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**UNHCR**  
The UN Refugee Agency

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## Topic I: Refugee Rights in Host Countries

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Refugee protection and assistance have been primary goals of the United Nations since its formation. The environment for refugees, however, has evolved over the past several decades and requires innovative solutions to address their modern circumstances. As the global refugee crisis has shifted in size, causes, geographic centers, and movement patterns (“Fact Sheet No. 20, Human Rights and Refugees”), the vulnerabilities of the individuals seeking refuge have been exacerbated even as public opinion on how refugees should be treated wavers. Given that their own nations fail to provide them with adequate sense of safety and protection, the United Nations and other international bodies must prioritize refugee rights while addressing the global refugee crisis.

### Background

Multiple terms categorize the individuals who are relocating in response to a particular situation in their home country. A refugee is someone who has left their country and is unable or unwilling to return due to a significant fear or threat. The exact cause of their fear or threat may vary but include situations of violence, war, and/or persecution based on race, religion, nationality, political opinion, or association with a particular social group (“Refugee facts, statistics and FAQs”). An asylum seeker is similarly defined as someone who has left their country on a well-founded fear for their well-being and is seeking protection in another country; asylum seekers, however, are those who are yet to be recognized as and receive refugee status (“Refugees, Asylum Seekers, and Migrants”). While all refugees were once asylum seekers, not all asylum seekers will ultimately attain refugee status, depending on the acceptance of their asylum claim. Finally, while no one definition exists for migrants, they can generally be considered those who leave their country that are not refugees or asylum seekers. They may emigrate because of family, education, economic opportunity, violence, or other factors (“Refugees, Asylum Seekers, and Migrants”).

Another crucial term is internally displaced persons, or IDPs. These people are facing many of the same root problems as refugees or asylum seekers but have not crossed an international border. By remaining in their home country and consequently its government, IDPs

are not protected by international law and fail to receive the same level of aid as other groups, although their situation may be equally volatile and dangerous (“What is a Refugee?”). Given that the legal definition of a refugee does not fully encompass all of those in need of aid but rather a small fraction, failure to be considered a refugee does not relate to the danger that an individual is experiencing. Effective solutions are oriented accordingly so that their policies benefit those truly in need, not excluding any group based on legal technicalities.

Regardless of the definition under which someone is recognized, all people are entitled to the rights provided under the Universal Declaration of Human Rights. Many of those fleeing their home country have already experienced violations of their human rights, such as threats to their safety and freedom. As they flee these violations, their human rights regarding asylum must also be protected. According to Article 14 of the Universal Declaration of Human Rights, “Everyone has the right to seek and to enjoy in other countries asylum from persecution” (“Universal Declaration of Human Rights”). Potential host countries cannot discriminate in providing asylum or forcibly detain or return them. Human rights are only the basis of refugee rights; the relationship between host countries and refugees, as well as their additional rights of refugees, have been expounded upon in separate international laws and conventions.

## **Past Actions**

Two World Wars and hundreds of armed conflicts since have made refugee rights an ongoing priority for the United Nations and its associated bodies (“Fact Sheet No.20, Human Rights and Refugees”). In 1946, the UN General Assembly (GA) created the International Refugee Organization (IRO) to replace the UN Relief and Rehabilitation Agency (UNRRA) and further provided it with the temporary mandate to register, protect, resettle, and repatriate refugees (“Fact Sheet No.20, Human Rights and Refugees”). In 1949, the GA established the UN High Commissioner for Refugees (UNHCR), initially for only a period for three years, but its crucial work aiding refugees led to multiple renewals of this mandate and its permanent establishment in 2003. Today, the UNHCR works with a broader scope across the world, protecting refugee and human rights, providing humanitarian aid, and supporting IDPs, those returning home, and those left stateless (“History of the UNHCR”).

Supplementing the UNHCR are the 1951 Refugee Convention and its 1967 Protocol. The 1951 Convention specifically establishes the definition of a refugee, as previously noted, and

their legal protections, rights, and entitled assistance, and the 1967 Protocol simply extended the time period and geographic region being considered (“The 1951 Refugee Convention”). 149 countries have currently signed the Convention, obligating them to uphold the standards that it outlined (“Refugee facts, statistics and FAQs”).

