UNITED NATIONS HIGH COMMISSIONER FOR REFUGEES

69TH SESSION ISSUES BOOK

IMPLEMENTING THE GLOBAL COMPACT ON REFUGEES

COUNTERING XENOPHOBIA AND STRENGTHENING REFUGEE POPULATIONS

ADDRESSING STATELESSNESS

MODEL UNITED NATIONS OF THE FAR WEST

69TH SESSION
UNHCR’s principal functions are to protect and assist refugees and other persons of concern, including stateless people, and to seek durable solutions for them. Protection includes preventing the involuntary return of a refugee or a person of concern to a country where he or she may have a well-founded fear of persecution and supporting host countries in ensuring that the treatment of refugees is in line with international standards.

UNHCR helps refugees who wish to go home to do so if conditions become conducive, assisting them to reintegrate into their home communities. Emergency and other material assistance is provided in collaboration with governmental, inter-governmental and non-governmental partners in the form of food, shelter, medical aid, education and other social services.

UNHCR’s governing body, the Executive Committee of the High Commissioner’s Programme (EXCOM), determines the general policies under which UNHCR plans, develops and administers refugee programmes and operations around the world. New members may be admitted by ECOSOC through the General Assembly. (UN Handbook, 2017-18)
UNHCR (the Office of the United Nations High Commissioner for Refugees or “the Refugee Agency”) defines a refugee 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.”\(^1\)

UNHCR was established in 1950 through a Statute adopted by the General Assembly (A/RES/428 (V) on 14 December. The Office is governed by the 1951 Convention Relating to the Status of Refugees and its 1967 Protocol, which lay out UNHCR’s mandate and the role of its High Commissioner (currently Filippo Grandi of Italy). The 1951 Convention was established to protect those who had become refugees in Europe following World War II, but new refugee flows from North Africa, Southeast Asia, and Hungary, among others, led to adoption of the 1967 Protocol, which removed both geographic and temporal limits that previously determined who qualified as a refugee. As a result of subsequent agreements such as the Organization of African Unity (OAU) Convention of 1969, the Cartagena Convention of 1984 (Latin America), and subsequent General Assembly resolutions or requests from major UN bodies, UNHCR’s mandate has been expanded to include internally displaced persons, with consent of the national government, and persons living in refugee- or IDP-like situations. UNHCR has also been tasked by the General Assembly to address Statelessness, based on the 1954 and 1961 Conventions Relating to Statelessness.

As a result, UNHCR has been providing assistance to over 11 million refugees, three million asylum-seekers, 39 million internally displaced persons (IDPs), four million returnees, and 2.7 million stateless persons as of the end of 2017. While originally envisioned as a legal protection agency, UNHCR now offers humanitarian assistance in the field including the provision of food, water, sanitation, medical and psychosocial services, education, and livelihood training and opportunities, paying special attention to those most vulnerable – women, girls, the elderly, and the disabled. In doing so, UNHCR works with sister agencies such as UNICEF and World Food Programme, the International Red Cross and Red Crescent Movement (ICRC and IFRC), and over 600 non-governmental organizations (NGOs). The Office also works with governments, the United Nations Development Programme (UNDP), and the World Bank to encourage the inclusion of refugees and IDPs in long-term development planning in keeping with the emphasis on the need for a humanitarian-development nexus, the recently adopted Sustainable Development Goals, and what the UN refers to as a New Way of Working (NWoW).

UNHCR collaborates with host countries and countries of origin to try and promote long-term solutions for refugees—either voluntary repatriation in safety and dignity (the preferred solution), local integration in the host country, or resettlement in a third country. In addition, UNHCR works with governments to promote legislation supportive of refugees, IDPs, and stateless persons and to develop fair reception and registration processes, protect the rights of persons of concern, and provide them with appropriate documentation. At the heart of this effort is the need to uphold the principle of non-refoulement; according to the 1951 Convention and its 1967 Protocol, people seeking refugee status may not be returned to a country where they may be subject to persecution.

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To address the needs of over 50 million people of concern to the Office, UNHCR’s needs-based budget for 2017 was $7.96 billion; however, it received only $4.08 billion. The United Nations regular budget provides less than two percent of this total; the remainder comes from voluntary contributions from Member States (approximately 90 percent), other international bodies, or the private sector. The number of refugees and IDPs has been increasing steadily in recent years as the result of conflict, human rights abuses, natural disasters, climate change, food insecurity, and environmental degradation. UNHCR estimates that 16.2 million people were newly displaced in 2017; on average one person is forcibly displaced every two seconds. Though a majority of refugees actually live in urban areas with friends, relatives, or on their own, many refugees and IDPs who live in camps are in what are called protracted situations, with the average length of stay estimated to be at least 17 years.

