



The Causes of Political Reality - Understanding the present to shape the future

23th - 27th November 2018

General Assembly Third Committee
Social, Humanitarian, and Cultural

Study Guide

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WORD OF WELCOME

Dear Future Delegates,

It is my pleasure to welcome you to the UN General Assembly Third Committee, Social, Humanitarian and Cultural at the BIMUN/SINUB conference. in Bonn, Germany. My name is Silvia Kirollos and I will be serving as one of your Social, Humanitarian, and Cultural Committee (SOCHUM) chairs. I am a recent graduate of the State University Long Beach with a double major in Political Science and International Studies, and I am currently a JusticeCorps Fellow. I lived most of my life in California but I am originally from Egypt and moved to the United States when I was 10 years old. I love traveling and exploring, and I am currently trying to learn new languages.

Model United Nations helped me get involved in the field of international relations and opened up many opportunities for me to travel and meet people from all over the world. I have been involved in MUNing for the past four years with the California State University Long Beach, whereas during my last year with Cal State Long Beach MUN, I had the honour to serve as MUN club president. Last year, I was part of BIMUN in the Security Council and I wanted to experience the conference further as a chair.

I hope to inspire great ideas in this committee and to help you with any ideas you might come up with. We expect you to take the time to read through this introductory Guide and properly prepare for the committee. Please research the topic, your country's position and other related material in depth to have a concrete understanding of the issues at hand, since this document is only the start. I feel incredibly honored to go to BIMUN again this year and I am very happy to be chairing SOCHUM. I look forward to meeting all of you and creating unforgettable memories.

If you have any questions prior to the conference, please reach out and contact me via e-mail atsochum@bimun.org.

Best of luck on your preparation for the committee,

Silvia Kirollos

Dear Future Delegates,

My name is Maria Vastardi and I will be serving as your chair in BIMUN/SINUB 2018's Social, Humanitarian and Cultural Committee (SOCHUM). I am studying Law at the University of Athens, hoping to pursue a career in International and Human Rights Law.

I joined the MUN community 4 years ago and this experience has been life changing. Throughout High School I participated in many conferences, both national and international, and got the chance to travel and meet people from all around the world. As my university years started, I could not miss the chance to continue this journey, now from a different position and point of view, that of a Chair. Model United Nations has taught me the virtues of dialogue, solidarity and open-mindedness, but above all, it triggered my interest and raised my awareness of international issues and challenges.

I can't wait to meet you in Bonn and discuss, debate and decide upon global social matters.

Best regards,

Maria Vastardi

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Committee Overview

The Social, Humanitarian and Cultural Committee (SOCHUM) is the United Nation General Assembly's Third Committee and was established at the end stages of World War II in 1945.¹ This committee serves as the principal global body for deliberative and worldwide diplomatically discussed policy making with regards to multilateral discussion of transnational issues covered by the UN Charter. The committee convenes in late September at the UN Headquarters in New York City where leaders from around the world participate in the General Debate over a number of days about pressing issues from all over the world. The Third Committee still continues to exercise the most fundamental UN objective, the protection and promotion of human rights, but also secures the subject matter of humanitarian, social and cultural affairs.²

As members of the Social, Cultural and Humanitarian Committee, delegates will represent the views of their respective countries. After the issues are debated in the council, the corresponding resolutions are then voted on by all the Member States. In conclusion of the diverse discussions covered in the six main General Assembly Committees, all committees meet and deal with items on the General Assembly's agenda. All UN Member States then vote on the resolutions discussed in all Committees in the General Assembly Plenary for a final decision.³

The membership of the SOCHUM committee includes all 193 Member States of the UN. In addition, non-Member States and other entities recognized by the UN as permanent observers may attend and participate in meetings, but they cannot vote, as opposed to Member States. A key part of the Committee's activity and involvement are the reports received from the body's Special Rapporteurs or Independent Experts.⁴

In the past the SOCHUM committee has discussed questions relating to the advancement of women, indigenous issues, the promotion of fundamental freedoms through the elimination of racism and racial discrimination, the

¹ "The UN General Assembly's Third Committee – Social, Humanitarian and Cultural Issues | UN DESA Department of Economic and Social Affairs." United Nations. Accessed September 1, 2018. <http://www.un.org/en/development/desa/news/ecosoc/un-ga-third-committee.html>.

² Ibid.

³ Ibid.

⁴ Ibid.



protection of children, the treatment of refugees and the right to self-determination.⁵ At the seventy-third session of the General Assembly, the Third Committee considered over 60 draft resolutions, more than half of which were submitted under the human rights agenda item alone.⁶

⁵ "United Nations, Third Committee, Social, Humanitarian, Cultural, Main Body, Main Organs, General Assembly." United Nations. Accessed September 02, 2018. <http://www.un.org/en/ga/third/index.shtml>

⁶ "United Nations, Third Committee, Social, Humanitarian, Cultural, Main Body, Main Organs, General Assembly." United Nations. Accessed September 02, 2018. <http://www.un.org/en/ga/third/index.shtml>



Topic A: Combating Gender Based Violence

Introduction and Terminology

The term gender based violence, to be referred to according to the expanded definition used by the United Nations High Commission of Refugees and Implementing Partners based on Article 1 and 2 of the United Nation General Assembly Declaration on the Elimination of Violence against Women, is violence that is directed against a person on the basis of gender or sex. It includes acts that inflict “physical, mental or sexual harm or suffering, threats of such acts, coercion and other deprivations of liberty...”⁷ When taking the definition of gender based violence into consideration, it is important to understand that victims and survivors of such acts can be women, men, boys and girls but females represent the majority of all cases.⁸

Gender is the term used to refer to the social characteristics assigned to men and women which can be constructed on the basis of different factors, such as age, religion, national, ethnic and social origin.⁹ Gender may also refer to identities, status, roles, responsibilities and power relations within a society or culture that usually involve an inequality and imbalance between men and women. This imbalance, along with its wide acceptance in the society is one of the causes of societal indifference towards violence against women.¹⁰

Violence is any means of control; this includes emotional, social, economic or physical, pressure or coercion. An incident of violence is not limited by time, nor by the location where the harmful act or acts is practiced by an individual or a group of individuals (perpetrators) against another individual or a group of individuals (victim/ survivor).¹¹

The majority of cases of gender based violence usually but not exclusively falls under the following five categories:

⁷ (UNHCR), U. N. (2003, May). Sexual and Gender- Based Violence against Refugees, Returnees and Internally Dsiplaced Persons . Retrieved April 2, 2017, from United Nations High Commissioner for Refugees: <http://www.unhcr.org/3f696bcc4.pdf>

⁸ Ibid.

⁹ Ibid.

¹⁰ Ibid.

¹¹ Ibid.



