

# HUMAN RIGHTS COUNCIL

*DELEGATE BACKGROUND GUIDE*

REFUGEES  
ARE HUMAN  
BEINGS



# *Staff*

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# ***A Letter From Your Director...***

**Dear delegates,**

Welcome to UTMUN! Whether this is your first committee, or your tenth, I hope that you get everything you're looking for out of a MUN experience.

My name is Annie and I'll be your director. I am a passionate member of the MUN community here at the University of Toronto. I have been doing MUN since grade 6 and have travelled the world going to various conferences when I was in high school, so I hope my experience can be of some help. Ultimately, I want to create a dynamic and engaging committee for all of you.

Of course, I can't run a committee on my own. A dedicated team is behind every committee and we've been working hard to create an inclusive environment for you to improve your debate skills. However, your MUN experience is ultimately what you make of it. Bring your ideas to the table, research your position and speak to your fellow delegates. If you have any questions, please get in touch and I'd be happy to help.

It's going to be a fantastic conference and my team and I look forward to meeting you all this February!

Best Regards,

**Annie Sun**

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Photo: NBC

## ***Topic: The Syrian Migration Crisis***

Since the beginning of the Syrian Civil War in 2011 between rebel groups and President Bashar Al-Assad, a crisis has brewed that has come to its breaking point. Over the past few years, people from the Middle East have been fleeing from the region in the hopes of finding stability in the West, notably in countries such as the United States, France, and Germany. They have navigated the unsafe roads of war-torn areas, and crossed the dangerous tides of the Mediterranean Sea in search of a more secure future.

According to the 1951 United Nations Convention relating to the Status of Refugees, a refugee is defined as "someone who is unable or unwilling to return to their country of origin owing to a well-founded fear of being persecuted for reasons of race, religion, nationality, membership of a particular social group, or political opinion."

The Human Rights Council of UTMUN will be discussing the issue of the migration crisis, with a special focus on the resettlement of refugees. The goal of these people is to ultimately find a safe place to stay, away from the horrors in their home country. Asylum is merely a temporary solution to a long-term problem; delegates are encouraged to find ways that allow for the international community to accommodate refugees.

## **HISTORICAL OVERVIEW**

The Arab Spring began in 2010 when a wave of demonstrations started against the government in Tunisia. This wave spread across the Arab region, and civil war broke out in Syria in 2011. The conflict pitted the incumbent regime of Bashar Al-Assad against a diverse range of rebels and opponents.

Over time the war continued, and with limited support from outside allies, the rebellion struggled to gain the upper hand, while still remaining able to fight. However, the constant belligerence has led to millions of Syrians to flee the country in search for refuge elsewhere. According to the United Nations High Commissioner for Refugees, 4.8 million Syrian people have become refugees by March 2016.

The resettlement of refugees is a difficult issue to deal with. Many refugees flee towards the Turkish-Greek border, hoping to use Turkey as a transition country and Greece as an entry point towards the greater European Union. However, some members of the organization, such as Hungary and Slovakia, have tried to stop the inflow and have rejected refugees trying to enter.

## **CASE STUDIES**

In the United States, the number of refugees being accepted is steadily increasing. President Barack Obama has committed to take in 10,000 refugees, but over the years the intake has been slow. The State Department process of vetting potential refugees is very comprehensive, and takes a long time to complete. However, with the wave of terror attacks in Europe, many Republican state governors have called for a slowdown or a halt to more acceptances. This did not have much of an effect, as in August 2016 the country reached its goal of resettling 10,000 refugees. The future role of the United States in the resettlement of refugees has become unclear, due to domestic political developments.

In France, President François Hollande reaffirmed his commitment to accept thousands of refugees over the next few years, even in the wake of the several terror attacks that many radical right-wing activists link to the influx of new arrivals from the conflict in the Middle East. In late October 2016, government officials commenced the destruction of the so-called "Calais Jungle," a makeshift refugee camp. The grounds sprung up when several refugees attempted to enter the United Kingdom but were refused at the border. The people have been stuck in limbo: they want to get across the English Channel, but are also not registered in France.