The most important principle established by the Convention is the concept of non-refoulement. In the words of Article 33, “no Contracting State shall expel or return (refouler) 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” (“Convention and Protocol Relating to the Status of Refugees”). Additionally, other rights of refugees established by the Convention include:

- “The right not to be expelled, except under certain, strictly defined conditions (Article 32)
- The right not to be punished for irregular entry into the territory of a contracting State (Article 31)
- The right to non-discrimination (Articles 3 and 5)
- The right to decent work (Articles 17 to 19 and 24)
- The right to housing, land and property, including intellectual property (Articles 13, 14 and 21)
- The right to education (Article 22)
- The right to freedom of religion (Article 4)
- The right to access to justice (Article 16)
- The right to freedom of movement within the territory (Article 26 and Article 31 (2))
- The right to be issued civil, identity and travel documents (Articles 12, 27 and 28)
- The right to social protection (Articles 23 and 24 (2-4))” (“The 1951 Refugee Convention”)

Refugees also have responsibilities to their host countries, namely abiding by the nation’s laws and rules surrounding public order. Other international legislation that have impacted refugees include the 1949 Fourth Geneva Convention Relative to the Protection of Civilian Persons in time of War, the 1954 Convention relating to the Status of Stateless Persons, the 1961 Convention on the Reduction of Statelessness, and the 1967 United Nations Declaration on Territorial Asylum (“Fact Sheet No.20, Human Rights and Refugees”). The 1951 Convention and 1967 Protocol, however, remain the most important legal documents pertaining to refugees.

## **Current Situation**

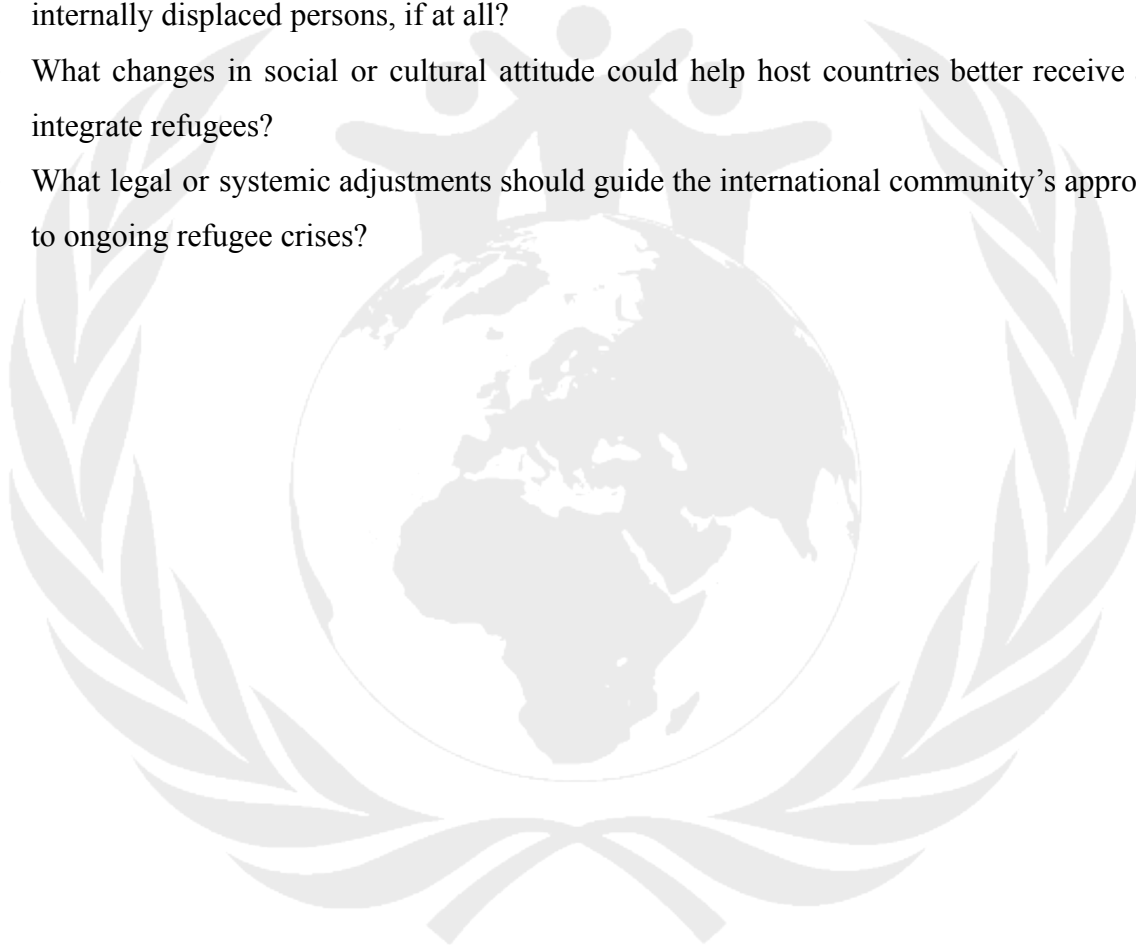
Presently, more than 27 million people are refugees, and 4.6 million more people are seeking asylum (“Refugee & Migrant Rights”). With ongoing, inflaming conflicts across the globe, these numbers are expected to rise and continue to place greater pressure on the international community. The number of refugees and asylum seekers has already been trending upward from previous years, with asylum claims in the European Union being the highest since 2015 (Wright). This trend has been concurrently met by a wave of reactionary policies by nations hesitant to take in refugees.