IMPACT ON HOST COUNTRIES

Though until recently developed states such as the United States, Canada, the United Kingdom, and members of the European Union (EU) have admitted larger volumes of refugees, a majority of refugees from the Middle East, North African regions, and Asia seek asylum and safety in neighboring countries that share land or maritime borders. More than 80 percent of the world’s refugees live in developing countries, such as South Sudan, Chad, Uganda, Niger, Lebanon, and Rwanda. In 2011 the World Bank identified two major trends associated with the refugee situation: (1) neighboring countries that host refugees are often categorized as non-fragile, non-OECD lower- or middle-income nations, and (2) host countries experience a series of long term economic, social, political, and environmental consequences, which often
compound existing national issues of economic instability or subnational conflicts, the latter being especially relevant in India, Pakistan, Chad, Yemen, Sudan, and Thailand.  

From the moment a refugee enters an asylum country categorized by a lower- or middle-income status, competition with citizens for already scarce resources, such as food, water, and health care, increases dramatically. Changes in the environment are often the first indicators of stress on a home country, including deforestation, soil degradation, and water pollution. Access to clean water is restricted by inadequate sanitation infrastructure and open defecation, both of which contribute to the spread of diseases among refugees in camps and slums. Economic, social, and political issues follow shortly after natural resources are depleted.

Rural areas may experience an array of positive effects from an influx of refugees. Local farmers will double the size of their cultivated land to meet a higher demand for their goods, refugees become a source of cheap labor in various sectors including agriculture, and local entrepreneurs are able to capitalize on the process and achieve new levels of economic development for the area. Urban economies are arguably more susceptible to being affected by negative consequences. According to a UNHCR study, growing urbanization since 2008 has contributed to an urban refugee population that accounts for nearly half of the total global refugee population. Already densely populated areas devolve into dilapidated environments where limited urban resources such as land, water, and safe labor opportunities become increasingly scarce.

In addition to economic exhaustion, existing socio-cultural differences between ethnic groups can become stress points when they are forced together. For example, inequalities between refugees and non-refugees may become more apparent when resources are made

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available only to the former.\textsuperscript{7} In this regard, refugee status creates opportunities to receive health care, vocational training, and an education. In an effort to decrease the potential for social unrest, this inequality must be leveled by assistance programs that prioritize making resources available to the community of refugees and non-refugees alike. Ramifications linked to the influx of refugees can also destabilize host countries through the spread of rebel social networks and the diffusion of violence, the dissemination of arms and ideas conducive to combat, and the onset of tension between countries.\textsuperscript{8}

**ADDRESSING THE GLOBAL REFUGEE CRISIS**

In September of 2016 the United Nations General Assembly adopted the New York Declaration for Refugees and Migrants and set in motion a new commitment to protecting displaced persons. The New York Declaration is based on the idea that the refugee crisis is a complex international responsibility that must be shared equitably amongst supporting and host countries.\textsuperscript{9} The Declaration established a framework for an international system of cooperation that, if wholly supported by Member States, may become a powerful tool in developing lasting and viable solutions.

The Global Compact on Refugees is to the New York Declaration what the 1967 Protocol was to the 1951 Convention.\textsuperscript{10} Under the jurisdiction of UNHCR, the Compact will further the Comprehensive Refugee Response Framework (CRRF) as an instrument to strengthen the

\textsuperscript{8}WORLD BANK. WORLD DEVELOPMENT REPORT 2011: THE IMPACTS OF REFUGEES ON NEIGHBORING COUNTRIES. 29 JULY 2010.
\textsuperscript{10}THE GLOBAL COMPACT ON REFUGEES IS BASED LARGELY ON THE 2016 NEW YORK DECLARATION FOR REFUGEES AND MIGRANTS AND ITS ANNEX ON THE COMPREHENSIVE REFUGEE RESPONSE FRAMEWORK (CRRF). THE COMPACT WAS NEGOTIATED IN GENEVA DURING SUMMER 2018. WHILE IT IS NOT YET OFFICIAL AS OF THE DATE THIS PAPER GOES ON LINE, THE COMPACT WILL BE ADOPTED BY THE GA'S THIRD COMMITTEE IN THE FIRST WEEK OF NOVEMBER 2018 UNDER UNHCR'S AGENDA ITEM, AND THEN BY THE GA PLENARY SOME TIME IN DECEMBER 2018. THE COMMENTS IN THIS PAPER ASSUME THAT ADOPTION WILL OCCUR BY CONSENSUS AND, SINCE IT ALREADY HAS BEEN AGREED TO BY CONSENSUS IN GENEVA AND SINCE UNHCR'S RESOLUTION IS ALWAYS ADOPTED BY CONSENSUS, THE PAPER ASSUMES THERE WILL BE NO CHANGES IN THE DOCUMENT. (SOURCE: BRIEFING BY MR. VOLKER TURK, ASSISTANT HIGH COMMISSIONER FOR REFUGEES TO MEMBER STATES, 17 JULY 2018, NEW YORK).
international response to large-scale, protracted refugee situations. The Compact, while not legally binding for Member States, is structured around a proposed shared responsibility and is designed to: “(i) ease pressures on host countries; (ii) enhance refugee self-reliance; (iii) expand access to third country solutions; and (iv) support conditions in countries of origin for return in safety and dignity.” Assistance programs must address more than what is outlined in the definition of a refugee by promoting gender equality, empowering women and girls, preventing gender-based violence, catering to the needs of older persons and persons affected by disabilities, and encouraging tolerance.