1. Sexual violence,
2. Physical Violence,
3. Emotional and psychological violence,
4. Harmful traditional practices,
5. Socio- economic violence.¹²

Sexual violence and harassment “is any sexual act, attempt to obtain a sexual act, unwanted sexual comments or advances against a person’s sexuality using coercion, by any person regardless of their relationship to the victim, in any setting”.¹³ Types of acts that fall under the category of sexual violence are rape, marital rape, child sexual abuse, defilement and incest, forced sodomy rape, attempted forced sodomy rape, sexual abuse, exploitation, and sexual violence as a weapon of war and torture.¹⁴ Physical violence can be perpetrated by anyone in a position of power such as an intimate partner and more, through a physical assault or trafficking and slavery.¹⁵ Emotional and psychological violence presents one of the least recognized types of violence in any community and may include non-sexual verbal abuse that is insulting, degrading, demeaning, as well as compelling the victim/survivor to engage in humiliating acts, whether in private or public setting.¹⁶ This type of violence also occurs with the confinement of the victims/survivors, thereby isolating them from other relations.¹⁷

While frequently used interchangeably, there is a difference between “gender-based violence” and “violence against women”, since the latter recognises violence affecting the female gender and the former refers to violence that occurs with gender as the basis or motivation meaning that men and boys, as well as transgender individuals may also be the victims of gender- based violence.¹⁸ Men are victims/survivors of sexual harassment, abuse, exploitation and trafficking although the vast majority of gender

¹² Ibid.

¹³ "Explore the Facts: Violence against Women." UN Women | Explore the Facts: Violence against Women. Accessed September 30, 2018.

<http://interactive.unwomen.org/multimedia/infographic/violenceagainstwomen/en/index.html#sexual-2>.

¹⁴ (UNHCR), U. N. (2003, May). Sexual and Gender- Based Violence against Refugees, Returnees and Internally Dsiplaced Persons . Retrieved April 2, 2017, from United Nations High Commissioner for Refugees: <http://www.unhcr.org/3f696bcc4.pdf>

¹⁵ Ibid.

¹⁶ Ibid.

¹⁷ Ibid.

¹⁸ Ibid.



based violence occurs to women and transgender individuals.¹⁹ The European Union found out in 2014 that 23 percent of non- heterosexual women (those who identify with another sexual orientation such as transsexual, bisexual or others) experienced physical and/or sexual violence by both male and female non- partner perpetrators compared to five percent of heterosexual women.²⁰

Harmful traditional practices include different practices that harm the victim/survivor physically or psychologically and is supported, condoned or assisted by families, religious groups, entire communities and some States.²¹ Harmful traditional practices include but are not limited to forced marriage, honour killing, infanticide or the negligence and denial of education.²² Lastly, socio-economic violence is the act of social discrimination and/or the denial of opportunities, services or social exclusion based on sexual orientation which can be enforced by obstructive legislative practices.²³

As the United Nations and the world seek solutions to solve global security crises and strive to build a sustainable peace, it is our hope that with the participation of the member states in SOCHUM, the committee will provide solutions towards preventing gender based violence, eliminating the constant struggle women and other vulnerable populations are facing, and securing a future of peace for generations to come. Living free of violence constitutes a basic human and yet there are still countless cases of Gender Based Violence factors such as normalized social or cultural stigma, financial dependency or state sanctioned violence. Such factors are present in “every country in the world and affects women, girls, and trans people of all ages and backgrounds”.²⁴

Violence against women and girls is one of the most pervasive human rights abuses in the world. One in three females experiences some form of

¹⁹ Ibid.

²⁰ See European Union Agency for Fundamental Rights (2014). Violence against women: an EU-wide survey, Annex 3, p. 184-188.

²¹ Ibid.

²² Ibid.

²³ Ibid.

²⁴ "Freedom from All Forms of Gender Based Violence," Global Fund for Women, April 18, 2018, , accessed August 06, 2018, <https://www.globalfundforwomen.org/freedom-from-violence/#.W2iP3FVKjIU>.



abuse in their lifetime.²⁵ Yet the declaration of gender based violence as a crime is rare, since it is sometimes “not viewed as politically significant” within some nations.²⁶ The theory of justice and gender based violence examines the reasons why nation states, themselves, don’t seem to be too concerned with the consistent occurrence of gender based violence.²⁷ Justification of such violence doesn’t only exist because of certain laws but also due to the sexist environments which play a significant role in that violence being committed.²⁸

Historical Background

Nearly 70 years ago on December 10th, 1948, the *Universal Declaration of Human Rights*, as adopted by the United Nations, first included the assertion that what is most desired by the common people is “a world in which human beings shall enjoy freedom of speech and belief and freedom from fear and want”.²⁹

In the *Convention on the Elimination of All Forms of Discrimination Against Women* adopted in 1979, Member States committed themselves to take a series of measures to end discrimination against women.³⁰ This Convention provided the basis for realizing equality between women and men though ensuring equal access to and equal opportunities in political and public life. Furthermore, the states agreed to take all appropriate measures including legislation and temporary special measures to do as the Convention legally binds States to put its provisions into practice.³¹

²⁵ "A Story of Violence: 16 Objects Show the Reality of Gender-based Violence around the World," United Nations Population Fund, November 22, 2017, , accessed August 06, 2018, <https://www.unfpa.org/news/story-violence-16-objects-show-reality-gender-based-violence-around-world>.

²⁶ Brison, S. (2013). *Justice and Gender-Based Violence*. In *Revue Internationale De Philosophie* (Vol. 67). U.S.A.: Dartmouth.

²⁷ *Ibid.*

²⁸ *Ibid.*

²⁹ "'Freedom from Fear': Ending Violence against Women." UNDP. Accessed August 06, 2018. <http://www.undp.org/content/undp/en/home/news-centre/speeches/2017/a-joint-statement-for-human-rights-day.html>.

³⁰ "Convention on the Elimination of All Forms of Discrimination against Women." United Nations. Accessed September 30, 2018. <http://www.un.org/womenwatch/daw/cedaw/>.

³¹ "Convention on the Elimination of All Forms of Discrimination against Women." United Nations. Accessed September 30, 2018. <http://www.un.org/womenwatch/daw/cedaw/>.



Twenty years later, in the UN General Assembly Declaration on the Elimination of Violence against Women in 1993, violence against women (VAW) was defined as “any act of gender based violence that results in, physical, sexual, or mental harm or suffering to women, including threats of such acts, coercion, or arbitrary deprivation of liberty, whether occurring in public or in private life.”³²

Today, the executive heads of the United Nations Development Programme (UNDP), United Nations Population Fund (UNFPA) and UN Women continuously call for the elimination of violence against women and girls and the guarantee of all rights, including reproductive rights, for all women everywhere.

Vulnerable Groups

Children and refugees

While experiencing unjustified violence is a traumatic experience that surpasses individual factors such as age, wealth, social status etc., specific groups within the population face the gravest consequences of gender based violence. These are mainly children of age 14 and younger, who represent the greatest proportion of those who seek help against sexual and gender based violence at health facilities and police stations.³³

Additionally, women and children in and after conflict face the difficulties posed by the lack of basic legal protection and the enforcement thereof, so that they have very low chances to benefit from basic instruments like health services.³⁴

Wartime

Protection against sexual and gender based violence can be undermined in a state of long-term instability, even after a state has transitioned out of the crisis or the violent conflict. In addition, civilian

³² "A/RES/48/104. Declaration on the Elimination of Violence against Women." United Nations. Accessed September 30, 2018. <http://www.un.org/documents/ga/res/48/a48r104.htm>.

