsibility, and Redress,” *Brookings Institute*,

<https://www.brookings.edu/research/refugee-repatriation-justice-responsibility-and-redress/>.

This article provides information regarding the repatriation of refugees. It discusses the extra responsibility that organizations and governments take on during the repatriation process of refugees. It also raises the point that many governments and organizations do not take enough responsibility regarding the repatriation of refugees and what should be done regarding this issue.

“Refugee Protections: A Guide to International Refugee Law,” *Inter-Parliamentary Union*,

[http://www.ipu.org/pdf/publications/refugee\\_en.pdf](http://www.ipu.org/pdf/publications/refugee_en.pdf).

This article is a general introduction to the basic guidelines and regulations of international law regarding refugees. It outlines international refugee law into: the general legal framework, the role of the UNHCR, recognizing refugees, international protection policies, protection against discrimination, implementing legislation, and funding.

“UNHCR, About Us,” *United Nations High Commissioner for Refugees*, <http://www.unhcr.org/en-us/about-us.html>. This article details general information regarding the UNHCR and the refugee crisis around the world. This article provides a starting point to navigating other areas of the UNHCR website in order to research more specific areas of the UNHCR and the current programs it is supporting around the world.