STRATEGIES FOR BURDEN AND RESPONSIBILITY SHARING: PART A

The international community has a responsibility to care for and protect populations at risk, as well as support countries that are hosting them. A lower- or middle-income country’s already limited resources are exhausted by the strain of hosting refugees. The Compact outlines a framework for creating mechanisms to lighten the burden on host countries through responsibility sharing and greater international cooperation. Strategies proposed by the Compact include establishing a Global Refugee Forum, national arrangements, Support Platforms, and regional and sub-regional approaches.

The Global Refugee Forum, which will occur every four years, will serve as a platform for Member States to exchange information, share experiences related to assisting refugees, and announce monetary, material, or technical contributions to relief efforts. In this regard, the Forum will become both a proponent for transparency and an instrument of accountability. A national arrangement is a more direct line of communication in which UNHCR partners with

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11UN HIGH COMMISSIONER FOR REFUGEES (UNHCR), GLOBAL COMPACT ON REFUGEES (GCR), PARAGRAPH 7, 4 JUNE 2018. (HEREAFTER REFERENCED AS THE GLOBAL COMPACT ON REFUGEES)
12GLOBAL COMPACT ON REFUGEES (GCR), PARAGRAPHS 17-19, 4 JUNE 2018.
host countries and relevant stakeholders to draft a comprehensive plan that details necessary policies and requirements to send and receive support. Support Platforms are mechanisms that bring negotiations and national arrangements to fruition. These context-specific strategies should galvanize political commitment to mobilize assistance in accord with the conditions of the comprehensive plan. UNHCR authorizes the activation of Support Platforms if one of the following criteria is met: (1) assistance is requested to resolve a large-scale refugee situation where the capabilities of the host country are overwhelmed or (2) the refugee situation becomes protracted and additional support is required to provide for the displaced persons until a solution emerges. Once a Support Platform is activated, its objectives can be applied to regional and subregional approaches.

Actualizing burden and responsibility sharing is an impossible feat without adequate funding and international support. Pooling funds and resources efficiently, encouraging partnerships between stakeholders, and compiling data and evidence are all important components in actualizing an interconnected network of support for refugees. Large-scale refugee situations are becoming increasingly complex, and, since traditional sources of funding are overwhelmed, alternative sources of funding will have to be relied upon to make up the difference. For example, the Compact encourages Member States to draft legislation and policies in order to promote self-watchdog accountability. The Compact also invites the private sector to explore investment possibilities that would strengthen host communities, such as developing innovative technologies and renewable energies in affected areas, establishing

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13 GLOBAL COMPACT ON REFUGEES (GCR), PARAGRAPHS 20 AND 21, 4 JUNE 2018.
14 GLOBAL COMPACT ON REFUGEES (GCR), PARAGRAPHS 23-27, 4 JUNE 2018.
15 GLOBAL COMPACT ON REFUGEES (GCR), PARAGRAPHS 32-48, 4 JUNE 2018.
programs to empower women and girls, and providing communities with access to information and data.\textsuperscript{17}

Multi-stakeholder and partnership approaches are the most interconnected support systems proposed by the Compact. In this strategy, the United Nations system should engage all necessary bodies, such as the United Nations Sustainable Development Group and the United Nations Country Team, to coordinate operations between national administrations and ground efforts.\textsuperscript{18} Local authorities are not only the first to directly respond to the influx of refugees, but their communities are also the ones that are immediately affected by protracted and large-scale situations.\textsuperscript{19} The role of UNHCR is to encourage communication between international, national, and local actors to increase funding in support of local authorities and communities during and after their time as hosts. The Compact stresses the importance of data and information sharing between actors, especially in the context of a smaller scale amongst networks of municipalities and local governments. Just as sources of funding are becoming more diverse, so too must the supporting groups. Faith-based actors and civil society organizations, though their current contributions are small compared to the large-scale need, could fulfill important roles in conflict prevention, reconciliation, establishing safe pathways, and voluntary repatriation.\textsuperscript{20}