Chancellor Angela Merkel of Germany promised to take in many refugees fleeing the war zones of Syria and Iraq in 2015, creating a new open-door policy allowing for hundreds of thousands of people to take refuge in the country. Her rallying message has been "Wir schaffen das!" or "We can do it!" The new arrivals have caused an outpour of help from the local German populace, with many helping out in any way they can. However, the wave of recent attacks linked to refugees during the summer of 2016 has caused many Germans to oppose more arrivals, with even Merkel starting to reconsider.

## **ORGANIZATIONS**

The United Nations High Commissioner for Refugees has been working to protect not only the rights but also the well-being of the refugees all over the world for the past 65 years. With regards to the Syrian crisis, UNHCR has raised funds to provide life-saving humanitarian aid covering the basic needs. It led the Regional Refugee and Resilience Plan (3RP) and the 2016 Syria Humanitarian Response Plan in hope to seek funds to provide humanitarian support and protection. UNHCR has already set ground in Iraq and its surrounding regions in order to provide protection and aid to the refugees.



European Resettlement Network, coordinated by The United Nations High Commissioner for Refugees, International Organization for Migration, and International Catholic Migration Commission, is an inclusive network connecting organizations together with the shared focus of protecting resettling refugees. Similar to the UNHCR, it works to provide aid to the refugees of Iraq and Syria.

## **SITUATION TODAY**

According to Amnesty International as of 03 February 2016, approximately 93.75% of the total refugees fleeing from Syria are hosted in the immediately surrounding countries; the organization considers that this should be a burden to be shared by the rest of the world. Certain states, such as several Gulf countries and European Union members, have minimal involvement in refugee resettlement whereas their neighbors major.

Due to the massive influx of refugees into Turkey, the state now holds the largest amount of Syrian refugees in the world – approximately 55%. The large arrivals have caused tensions in the country, such as report of police brutality in camps against the refugees and sexual assault. There have also been reports of Turkish border guards forcibly removing refugees from camps and sending them back into the war zones of Syria.

These camps are so far considered only as temporary – not permanent. A mere fraction of the total refugee populace has been resettled.

## **QUESTIONS TO BE CONSIDERED**

1. Should refugees be allowed to enter the European Union or any other state that they are fleeing to? If so, how many? Is there a need for a quota?
2. Where does the burden of financial responsibility for the welfare of refugees stand? Should individual nations take charge, or should international institutions and organizations?
3. What kind of living conditions is deemed to be proper in housing these refugees, both temporarily and in the long run? Should camps such as the former so-called "Calais Jungle" be allowed to exist or not?
4. What kind of security operations, immigration vetting, and review are necessary to ensure none of the refugees pose a significant threat to the welcoming communities?
5. Should countries immediately surrounding areas affected by the Syrian Civil War, such as Turkey and the Gulf region, accommodate more of the refugees than other states, such as the United States and the European Union?
6. Consider The United Nation Refugee Agency and their actions with regards to this topic: which actions that they have taken should be repeated, and what improvements could be made by the members of the United Nation?

## **CONCLUSION**

With the destruction of the "Calais Jungle" refugee camp in France and the rejection of refugees in many areas of the United States, refugees are running out of places to stay. There may be less and less accommodation, but still more and more people fleeing war zones. As the situation worsens every day, delegates need to come up with solutions for both the temporary settlement and permanent resettlement of refugees.

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# ***Violence and Discrimination Against Women***

The Convention on the Elimination of All Forms of Discrimination against Women, defines discrimination against women as “any distinction, exclusion or restriction made on the basis of sex which has the effect or purpose of impairing or nullifying the recognition, enjoyment or exercise by women, irrespective of their marital status, on a basis of equality of men and women, of human rights and fundamental freedoms in the political, economic, social, cultural, civil or any other field.”