³³ Population Council, Addressing SGBV among Vulnerable Populations in East and Southern Africa, available at: <https://www.popcouncil.org/research/addressing-sexual-violence-among-vulnerable-populations-in-east-and-souther>

³⁴ UNCHR, Sexual and Gender-Based Violence against Refugees, Returnees and Internally Displaced Persons, available at: <http://www.unhcr.org/protection/women/3f696bcc4/sexual-gender-based-violence-against-refugees-returnees-internally-displaced.html>



women are the most common victim to gender based violence during wartime, while rapes and increased violence are often used (despite of their unlawfulness under international humanitarian law) to establish power over a territory. On the other hand, and despite whether women and men are in the same position in the military, men are seen as above their women counterparts, which frequently leads to sexual violence.³⁵ Over the past 15 years, attention to gender based violence has increased as a key part of the Women, Peace and Security Agenda, enforced by nine UN Security Council Resolutions.

Transgender individuals

Transgender individuals, who form one of the most widely known groups under the LGBT+ umbrella, have made great strides in fighting for full equality. However they are still facing the highest risk when it comes to violence and discrimination, and yet receive the least attention in the public debate.³⁶ A widely accepted definition recognizes as transgender “a person whose gender identity differs from the sex the person had or was identified as having at birth”.³⁷ Due to the stigma attached to being transgender and the low acceptance rates among the large parts of the population, violence against transgender individuals has been a pertinent topic since the establishment of the LGBTQ+ movement. The Trans People of Color Coalition and the Human Rights Campaign in collaboration with the Human Rights Campaign, estimate that transgender women face 4.3 times the risk of being homicide victims than the general population of women in the **United States**.³⁸ A disproportionately large percentage of the victims of hate-motivated violence in **Brazil** are transgender women and also the highest reported rate of fatal violence against transgender people.³⁹ The average life expectancy for a transgender women in **Brazil** is just 36 years.⁴⁰ Still to this

³⁵ Baaz, M. E., and M. Stern. "Fearless Fighters and Submissive Wives: Negotiating Identity among Women Soldiers in the Congo (DRC)." *Armed Forces & Society* 39, no. 4 (2013): 711-39. doi:10.1177/0095327x12459715.

³⁶ Thapa, Saurav Jung. "Gender-based Violence: Lesbian and Transgender Women Face the Highest Risk but Get the Least Attention." *Jobs and Development*. November 27, 2015. Accessed September 30, 2018. <https://blogs.worldbank.org/voices/gender-based-violence-lesbian-and-transgender-women-face-highest-risk-get-least-attention>.

³⁷ Merriam Webster, available at: <https://www.merriam-webster.com/dictionary/transgender>

³⁸ Ibid.

³⁹ Ibid.

⁴⁰ Ibid.



day “75 countries continue to criminalize consensual same- sex relationships and up to 10 countries have the death penalty for “Homosexual conduct”.⁴¹

Past Actions

Among the 193 Member States in the United Nations, at least 140 countries have passed laws on domestic violence, and 144 of have laws on sexual harassment. However, even with the existing laws in place, their content and application are not always compliant with international standards.⁴² To this day, 37 countries exempt rape perpetrators from prosecution when they are married to or subsequently marry the victim/survivor.⁴³

In 2015, the 2030 Agenda for Sustainable Development Goals (SDGs) was adopted by all 193 Member States of the United Nations and it included the 17 Goals, towards which action will be taken within the next 15 years to address economic, social and environmental sustainability development goals.⁴⁴ The fifth SDG recognizes gender equality and the empowerment of women as a key priority pledging that “no one will be left behind” and thereby establishing the goal to eliminate all forms of violence against all women and girls affected by crisis and conflict.⁴⁵ The United Nations Trust Fund to End Violence against Women has consistently supported organizations which address violence against women and girls in the context of humanitarian crisis and disaster response, currently investing US \$2.5 million in five relevant organizations.⁴⁶

In recent years the voices of victims/survivors and activists has broken through with different worldwide campaigns such as #Metoo, #Timesup, #Niunamenos, #NotOneMore, #BalanceTonPorc and others, and has sparked controversial debates within many societies.⁴⁷ Since October 2017 millions of women came forward to testify about their harassment, fear, assault and

⁴¹ Ibid.

⁴² World Bank Group (2015). Women, Business and the Law 2016, database.

⁴³ Ibid.

⁴⁴ Ibid.

⁴⁵ Ibid.

⁴⁶ Ibid.

⁴⁷ "Say NO - UNiTE to End Violence against Women Campaign." UN Women. Accessed September 30, 2018. <http://www.unwomen.org/en/what-we-do/ending-violence-against-women/take-action/16-days-of-activism>.



some are battling for justice in more than 80 countries.⁴⁸ The latest well-known case in that line is that of the Senate Judiciary Committee testimony of research psychologist Christine Blasey Ford, the woman who accused Judge Brett M. Kavanaugh of trying to rape her in high school.⁴⁹

Recent Developments

While efforts have been conducted increasingly within the past decades, and the influence of feminist movements worldwide has enhanced, the position of women in today's society and the issue of gender-based violence still remain widely present.

In the Global South, some countries are witnessing a recent roll-back of legislation protecting survivors of gender-based violence and a general decriminalization of related activities.⁵⁰

At the same time, the rise of right-wing populism and conservative movements has questioned whether the establishment and further endorsement of female empowerment is helpful for the society. This change in the general debate has led to the implementation of policies that might hinder the combatting of gender based violence in the long term.

Harmful traditional practices

Unfortunately, violence against women is in many cases deeply integrated into the social practices and informal rulesets of societies. These behaviors are often classified as traditional practices, especially when they are initiated as parts of social or religious rituals.

The Denial of education for women and girls, i.a. the prohibition or the obstruction of access for girls and women to basic, technical,

⁴⁸ "A Story of Violence: 16 Objects Show the Reality of Gender-based Violence around the World." United Nations Population Fund. November 22, 2017. Accessed August 06, 2018. <https://www.unfpa.org/news/story-violence-16-objects-show-reality-gender-based-violence-around-world>.