Frequent violations of the non-refoulement principle have occurred; for example, between 2020 and May 2022, Greece conducted 42,000 illegal pushbacks of asylum seekers (Wright). Other Mediterranean states purposefully leave or force refugees back out to sea, leaving them stranded, or work with the Libyan government to return them to inhumane Libyan refugee camps before arrival in European waters (Wright). These pushbacks violate the principle of non-refoulement and, more gravely, risk killing or severely harming those left stranded due to dangerous environmental conditions, psychological trauma, and the perils of resorting to more dangerous routes. Asylum seekers are at higher risk of harm from human smugglers and traffickers, particularly with regards to violence and sexual exploitation, further violating their right to life and dignity (“Thousands of refugees and migrants suffer”). Other countries have also made asylum more difficult by complicating legal processes and constructing walls and other barriers at their borders. Many of these violations have gone unnoticed by the European Union or international community, often without any investigation (“News Comment”).

Many nations have justified their handling of refugee responsibilities based on the existence of “safe third countries,” allowing governments to turn away refugees because there exists another state available to accept asylum seekers, such as Turkey (Wright). This evasion of responsibility, however, has created a situation in which 83% of refugees are being hosted in low and lower income countries, as they are often the nearest countries to conflict zones (“Refugee & Migrant Rights”). This dynamic inevitably places a greater burden on host countries and further endangers the conditions of refugees

## Questions to Consider

- How can host countries or the international community effectively coordinate to alleviate the burden that is disproportionately placed on certain countries?
- How should the UN or other international bodies address nations' disregard for refugee rights while also recognizing the pressures faced by host countries?
- How can refugee rights be reframed to be better aligned with human rights?
- How should policies or strategies differ for refugees, asylum seekers, migrants, and internally displaced persons, if at all?
- What changes in social or cultural attitude could help host countries better receive and integrate refugees?
- What legal or systemic adjustments should guide the international community's approach to ongoing refugee crises?



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## Topic II: Protection of Education in Conflict Zones

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When regions devolve into violence, human rights that may not directly tie to the conflict are put at risk because of the shift in resources to other sectors. The right to education is both neglected and, sometimes, actively targeted in conflict zones, depriving young individuals of a sense of normalcy, continued learning, and hope for the future (“What You Need to Know About Education in Emergencies”). The United Nations must develop more resilient approaches to education in conflict zones and strategies to restore learning gaps for those who have lost access to education in the past.

### Background

The issue of education in conflict zones is twofold: for those in the midst of conflict, their sources of education are often directly at risk, and those who choose to flee lack consistent access to education. The Global Coalition to Protect Education from Attack (GCPEA) defines an attack on education as “any threats or use of force against students, teachers, academics, schools, and universities, perpetrated by armed forces” (“Protecting Education from Attack During Armed Conflict”). The threat does not have to translate to a tangible action against the institution; it simply has to discourage the opening of the school or the attendance of teachers or students. The underlying reasons for these attacks on schools vary, but for non-state actors, schools can be a symbol of the state they oppose. Attacks on schools garner more media attention, and schools are usually unguarded, “soft” targets (“Protecting Education from Attack During Armed Conflict”).

As for those fleeing, their volatile living situation—especially for those in refugee and IDP camps—limits access to teachers, educational resources, and facilities conducive to learning (“Three Priorities for Protecting Education in Conflict Zones”). Even in host countries, refugees are deprived of adequate education, as educational systems often require certain educational certificates and identification documents that people may have left behind when fleeing. Furthermore, in situations where refugees do hold proper documents, nations often still fail to accept them as legitimate or equivalent (“Refugee Education in Crisis”). These documentation

barriers, in addition to host countries implicitly or explicitly barring refugees from their standard educational system, turn refugees away from universities and other forms of higher education.

For those staying and those leaving conflict zones, the groups whose education is most affected by the conflict are already vulnerable groups, including included girls, people with disabilities, identities based on race, ethnicity, sexual orientation, and more (“What You Need to Know About Education in Emergencies”). When crafting solutions, difficulties specific to these groups must also be addressed, as they comprise a significant portion of the population at risk.