## **VIOLENCE AGAINST WOMEN**

Violence against women is defined by the United Nations as “any act of gender-based violence that results in, or is likely to result 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.” (WHO).

## **INTIMATE PARTNER VIOLENCE**

Intimate partner violence regards to the violent “behaviour by an intimate partner or ex-partner that causes physical, sexual or psychological harm, including physical aggression, sexual coercion, psychological abuse and controlling behaviours” (WHO). This means of aggression can occur among heterosexual and homosexual couples, and does not require any sexual relations. This definition also refers to “domestic violence”.

## **BACKGROUND**

Discrimination against women is a direct violation of basic human rights in ways such as, but not limited to, education, health, employment, inheritance, and property rights. Although women work nearly 70% of the world’s working hours and produce half of the world’s food, their wages are only 10% of the world’s income and they own less than 1% of property. Women experience discrimination not only in the workplace, but also in schools, hospitals, and many other situations for their race, ethnicity, disability, and gender identity. This forces them to suffer through economic difficulties, exclusion from community, and violence.

Violence against women is similarly a major problem in the world today. According to the World Health Organization, over 1 in 3 of women worldwide (35%) have been a victim of physical and/or sexual abuse, including intimate partner and non-partner violence. The majority of the violence that occurs in women is done through intimate partner violence; with over 30% of women that have been in a relationship claiming they have experienced physical and/or sexual violence by their partner. However, in some areas, the incidence of such violence is even higher. A study conducted in India in 2012 observed that 92% of women living in New Delhi reported having “experienced some form of sexual violence in public spaces in their lifetime”, and 88% of women reported having experienced some form of verbal sexual harassment. Many factors increase the likelihood of discrimination and violence, including



ethnicity, class, living status, sexual orientation, disability, age, and religion. These are not only present in developing nations such as India, but in developed countries like Canada, where indigenous women are five times more likely to die as a result of violence.

### *Sexual Violence in Conflict*

Women and girls are highly prone to sexual exploitation in conflict situations, from both groups attempting to humiliate or terrorize the society, and even by those who were assigned to protect them. This type of sexual violence has been a long-standing tactic of war, and has continued to be present in recent conflicts such as the Rwandan and Bosnian Genocides. The following are conflicts that have experienced high rape cases, derived from UNiTE:

- Democratic Republic of Congo: approximately 1,100 rapes are being reported each month, with an average of 36 women and girls raped every day. It is believed that over 200,000 women have suffered from sexual violence in that country since armed conflict began.
- War in Darfur (2003-present): rape is being used as a weapon of war in the region, with children as young as two suffering from sexual exploitation. Kofi Annan stated that "In Darfur, we see whole populations displaced, and their homes destroyed, while rape is used as a deliberate strategy". There have been over 9,300 documented cases of rape within the country. A prosecutor of the International Criminal Court has filed charges of crimes against humanity against individuals that allegedly raped women during the war.

Because of the high rape cases during times of war, the United Nations Action Against Sexual Violence in Conflict was established as an international body within the United Nations.