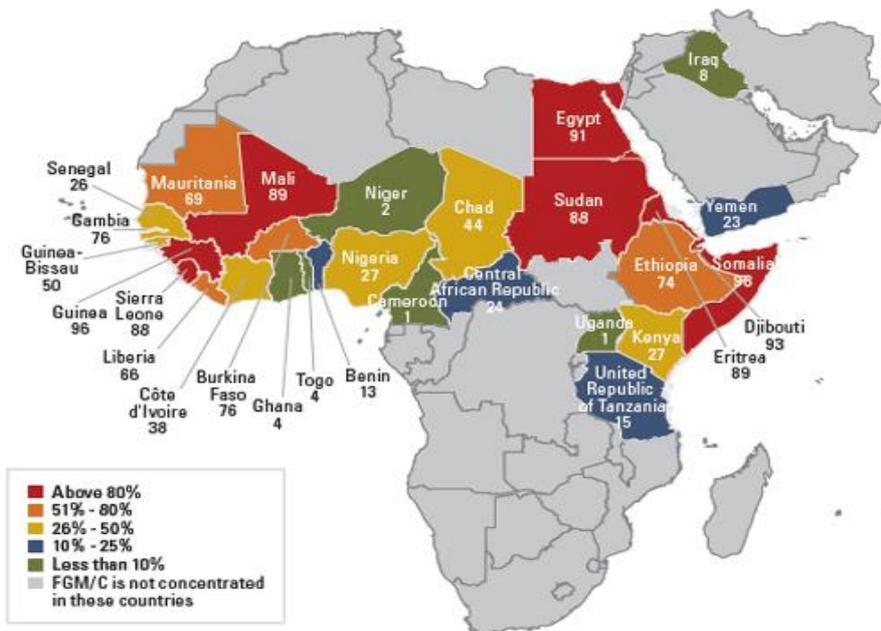
⁴⁹ "Opinion | The Kavanaugh-Ford Hearing Broke the Committee." The Washington Post. September 28, 2018. Accessed September 30, 2018. https://www.washingtonpost.com/blogs/post-partisan/wp/2018/09/28/the-kavanaugh-ford-hearing-broke-the-committee/?noredirect=on&utm_term=.90ef26618880.

⁵⁰ Mannell, J.; Hawkes, S; Decriminalisation of gender-based violence is a global health problem p. 1, available at: <https://gh.bmj.com/content/bmjgh/2/3/e000438.full.pdf>



professional or scientific knowledge, is an act of gender based violence and falls under the category of harmful traditional practices.⁵¹

Even more importantly, 130 million women have been victims of **Female Genital Mutilation/ Cutting (FGM/C)**, mainly in Africa and some Middle Eastern countries. Further 2 million girls are still at risk of FGM/C every year.⁵² FGM/C is defined based on UN Women as “all procedures that involve partial or total removal of the external female genitalia or other injury to the female organs for non-medical reasons, often resulting in severe bleeding, infections, infertility, or childbirth complications.”⁵³ As of July 2018, in many countries such as Sierra Leone, Djibouti and Somalia, nearly every girl or women between the ages of 15 and 49 has been subjected to the practice. Until 2006 only 15 of 26 African states where FGM/C was prevalent had made it a punishable crime under law.⁵⁴



⁵¹ (UNHCR), U. N. (2003, May). Sexual and Gender- Based Violence against Refugees, Returnees and Internally Dsiplaced Persons . Retrieved April 2, 2017, from United Nations High Commissioner for Refugees: <http://www.unhcr.org/3f696bcc4.pdf>

⁵² "Female Genital Mutilation/cutting and Violence against Women and Girls: Strengthening the Policy Linkages between Different Forms of Violence." UN Women. Accessed September 30, 2018. <http://www.unwomen.org/en/digital-library/publications/2017/2/female-genital-mutilation-cutting-and-violence-against-women-and-girls>.

⁵³ Ibid.

⁵⁴ Ibid.



This map shows the prevalence of female genital mutilation in many African and Middle Eastern countries, Percentage of girls and women aged 15 to 49 years who have undergone FGM, by country⁵⁵

State policies perpetuating violence

There continues to be many laws and policies around the world that repress or harm women and girls. Some allow for intimate partner violence, and threats from fundamentalist forces.⁵⁶

In mid -September 2017, **Saudi-Arabian** authorities arrested dozens of people. The detained activists were best known for protesting against the ban on women driving and publicly advocating for the abolition of the male guardianship, a state-wide law that gives men the authority over their female relatives. Their arrests come ahead of the lifting of ban on women driving on June 24, 2018.⁵⁷

Similarly, to other Countries around the world, in the **United States** sexual assault is often portrayed as normal in early adolescence by prominent political figures, even though intimate partner violence is prominent in the country and nearly half of women's homicides have this behavior pattern as their cause.⁵⁸ Non-US-Citizens face another vulnerability since they cannot make reports of domestic violence and workplace violence because of their fear of deportation.⁵⁹

Gender based violence is a major risk for women all over the world who are engaging in state given democratic processes such as voting, civil society activism, participating in women's empowerment programs or running for

⁵⁵ "Female Genital Mutilation (FGM)." World Health Organization. June 01, 2016. Accessed September 30, 2018. <http://www.who.int/reproductivehealth/topics/fgm/prevalence/en/>.

⁵⁶ "Freedom from All Forms of Gender Based Violence." Global Fund for Women. April 18, 2018. Accessed August 06, 2018. <https://www.globalfundforwomen.org/freedom-from-violence/#.W2iP3FVKjIU>.

⁵⁷ Ibid.

⁵⁸ "Gender-Based Violence in the US." American Anthropological Association. Accessed September 30, 2018. <http://www.americananthropologist.org/2018/04/03/gender-based-violence-in-the-us/>.

⁵⁹ Ibid.



office.⁶⁰ The phenomenon with rapes of women who engaged in public demonstrations or forced virginity tests are still being witnessed today.⁶¹

Stakeholders

NGOs and International Organizations

There are multiple Non-Governmental Organizations (NGOs) whose focus lays on combatting gender based violence and support victims and survivors. Some of them, such as *Women Against Violence Europe* and the *Gender Equality Grouping*, were created with the aim of protecting women against this specific kind of violence, whereas others, such as *Amnesty International*, are umbrella organizations that devote part of their resources to the purpose. Alongside these NGOs work agencies and programmes of International Organizations, such as the UN Joint Programme on Gender Based Violence and UN Women combat gender based violence. While all of these groups invest a lot of effort and resources into combatting gender based violence, in most of cases they are dependent on funding or/ and the support of the local population. Often, they have to face the scarcity of both factors.

Developing States

The issue of gender based violence is the most prevalent in developing countries⁶², i.e. countries “with a less developed industrial base and a low Human Development Index (HDI) relative to other countries”.⁶³ These nations witness a lack of prevention mechanisms, as well as the support of institutions for victims and survivors. Very often the governments of these states point at the lack of financial means necessary to achieve these goals as the main cause of their non-compliance with international standards; whereas others represent the pragmatic view that resources are required elsewhere in the society and therefore cannot be attributed solely towards eradicating this type of violence. During debates and panel discussions, some nations have expressed the view that the expectations of International

⁶⁰ "Ending Sexual and Gender-Based Violence in War and Peace." United States Institute of Peace. August 20, 2018. Accessed October 01, 2018. <https://www.usip.org/publications/2016/09/ending-sexual-and-gender-based-violence-war-and-peace>.

⁶¹ Ibid.