## **Past Actions**

Many international agreements enshrine the right to education as a human right, beginning with Article 26 of the Universal Declaration of Human Rights. The United Nations further solidified this stance through the 1989 Convention on the Rights of the Child, the 1951 Refugee Convention, and Sustainable Development Goal 4, which all acknowledge the importance of education to one’s future in spite of disruptions (“Education”). Within conflicts over the past several decades, however, access to education has been far from universal, especially with a rise in the intentional targeting of institutions during campaigns of violence. Consequently, the United Nations General Assembly and Security Council have adopted multiple resolutions in an attempt to mitigate the consequences of conflict for education.

In 2011, the Security Council adopted Resolution 1998, providing the UN with the mandate to “identify and list, in the annexes of the Secretary-General’s annual report on Children and Armed Conflict, the armed forces and groups who attack schools or hospitals, or protected persons in relation to schools and hospitals” (“Attacks on Schools and Hospitals”). In doing so, the resolution also called for the UN’s partners to address the violations as they occurred.

Similarly, in 2015, Norway and Argentina developed the Safe Schools Declaration, an agreement to protect education in conflict areas, signed by 118 UN member states to date (“Education under Attack”). This agreement allows for collaboration among signatories who share good practices for resilient education, concrete measures to deter repercussions for educational institutions during conflict, and data collection on violations of educational protection. Nations in this group also investigate and prosecute the war crimes associated with their mission in addition to providing aid to those afflicted, providing a comprehensive approach to the issue of education in conflict zones (“The Safe Schools Declaration”).

In 2020, the General Assembly unanimously passed a resolution establishing the International Day to Protect Education from Attack. Intended to bring greater awareness to the millions of children lacking proper access to education in conflict areas, the resolution acknowledges the need to allocate resources toward this issue and asks UNESCO and UNICEF to take greater initiatives alongside other UN partners (“International Day to Protect Education from Attack”). Finally, in 2021, Security Council Resolution 2601 condemned actors conducting attacks against educational infrastructure, teachers, and students while also calling upon all parties to engage in protection efforts for education (“Education in Armed Conflict”). While the United Nations’ recently increased awareness of this issue represents a positive development, it also indicates that previous efforts have not been adequate in alleviating the issue.

### **Current Situation**

The statistics on education in conflict zones raise concern over the fragility over the current education system. From 2020 to 2021, over 5,000 violent attacks were conducted on educational facilities (“Three Priorities for Protecting Education in Conflict Zones”). In 2022 alone, over 3,000 attacks targeted education—a 17% increase from the year prior (“Protecting Education from Attack During Armed Conflict”). Almost half of the refugee children remain out of school. At the primary school level, only 50 percent of refugee children attend school compared with 91 percent worldwide (“Starting Out - Why Education for Refugees Matters”).

Multiple UN agencies and their partners are working to improve these figures. For example, UNESCO has been addressing education in emergencies since 1950, treating the situation as an emergency and education as a fundamental right in conflict alongside humanitarian aid such as food and health services (“What You Need to Know About Education in Emergencies”). By partnering with educational ministries at a local and regional level, UNESCO identifies vulnerabilities and goals for educational systems to address immediate needs, in addition to long-term development goals. This progress is facilitated with the help of donors like Education Cannot Wait, the Global Partnership for Education, nations such as Sweden and Japan, and with groups including Geneva Global Hub for Education in Emergencies and the Global Coalition to Protect Education from Attack (“What You Need to Know About Education in Emergencies”).

Another key UN organization addressing education is UNICEF, which works with its partners to create safety plans, provide psycho-social support, craft formal and informal learning opportunities, train teachers, and spread educational resources (“Education Under Attack”). The UNHRC works to address the particular challenges of refugees, especially inclusion within host countries. By breaking barriers regarding documentation and two-tiered education systems, the agency works to better integrate refugees into their communities, increasing integration potential at the secondary and tertiary level. The support is directed not only at the refugees themselves but also at aiding teachers in host countries who have to handle larger, more complex classrooms (“Starting Out - Why Education for Refugees Matters”).

While these initiatives are welcomed advancements, recent trends indicate the need for greater initiatives. As Chatham House, a British think tank, notes: future measures must prioritize access to, distribution of, and participation in education (“Three Priorities for Protecting Education in Conflict Zones”). These facets must also be addressed in the context of regional differences, identity-based vulnerabilities (such as gender), and the status of the people at risk (citizens, IDPs, refugees, etc.).

### **Questions to Consider**

- How can the UN discourage or end attacks of violence against educational institutions?
- How should host countries incorporate refugees into their educational systems?
- How should the UN’s approach to education in ongoing conflict zones vary with their approach for refugees in transit ?
- What flaws have existed in past education protection initiatives that can be overcome?
- How can lessons learned from the pandemic or other global crises be used to create more resilient educational systems?
- What external organizations or UN agencies would be best to address this issue?

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