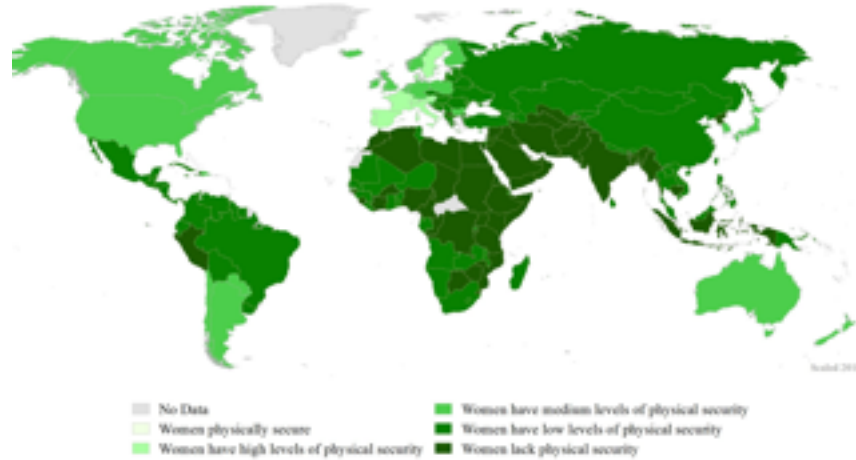
### *UN Goals*

The Millennium Development Goals (MDGs), signed by 189 member states at the United Nations Millennium Summit of 2000, included a section specifically on gender equality and the empowerment of women. It bound countries to work towards the eradication of violence against females, and establishing greater gender equality in education. Additionally, the newly established Sustainable Development Goals (SDGs) hope to "eliminate all forms of violence against all women and girls in the public and private spheres." Not only does violence threaten women's physical and mental health, it also inhibits the eradication of poverty within countries as it harms social and economic stability, preventing further development.

According to UN Women, 119 countries have passed laws on domestic violence, and "125 have laws on sexual harassment and 52 have laws on marital rape," compared to only 89 countries in 2006. Even though these laws exist, not all are compliant with international standards. The UN Trust Fund to End Violence against Women continues to incentivize countries through donations. But this problem is persistent, leaving 603 million women living in countries where domestic violence is not considered a crime.

As can be noted in the map below, most of women worldwide are subject to insecure

rity due to the nature of abuse and violence used against them. Because of this, the UN must work towards tackling this problem not only in developing countries, but worldwide, in order to ensure universal physical security.



### Relevant International Actions/Past UN Efforts

Whether it is created by the UN or its sub-quarters, there are various laws and policies on the international level to protect women against violence, and work to eliminate the causes of injustice. These regulations include processes to increase national government efforts in responding to this issue, provide funds to support organizations, and to protect women from human right abuses, especially in war and conflict zones. Although such legislations include strategies to reduce violence, these regulations have not been enforced strongly enough to be effective. Furthermore, most of these regulations were created more than ten years ago, lacking many components that might play a role in preventing injustice or stopping it from occurring in the world today. Noted below are other laws and policies to consider:

Intensification of efforts to eliminate all forms of violence against women, 18 December 2008, A/RES/63/155

Declaration on the Elimination of Violence Against Women, 20 December 1993, A/RES/48/104

Elimination of domestic violence against women, 19 February 2004, A/RES/58/147

Accelerating efforts to eliminate all forms of violence against women: ensuring due diligence in prevention, 23 June 2010, A/HRC/RES/14/12

Mandate of the Special Rapporteur on violence against women, its causes and consequences, 8 April 2011, A/HRC/RES/16/7

Domestic violence, 29 November 1985, A/RES/40/36

Elimination of violence against women, 28 March 2008, A/HRC/RES/7/24

Agreed conclusions on the elimination and prevention of all forms of violence against women and girls, 15 March 2013, E/CN.6/2013/11

Further actions and initiatives to implement the Beijing Declaration and Platform for Action, 16 November 2000, A/RES/S-23/3

Commission on the Status of Women, 12 March 2010, E/CN.6/2010/11

## **POSSIBLE SOLUTIONS**

For decades, organizations have been searching for ways in which they can create a framework in order to eliminate violence against women. Many have been unachievable as the goals became too unfeasible for the organization to achieve. Delegates must remember that the United Nations has no direct power upon countries, but can only incentivize them into achieving their goals. Not only should the UN encourage countries to implement laws, it must also be ensured that these laws are monitored by a UN body, especially at a local level. Increased awareness implemented in the educational system should be pursued aggressively, as national education systems have a powerful effect on individuals' beliefs.

## **RESEARCH QUESTIONS**

Why is there still great disparity in the rights of women throughout the world?

What resources should the UN provide to countries in promoting gender equality?

How should the international community deal with states who do not extend full rights to women, and should there be consequences for such state behaviour?