⁶² Am J Epidemiol, Tip of the Iceberg: Reporting and Gender-Based Violence in Developing Countries, available at: <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC3927971/>

⁶³ O'Sullivan A, Sheffrin SM (2003). Economics: Principles in Action. Upper Saddle River, New Jersey 07458: Pearson Prentice Hall. p. 471



Organizations and NGOs disregard local traditions and societal structures, and present an example of *ethical universalism*, an effort of the West to impose its views on developing nations.⁶⁴ As a result, less progressive states argue that they are allowed to “implement rules and laws tailored to traditions and religious values”⁶⁵

Developed States

Despite the fact that conditions on average are better than in developing nations, gender based violence remains a global problem that is prevalent in developed states as well. Signs of tolerance towards gender based violence can be viewed in practices such as the lack of punishment of sexual violence perpetrators on university campuses or the non-implementation of laws protecting transgender individuals.

Conclusion

Former UN Secretary- General Ban Ki- moon has declared that “all people, without the exception, should be free to live a life of dignity no matter who they are or whom they love”.⁶⁶ Gender-based violence is present everywhere and affects hundreds of millions of individuals worldwide. The United Nations continue to exercise efforts to eliminate this issue by providing aid to many partners, governments, NGOs and other agencies. The most vulnerable population, women, are constantly in fear of falling under gender- based violence. The international community agrees that efforts need to be made to stop this problem. There is still more to be done for all victims/survivors of gender based violence and therefore the potential for the discussions in the SOCHUM committee is unlimited!

Questions a Resolution Should Answer

⁶⁴ Cyra Akila Choudhury, *Beyond Culture: Human Rights Universalisms Versus Religious and Cultural Relativism in the Activism for Gender Justice*, pp. 260 – 263, available at:

<https://scholarship.law.berkeley.edu/cgi/viewcontent.cgi?article=1347&context=bglj>

⁶⁵ Stephanie Nebehay, *Saudi Arabia must ban discrimination against women: U.N. rights panel*, available at: <https://www.reuters.com/article/us-saudi-rights-women/saudi-arabia-must-ban-discrimination-against-women-u-n-rights-panel-idUSKCN1GO2C7>

⁶⁶ Thapa, Saurav Jung. "Gender-based Violence: Lesbian and Transgender Women Face the Highest Risk but Get the Least Attention." *Jobs and Development*. November 27, 2015. Accessed September 30, 2018. <https://blogs.worldbank.org/voices/gender-based-violence-lesbian-and-transgender-women-face-highest-risk-get-least-attention>.



1. What are barriers to deal with gender based violence depending on government, country and region, and how can we remove them?
2. What are some factors surrounding the increase of gender based violence (financial, social, cultural etc.)? How can we prevent their rise and combat them?
3. How can we provide support to victims/ survivors of gender based violence that belong specifically to vulnerable populations (children, refugees and migrants)?
4. How can we prevent and combat new forms of gender based violence (e.g. online harassment or trafficking)?
5. In what ways do violence against women and violence against transgender individuals overlap? In what ways should policies already implemented be amended to fit the needs of the latter?
6. What responsibility and authority should governments have, if any, in seeking out violence practices that take place outside of the public sphere?
7. To what extent should cultural and historical factors influence the implementation of policies combatting gender based violence?

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Suggestions for further research

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2. the [1979 Convention on the Elimination of All Forms of Discrimination Against Women](#).
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4. UN Development Programme Report - <http://www.undp.org/content/undp/en/home/gender-equality/gender-based-violence.html>



Topic B: The protection of families of seekers and holders of asylum status

Introduction

The right to seek asylum is protected under the Universal Declaration of Human Rights (UDHR). Article 13 of the UDHR states that “everyone has the right to leave any country, including his own”, whereas article 14 mentions that: firstly “Everyone has the right to seek and to enjoy in other countries asylum from persecution”, and secondly “this right may not be invoked in the case of prosecutions genuinely arising from non-political crimes or from acts contrary to the purposes and principles of the United Nations.”

Despite its extended and wide use, the term “asylum” has yet to receive a universally accepted definition.⁶⁷ Under the “umbrella” of the term fall two basic rights: (i) the right of a state to grant asylum; (ii) the right of an individual to *seek* asylum. However, no right of the individual to be *granted* asylum is recognized. When a state decides to grant asylum to an asylum seeker, this person automatically is recognized as a refugee.⁶⁸

The *1951 Convention Relating to the Status of Refugees*, in its initial article, defines “refugee” as any person who, owing to well-founded fear of being persecuted for reasons of race, religion, nationality, membership of a particular social group or political opinion, is outside the country of his

⁶⁷Roman Boed, THE STATE OF THE RIGHT OF ASYLUM IN INTERNATIONAL LAW, available at: <https://scholarship.law.duke.edu/cgi/viewcontent.cgi?article=1342&context=djcil> [accessed 1 August 2018]

⁶⁸ Hanna-Mari Kivistö, Debating Right to Asylum - A Conceptual and Rhetorical Reading of the German post-War Deliberations, available at: https://jyx.jyu.fi/bitstream/handle/123456789/42599/1/978-951-39-5556-4_vaitos11122013.pdf [accessed 1 August 2018]



nationality and is unable or, owing to such fear, is unwilling to avail himself of the protection of that country; or who, not having a nationality and being outside the country of his former habitual residence as a result of such events, is unable or, owing to such fear, is unwilling to return to it.⁶⁹

The escalation of political and economic crises around the world, with the Syrian civil war, the Rohingya refugee crisis and the situation in the Mexico-USA border being significant examples, have created extensive fluxes of asylum seekers and recurrent violations of human rights, accentuating the imminent need to settle the issue beyond any doubt.

Past Actions

In 1951 the Member States of the United Nations gathered in Geneva to discuss a set of guidelines that would become the baseline for International Refugee Law. The 1951 Geneva Convention Relating to the Status of Refugees defined the term “refugee” and set forth the obligations and the rights they would enjoy under international law in the State of refuge.⁷⁰ This convention, which was amended with the 1967 Protocol relating to the Status of Refugees, remains today the most significant document relating to displaced people.

The pillar of the 1951 is the principle of *non-refoulement* (article 33). This refugee right introduced the obligation of States not to refoul, or return, a refugee “in any manner whatsoever to the frontiers of territories where his life or freedom would be threatened on account of his race, religion, nationality, membership of a particular social group or political opinion.” The phrase ‘in any manner whatsoever’ means that the principle of non-refoulement applies to any behavior by the State that would place a refugee at risk of being returned, either directly or indirectly, to their country of origin. This includes the refusal of entry at the border as well as the removal from within the territory and is applied wherever the State exercises its authority, including beyond its borders (i.e. when intercepting ships on the

⁶⁹UN General Assembly, Convention Relating to the Status of Refugees, 28 July 1951, United Nations, Treaty Series, vol. 189, p. 137, available at: <http://www.refworld.org/docid/3be01b964.html> [accessed 1 August 2018]

⁷⁰UN High Commissioner for Refugees (UNHCR), The 1951 Convention Relating to the Status of Refugees and its 1967 Protocol, September 2011, available at: <http://www.refworld.org/docid/4ec4a7f02.html> [accessed 20 September 2018]



high seas).⁷¹ However, refugees convicted of serious crimes or deemed as dangerous for public security are denied this right. Nowadays recognized as a human right, this principle is protected under other treaties, conventions and protocols, such as the American Convention on Human Rights and the Convention against torture.⁷²

The 1951 Convention also includes the right to work (articles 17-19), the right not to be expelled, except under certain, strictly defined conditions (Article 32) The right not to be punished for illegal entry into the territory of a contracting State (Article 31), the right to housing (Article 21), the right to education (Article 22), the right to public relief and assistance (Article 23), the right to freedom of religion (Article 4), the right to access the courts (Article 16), the right to freedom of movement within the territory (Article 26) and the right to be issued identity and travel documents (Articles 27 and 28).⁷³

On a regional level, and until very recently, Conventions and Treaties have been signed, safeguarding the rights of refugees, such as the Cartagena Declaration on Refugees in Latin America, the Arab Convention on Regulating Status of Refugees in the Arab Countries (1994), the Bangkok Principles on the status and treatment of refugees adopted by Asian and African States (2001) and the Ashgabat Declaration adopted by the Organization of Islamic Cooperation (2012). The European Union signed in 2007 the Charter on Fundamental Rights, which holds an equal status to the EU's founding treaties and includes a number of arrangements regarding the right to asylum and protection from removal, expulsion or extradition to a serious risk of being subject to the death penalty, torture or other inhuman or degrading treatment or punishment.⁷⁴

The Protection of the Right to Family.

⁷¹UNCHR, A guide to international refugee protection and building state asylum systems, available at: <http://www.unhcr.org/publications/legal/3d4aba564/refugee-protection-guide-international-refugee-law-handbook-parliamentarians.html> [accessed 2 August 2018]

⁷² International Justice Resource Center, Asylum & The Rights of Refugees, available at: <https://ijrcenter.org/refugee-law/> [accessed 20 September 2018]

⁷³ UN High Commissioner for Refugees (UNHCR), The 1951 Convention Relating to the Status of Refugees and its 1967 Protocol, September 2011, available at: <http://www.refworld.org/docid/4ec4a7f02.html> [accessed 20 September 2018]

⁷⁴ UNCHR, A guide to international refugee protection and building state asylum systems, available at: <http://www.unhcr.org/publications/legal/3d4aba564/refugee-protection-guide-international-refugee-law-handbook-parliamentarians.html> [accessed 20 September 2018]



Noteworthy is the Convention on the Rights of the Child, which includes provisions concerning the child's right not to be separated from his or her parents against their will, except when this is in the child's best interests (Article 9), family reunification (Article 10) and the right to "special protection and assistance" by the State if the child is temporarily or permanently deprived of his or her family environment (Article 20). Also, if the child is separated from his or her parents or other family members, States Parties also agree in Article 22(2) to cooperate with efforts to trace the parents or other family members for the purpose of family reunification.⁷⁵ These rights are particularly relevant to children asylum seekers or refugees, especially when they are categorized as "unaccompanied minors", meaning they fled their country and sook refuge in another one alone, without their parents, or any member of their extended family.

The 1949 Fourth Geneva Convention Relating to the Protection of Civilian Persons in Time of War paid particular attention to the issue of "families dispersed owing to the war"⁷⁶ with provisions guided to maintaining family unity during evacuations through mechanisms such as family messages, tracing of family members and registration of children to enable family communication, whereas the reunification of families would be attempted "if possible". However, in the First Additional Protocol in 1977 the State Parties seemed more determined to increase their responsibility towards separated families, affirming their obligation to achieve family reunification "in every possible way"⁷⁷, a responsibility reinstated in the Second Additional Protocol.

The 1951 Convention relating to the Status of Refugees does not refer to the right to family specifically. Nevertheless, the Conference of Plenipotentiaries, which adopted the 1951 Convention, agreed in its Final Act to the following recommendation: "Considering that the unity of the family ... is an essential

⁷⁵UNCHR, Legal and Protection Policy Research Series, The Right to family life and family unity of refugees and others in need of international protection and the family definition applied, available at: <http://www.unhcr.org/en-us/5a8c40ba1.pdf> [accessed 21 September 2018]

⁷⁶International Committee of the Red Cross (ICRC), Geneva Convention Relative to the Protection of Civilian Persons in Time of War (Fourth Geneva Convention), 12 August 1949, 75 UNTS 287, available at: <http://www.refworld.org/docid/3ae6b36d2.html> , Article 26. [accessed 21 September 2018]

⁷⁷8 ICRC, Protocol Additional to the Geneva Conventions of 12 August 1949, and relating to the Protection of Victims of International Armed Conflicts (Protocol I), 8 June 1977, 1125 UNTS 3, available at: <http://www.refworld.org/docid/3ae6b36b4.html> , Article 74. [accessed 21 September 2018]



right of the refugee and that such unity is constantly threatened, [it] recommends Governments to take the necessary measures for the protection of the refugee's family, especially with a view to ensuring that the unity of the family is maintained ... [and for] the protection of refugees who are minors, in particular unaccompanied children and girls, with particular reference to guardianship and adoption".⁷⁸ Furthermore, the 1951 Convention in its 12th Article concerning personal status writes: "Rights previously acquired by a refugee and dependent on personal status, more particularly rights attaching to marriage, shall be respected by the Contracting State, subject to compliance, if this be necessary, with the formalities required by the laws of that State, provided that the right in question is one which would have been recognized by the law of that State had he [or she] not become a refugee."

However, the recommendation by the Conference of Plenipotentiaries is a mere suggestion to the State Parties of the 1951 Convention and therefore is not legally binding. As far as article 12 of the 1951 Convention is concerned, it still does not guarantee the protection of LGBTQ+ families, since many States, and especially States such as Jordan, which have been receiving major fluxes of refugees due to the recent crisis in the MENA (Middle East and North Africa) region, do not recognize same sex marriage, nor the right for LGBTQ+ couples to become parents. Even civil marriages or partnerships might not be recognized in States that operate under religious laws (i.e. Sharia Law). In addition, all conventions and treaties refer to refugees only, leaving the asylum seekers and their families unprotected. This can mean that a child who entered a country with their parents can be separated from them while their asylum application is being processed. Even worse, a member of the family might be granted asylum while another member might not. No safety valve is in place regarding the aforementioned cases and there has not been a provision on international level regarding the opportunity to extend asylum to dependent relatives of the asylum holder (for examples of this provision on state level see below, Stakeholder analysis).