How involved can UN bodies be in domestic legal and education policy?

What actions can be taken to limit sexual and gender-based violence in conflict situations?

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# ***Internally Displaced Persons and Their Rights Toward the Necessities of Life and Survival***

As of 2015, over 40 million internally displaced persons (IDPs) are spread out across the world. IDPs reside in over 50 countries, but some countries are disproportionately affected due to ongoing conflicts forcing people out of their homes. The growing global IDP population is associated with the increase in internal conflicts and proxy wars, which are becoming increasingly prevalent compared to wars between



Photo: The New Yorker

nations. The two largest populations of IDPs are in Syria and Colombia, where one is experiencing a short and intense civil war that has led to an exponential growth in refugee and IDP populations, and the other has accumulated a large IDP population as a result of a 50 year civil war. Iraq, another major host country for IDPs, was unsettled by American military action, causing greater state instability that cannot support a growing IDP population.

There is a significant gap in the ability of international response mechanisms to address issues pertaining to IDPs. While the Guiding Principles on International Displacement established a definition of IDPs and gave these people rights (on top of their basic, assumed human rights), it is not a binding legal document and thus many states are not pressured to abide by it. IDPs have therefore been primarily aided by NGOs that decide to dedicate themselves to a specific issue, and may overlook others due to a lack of resources or special interest. The responsibility to take care of these people falls on governments (as an element of sovereignty) while the international community's role is secondary. Since no single international agency is designated to take care of this issue, the approach to IDP stabilization should ideally be collaborative among nations to compensate for the gap in responsibility. Some main international actors are the UN High Commissioner for Refugees (UNHCR), and the International Committee of the Red Cross (ICRC), which apply international humanitarian law as it affects civilians in areas afflicted by armed conflicts.

## **BACKGROUND**

The prevalence of IDPs in human rights scholarship is rather recent, with IDPs only being defined and protected by the Guiding Principles on International Displacement in 1998, whereas refugees had an internationally recognized definition under the 1951 Refugee Convention.

IDPs are “persons or groups of people who have been forced or obliged to flee or to leave their homes or places of habitual residence, in particular as a result of or in order to avoid the effects of armed conflict, situations of generalized violence, violations of human rights or natural or human-made disasters, and who have not crossed an internationally recognized border.” The main differences between IDPs and refugees is that refugees have to cross an international border to be eligible for their status and often have a comprehensive set of international laws stand to protect them.

Up to 80% of IDPs are women and children, making this issue particularly gendered and posing the question of just how vulnerable these populations may be, especially if they are not resettled soon after their displacement. Some of the main issues plaguing IDP populations are facing permanent resettlement after having lived in camps, and the loss of documentation and the lack of access to public services. We must ask how, and in what ways, the UN and international community can become more involved in state affairs, increase funds to help humanitarian efforts and NGOs, and write new international laws to increase the protection of IDPs.

### Settlement and Camps

While camps are supposed to be temporary residences for IDPs, in some conflict zones these camps can be occupied far past their expected timelines. While people are not forced to live in camps, many IDPs do not have other options and must therefore resign themselves to live far away from cities, in isolation and negligence of their national governments. One camp such camp is in Abuja, Nigeria, where IDPs fled their homes without taking any of their belongings, because the threat of Boko Haram took priority over material comfort. Although residents have decried their deplorable living situation and have pled the government for help, their concerns have remained largely overlooked, to the point where the Nigerian government has not yet acknowledged the presence of IDPs. This raises the aforementioned concern of whether governments are assuming their responsibility for these displaced people, and who should take the lead in intervention efforts. While humanitarian aid is being sent to Abuja, the lack of institutional support and protection of IDPs has led to a criminal ring stealing incoming aid supplies over time. Without further protection and recognition, this vulnerable population will continue to be subjected to crime and neglect.

Lastly, while these camps are meant to be impermanent and resettlement efforts should be prioritized, the social capital gained from community living and IDPs' shared experiences of conflict and displacement should be protected as much as possible. The tension between destabilizing this community that was forced into increased hardship and has established social links within a neglected, marginalized community and the necessity for them to secure permanent housing and economic independence presents a great challenge to resettlement efforts.

### Access to Services

In the example of Colombia, around 6 million people displaced as a result of a 50-year civil war. Despite Colombia's currently growing economy, the IDP population



is increasing and the vast majority of IDPs are either in poverty or extreme poverty (2013). As is demonstrated in this case, IDPs often leave rural areas and move towards urban areas, looking for anonymity and access to public services, meaning that there is a shortage of urban public infrastructure to properly support them, as well as disposed land in rural areas.

Recent studies have evaluated the health of IDPs, and found that health is greatly affected by their resettlement process, and their new living conditions. Studies have shown a negative effect on food security, nutrition, mental health, the reemergence of previously obsolete illnesses (such as polio in Syria) and more. While IDPs can be forced into poor sanitary and living conditions, another factor in IDPs' deteriorating health is the dismantling of formerly stable healthcare systems due to conflict, the deaths of healthcare workers, the loss of documentation necessary (forms of identification or proof of citizenship) to access these services and the shortage of supplies necessary to treat previously manageable diseases. Better provision of humanitarian aid could help contain communicable diseases, and target outbreak locations in order to better treat IDPs despite the difficulty of access to healthcare. Furthermore, many IDPs lack the documentation necessary to access services such as education and welfare, making resettlement extremely difficult for both individuals and families and increasingly deteriorating their potential quality of life in the long term. The more the process of access to these services is expedited, the easier it becomes for IDPs to reestablish roots after their lives have been so destabilized.

In order to ensure that IDPs can find long term economic, social and mental stability in the wake of terror and constant fear, there must be a sufficient social safety net that can provide IDPs, whether single or in families, with the essential tools to ensure security, such as housing, healthcare, education, and employment. Without these, social reintegration becomes an insurmountable obstacle for IDPs within their own countries. Their isolation in camps coupled with their lack of institutional support would only further this cycle by making them into an established underclass with limited upward mobility.

## **POSSIBLE SOLUTIONS**

International efforts (or often lack thereof) have contributed to not only the continuation of the abysmal state of human rights protections for IDPs in these conflict zones, but in some cases, the international community also had a hand in displacing these people because of its involvement in wars, especially in the Middle East.

Increasing governments' accountability for their lack of response to IDP population growth and vulnerability could be catalyzed by laws, sanctions or other methods of increasing international intervention in state-based affairs. The increased oversight of the international community and its governing bodies may lead to more transparency between governments, and more awareness of the problems faced by nations with IDPs. However, this may work to impose certain agendas in developing regions, and lead to an approach to IDPs that ignores the unique problems and history of the region.

An immediate solution would be to increase funds for humanitarian efforts and NGOs to continue making up for the gap in response, since they are already present in conflict zones, and have systems in place on the ground to deliver humanitarian assistance. However, this may not adequately solve the issues of how to increase government assistance of IDPs, or combat the theft of humanitarian aid. A longer term solution would be to write new international laws to increase IDP protection to



the level of comprehensive protection that refugees have.

IDP protection legislation can be written into peace accords, but it may be more efficient to address them outside of peace negotiations to ensure the issue is prioritized. The best method of implementing protection legislation should continue to be discussed and deliberated as this type of legislation is increasingly written.

## **QUESTIONS TO BE CONSIDERED**

1. What actions could NGOs take in order to provide guidance for IDPs that are not under the protection of the government?
2. If living in camps is a short term solution, what are some possible long term solutions?
3. What can NGOs and national governments do to ensure that after IDPs leave camps, they can meet the necessities of survival?
4. What can be done to meet the international gap with regards to law and policies that protect IDPs?
5. For national governments taking action with regards to IDPs, should they consider having separate service process for IDPs? If so, how would this be done?

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