The asylum application process

⁷⁸UN Conference of Plenipotentiaries on the Status of Refugees and Stateless Persons, Final Act of the United Nations Conference of Plenipotentiaries on the Status of Refugees and Stateless Persons, 25 July 1951, A/CONF.2/108/Rev.1, available at: <http://www.refworld.org/docid/40a8a7394.html> [accessed 21 September 2018]



Commonly, states do have protocols in place regarding the process of asylum applications.⁷⁹ In most cases, an interview with the asylum seeker is conducted by a designated official from a government department or an agency. This procedure is in place in order to determine the credibility of the asylum seeker and their claims. In order to gain the refugee status, they must provide sufficient evidence (i.e. NGO reports, news articles etc.) that they meet the criteria set forth by the 1951 Convention. Complying to its 31st article, States are not allowed to consider irregular entry as a negative element of an asylum application. Should the application be rejected, asylum seekers have the right to appeal to the decision and are generally allowed to stay in the country of application until they have exhausted all the options they are entitled to under regional and international law.⁸⁰ In countries that have not signed and ratified the 1951 Convention or do not have a policy in place, in order to acquire the refugee status and be granted asylum, displaced people have to go through Refugee Status Determination (RSD). Through this legal or administrative process states -or, when they are unwilling or unable to do so, the UNHCR- decide whether a person falls under the category of refugees under national, regional or international law. In the due process, the asylum seekers are kept in detention centers and, at least in theory, have access to humanitarian aid. Should their request be granted, the, now legally recognized, refugees enjoy equal rights and opportunities to nationals when it comes to work, education and social security. If their application for asylum fails, they have the right to appeal the decision, to apply for legal migration, or are forced to leave the country.

The Dublin Regulation

The Dublin Regulation was adopted in 2003 and has been reviewed three times, with a proposal for Dublin IV being under development by the European Commission. This Regulation establishes “the criteria and the mechanisms for determining the Member State responsible for examining an asylum application lodged in one of the Member States by a third-country national”.⁸¹ An aide to the Dublin Regulation is EURODAC, established in 2003, which created an asylum fingerprint database. This “allows EU Member

⁷⁹ International Justice Resource Center, Asylum & The Rights of Refugees, available at: <https://ijrcenter.org/refugee-law/> [accessed 4 August 2018]

⁸⁰ International Justice Resource Center, Asylum & The Rights of Refugees, available at: <https://ijrcenter.org/refugee-law/> [accessed 20 September 2018]

⁸¹ UNHCR, ECRE, “The Dublin Regulation”, available at: <http://www.unhcr.org/4a9d13d59.pdf>



States' law enforcement authorities and Europol to compare fingerprints linked to criminal investigations with those contained in EURODAC, only for the purpose of the prevention, detection and investigation of serious crimes and terrorism and under strictly controlled circumstances and specific safeguards; in particular, by including a requirement to check all available criminal records databases first and limiting searches only to the most serious crimes, such as murder and terrorism”, as the European Commission Office of Migration and Home Affairs mentions.⁸² The Dublin Regulation and the EURODAC comprise what is commonly referred to as the “Dublin System”. The practical cooperation between EU Member States is enhanced by EASO, or the European Asylum Support Office, which provides scientific and technical support, especially to the more affected by refugee crises and whose systems are under immense pressure.⁸³

Recent Developments and State of the Conflict

Recent events have shed light to the violation of a right which stands in the core of humanity, the right to family life. This right is protected under the UDHR in article 16 [(3) “The family is the natural and fundamental group unit of society and is entitled to protection by society and the State”], as well as under the International Covenant on Economic, Social and Cultural Rights article 10: “The States Parties to the present Covenant recognize that: the widest possible protection and assistance should be accorded to the family, which is the natural and fundamental group unit of society, particularly for its establishment and while it is responsible for the care and education of dependent children”, among others.

According to the UNHCR, currently there are 68.5 million people forcibly displaced worldwide. Of them, 25.4 million are refugees and 3.1 million are asylum seekers. Even more appalling is the number of 44.400

⁸²European Commission, Migration and Home Affairs, Identification of Applicants (EURODAC), available at: https://ec.europa.eu/home-affairs/what-we-do/policies/asylum/identification-of-applicants_en?2nd-language=hu [accessed 2 October 2018]

⁸³ European Commission, Migration and Home Affairs, EASO: The European Asylum Support Office, available at: https://ec.europa.eu/home-affairs/what-we-do/agencies_en#6 [accessed 2 October 2018]



people a day, who are forced to flee their homes because of conflict and persecution. Every year, 1 million people seek asylum on average.⁸⁴

In Syria, since the Arab Spring in 2011 and the civil war that followed, more than 5.6 million people fled the country and sought refuge in neighboring countries and beyond.⁸⁵ The High Commissioner for Refugees, H.E. Filippo Grandi, in a statement indicated that “Syria is the biggest humanitarian and refugee crisis of our time, a continuing cause of suffering for millions which should be garnering a groundswell of support around the world.” In Myanmar, the Rohingya people, a “stateless” Muslim minority, are ghettoized and endure sporadic massacres and restrictions on movement. The campaigns of violence towards them are genocidal in intent, as the International State Crime Initiative at Queen Mary University of London researchers report.⁸⁶ Since August 2017, more than 727.000 Rohingya refugees have fled Myanmar, with the majority of them reaching Bangladesh.⁸⁷ There, they are at an additional risk of natural disasters, with the monsoon rain season affecting many areas that host refugee settlements.

In 2018 only, more than 87 thousand people have endangered their life in order to reach the European Union, 82 thousand of them doing so by the sea. Solely in Italy, between January 2016 and July 2017, around 33.000 unaccompanied or separated children arrived, after suffering abuses, sexual and gender-based violence among others.⁸⁸ In the United States of America, May 2018 signified a “zero tolerance” policy that resulted in more than 2.000 family separations at the borders with Mexico.⁸⁹ While this policy has been

⁸⁴ UNHCR, Figures at a Glance, available at: <http://www.unhcr.org/figures-at-a-glance.html> [accessed 2 October 2018]

⁸⁵ UNHCR, Syria Emergency, available at: <http://www.unhcr.org/syria-emergency.html> [accessed 3 October 2018]

⁸⁶ “Campaigns of violence towards Rohingya are highly organised and genocidal in intent”. Queen Mary University of London, available at: <http://www.qmul.ac.uk/media/news/items/hss/165941.html> 29 October 2015. [accessed 3 October 2018]

⁸⁷ UNOCHA, Rohingya Refugee Crisis, available at: <https://www.unocha.org/rohingya-refugee-crisis> [accessed 3 October 2018]

⁸⁸ UNCHR, Refugees Face Desperate Journeys To Reach Loved Ones in Europe, available at: <http://www.unhcr.org/news/stories/2017/8/597f01f7a/refugees-face-desperate-journeys-reach-loved-ones-europe.html> [accessed 3 October 2018]

⁸⁹ The Time, Lawyers on the Border Still Dealing With Fallout From Family Separations available at: <http://time.com/5371963/family-separation-policy-border-lawyers/> [accessed 5 October 2018]



retreated upon global outcry, children are still separated from their parents, many of whom have been deported, as their asylum applications were rejected.

Albeit the aforementioned crises comprise only a portion of the global refugee crisis, only a number of countries have in place provisions regarding the family of the asylum seeker or the refugee. Most of these provisions refer solely to refugees, as is the case with the USA, the UK and Kenya, to name a few, while the right to family of asylum seekers is scarcely protected, with the example of Ethiopia being the most prominent one.⁹⁰

Conclusion

Despite binding and non-binding agreements and conventions that have secured the protection of basic human rights, major violations have been recorded in detention centers where asylum seekers are held. Moreover, even though refugees are more thoroughly protected under international law, even after they have successfully been through the RSD process, they still see their human rights compromised in various forms. Vulnerable more than ever before stands the right to family both during the asylum process and under the refugee status thereafter. While the international community faces the most colossal refugee crisis in the history of humankind, it is vital, now more than ever, that the UN and especially the Social, Humanitarian and Cultural Committee acts coherently, adopting a targeted and integrated approach that will safeguard the basic human right to family for asylum seekers and refugees.

Questions a Resolution Should Answer

1. The issue of the separation of families in detention centers.
2. Right to communication with members of the family that is left behind.
3. Protection of LGBTQ+ families.
4. Acceleration of the review of pending asylum requests of a family, once one of its members has been granted asylum.
5. The right to education, health care, work, housing.
6. Establishment of protective provisions for members of the refugee's immediate depending relatives, while their asylum applications are being processed.

⁹⁰National Legislative Bodies / National Authorities, Ethiopia: Proclamation No. 409/2004 of 2004, Refugee Proclamation, 19 July 2004, available at: <http://www.refworld.org/docid/44e04ed14.html> [accessed 5 October 2018]



7. Human Rights violations in detention centers/refugee camps.
8. Extending the protections of an asylum seeker to their immediate family.
9. Determination of the family members which should be entitled to any protective provisions discussed in the committee.
10. Facilitation of the family reunification process both on a national and an international level, when needed.

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Suggestions for Further Research

1. 1951 Convention relating to the Status of Refugees.
2. 1967 Optional Protocol relating to the Status of Refugees.
3. Universal Declaration of Human Rights.
4. American Declaration on the Rights and Duties of Man.
5. American Convention on Human Rights.
6. Cartagena Declaration on Refugees, Colloquium on the International Protection of Refugees in Central America, Mexico and Panama (Cartagena Declaration).
7. African [Banjul] Charter on Human and Peoples' Rights.
8. OAU Convention Governing the Specific Aspects of the Refugee Problem in Africa.
9. Arab Charter on Human Rights.
10. Cairo Declaration on Human Rights in Islam.
11. European Convention on Human Rights.
12. Council Regulation EC No 343/2003 of 18 February 2003 establishing the criteria and mechanisms for determining the Member State responsible for examining an asylum application lodged in one of the Member States by a third country national.
13. Council Directive 2004/83/EC of 29 April 2004 on minimum standards for the qualification and status of third country nationals or stateless persons as refugees or as persons who otherwise need international protection and the content of the protection granted.
14. Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment.
15. African Union Convention for the Protection and Assistance of Internally Displaced Persons in Africa.
16. Convention on the Rights of the Child.
17. The Dublin Regulation.
18. European Asylum Support Office.
19. REGIONAL REFUGEE AND MIGRANT RESPONSE PLAN FOR EUROPE EASTERN MEDITERRANEAN AND WESTERN BALKANS ROUTE, available at:http://reporting.unhcr.org/sites/default/files/RRMRP%20Europe%20Jan.-Dec%202016%20-%20Revision%20May%202016.pdf#_ga=2.109097152.433676790.1538769376-1723599178.1529695605



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26. UNHCR, 2018 JOINT RESPONSE PLAN FOR ROHINGYA HUMANITARIAN CRISIS, available at: <http://reporting.unhcr.org/node/20415>
27. The Guardian, The Rohingya crisis, a year on: four generations of one family on life in limbo, available at: <https://www.theguardian.com/world/2018/sep/01/rohingya-crisis-year-on-four-generations-family-limbo>
28. UNHCR, Fact Sheet No.20, Human Rights and Refugees, available at: <https://www.ohchr.org/Documents/Publications/FactSheet20en.pdf>
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Sample Outcome Document

Sponsors: Kingdom of Netherland, French Republic, United Mexican States, Republic of Panama, Republic of Chile, Kingdom of Norway, Jordan, Republic of Lithuania, Federal Republic of Nigeria, Kingdom of Spain

Signatories: Algeria, Turkey, Malaysia, Arab Republic of Egypt, United Arab Emirates

Bearing in mind, UNICEF emphasizes under Article 40 in the Convention of the Rights of Child infringes the need for the child to know penal law and to promote the child's sense of dignity while reintegration of society,

View with appreciation of the Schengen agreement model and promoting other regional corporations in facilitating migration,



Acknowledging the issue of child soldiers from developing countries, who are dealing with psychological and physical disabilities that are unable to assimilate into a state with applied society norms, including education or the workforce,

Deeply concerned with the lack of funding and resources within current safe houses around the world that has resulted in a high percentage of kidnapping, sex and human trafficking, drug related abuse, and unsanitary environments, etc.,

Recognizing that poverty is one of the main factors behind the decision to migrate,

Noting further the convention under the rights of the child recognizes the fundamental rights, freedoms, and liberties, of all people around the world,

Recognizing the success of the Schengen Area visa free model, which includes twenty-six European countries that allow unchecked passage between participating countries, and the Chilean ID card program for neighboring countries, which allows temporary access for immigrants to enter Chile for business, healthcare, and leisure,

Appreciating ECOSOC assisting governments to improve their economic and social well-being, quality of life, and maintain a healthy environment for development according to regional necessity,

The General Assembly hereby,

Calls upon the World Health Organization (WHO) to allocate funding and resources;

- a. to provide medical care for children in need of medical assistance, Medical examination and Immunization, Rehabilitation and re-assimilating to society norm efforts, provide fundamental education opportunities for unaccompanied children,
- b. for member states to utilize the Psychology Coalition at the United Nations (PCUN)
to ensure migrant children are not victimized and penalized after forms of trafficking and that they, by any means, do not suffer from revictimization.



Emphasizes the need of UNICEF and UNHCR to provide appropriate funding & resources to increase security measures within safe houses, Increase security personnel & security measure, Provide security personnel training on how to respectfully carry out their operational duties;

Welcomes the United Nations to continue their work to protect and promote the best of children, Strongly advocate for changes in public policies in developing countries to ensure basic human rights are not being violated;

Reiterates the need for UNICEF to address the recruitment of child soldier to terrorist groups and to strengthen the Disarmament, Demobilization and Reintegration (DDR), a program that helps repair psychological damage caused by the crimes done against child soldiers;

Urges the Security Council, to take preventative action towards countries affected by drug smuggling as it has been a huge factor regarding illegal child immigration fleeing from the violence and pressures of drug cartels;

Suggests Security Council to address the issue of refugees fleeing from war zones and terrorist groups;

Calls upon the UNHCR, to establish an International Asylum Guideline to assist nations that need help in properly managing the influx of immigrants seeking asylum;

a. United Nations will train asylum outreach individuals so that asylum requests are

processed with proof of harm or human rights violations,

b. United Nations will train and provide staff for a governments to handle issues related to asylum,

Recommends development of programs like the Chilean foreign ID program that is currently being used in Latin America - which allows for temporary immigration for the purposes of healthcare, business, leisure, and education - to be implemented globally, accounting for the specific needs of the different regions involved;

Welcomes ECOSOC to conduct a study, encouraged by governed states, to promote education on refugees and their reasons for fleeing which will prevent tension within hosting countries and its refugees.