A GUIDE TO SUPPORTING HOST COUNTRIES: PART B

In addition to relieving host countries of their burdens, humanitarian organizations and States will also contribute resources to empower refugees during every stage of the relocation and resettlement process. The measures in Part B will “take into account, meaningfully engage and seek input from those with diverse needs and potential vulnerabilities, including women and

\textsuperscript{17}GLOBAL COMPACT ON REFUGEES (GCR), PARAGRAPH 32, 4 JUNE 2018.
\textsuperscript{18}GLOBAL COMPACT ON REFUGEES (GCR), PARAGRAPH 36, 4 JUNE 2018.
\textsuperscript{19}GLOBAL COMPACT ON REFUGEES (GCR), PARAGRAPH 37, 4 JUNE 2018.
\textsuperscript{20}GLOBAL COMPACT ON REFUGEES (GCR), PARAGRAPH 41 AND 42, 4 JUNE 2018.
girls; children and youth; persons belonging to minorities; survivors of sexual and gender-based violence, sexual exploitation and abuse, or trafficking; older persons; and persons with disabilities.”

Priority should be given to the following areas in need of support: reception and admission, meeting needs and supporting communities, and solutions.

Host communities are more vulnerable without comprehensive responses such as early warning systems, preparedness, and contingency planning. In keeping with the principles of the CRRF, the international community may contribute resources and expertise to prepare host communities for reception and admission of refugees. Measures may include efforts to forecast future refugee movements, share reliable information about the needs of displaced persons, and provide assistance in the form of trained personnel and survival packages transported by national delivery systems when appropriate. The resources and expertise contributed by UNHCR will be utilized to establish safe reception areas that accommodate persons of various ages, genders, and disabilities. The purpose of implementing safety and security measures for both refugees and host communities at the request of host countries will be to curb sexual and gender-based violence and human trafficking, identify and separate combatants from the refugee community, and instill safeguards to protect international human rights.

Adhering to group-based protection standards will minimize security and safety inconsistencies. Under the supervision of UNHCR, the Asylum Capacity Support Group will document context-specific refugee protection needs and will organize contributions pledged during the Global Refugee Forums. The Asylum Capacity Support Group will oversee the development of a more effective and thorough registration and documentation process that will use biometric technologies to: (1) revolutionize identification systems, (2) prevent fraud,

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21GLOBAL COMPACT ON REFUGEES (CCR), PARAGRAPH 51, 4 JUNE 2018.
22GLOBAL COMPACT ON REFUGEES (CCR), PARAGRAPH 52, 4 JUNE 2018.
23GLOBAL COMPACT ON REFUGEES (CCR), PARAGRAPH 53, 4 JUNE 2018.
24GLOBAL COMPACT ON REFUGEES (CCR), PARAGRAPH 57, 4 JUNE 2018.
corruption, and crime, and (3) streamline efforts to provide assistance to individuals with special needs, such as unaccompanied children, women who are victims of gender-based violence, trauma survivors, and persons with disabilities.\textsuperscript{25}

**AREAS IN NEED OF SUPPORT**

Protracted refugee situations require more substantial and far-reaching assistance. While providing displaced persons with clean drinking water, food, and shelter remains a priority for humanitarian efforts, host countries are in desperate need of assistance to create opportunities for education, jobs, healthcare, youth enrichment programs, and stable food security.

1. In regards to education, supporting countries may contribute funds or expertise to integrate refugee children into the national education system in an effort to: (1) shorten the amount of time refugee children spend out of school and (2) set them on a course to achieve higher education.\textsuperscript{26} Relevant stakeholders can contribute to developing additional programs that empower young women and girls to circumvent gender-related barriers, increase female leadership in national organizations and bodies, enhance the quality of national health systems, and improve natural resource management in rural and urban areas where the influx of refugees threatens environmental degradation.\textsuperscript{27}

2. Establishing a consistent supply of food assistance must also be prioritized. Supporting communities may contribute resources and expertise to meet the food needs sensitive to gender and age, create cash-based transfers or social protection systems, and develop nutritional programs in schools and civil organizations.\textsuperscript{28}

\textsuperscript{25}GLOBAL COMPACT ON REFUGEES (GCR), PARAGRAPH 62, 4 JUNE 2018.  
\textsuperscript{26}GLOBAL COMPACT ON REFUGEES (GCR), PARAGRAPH 68, 4 JUNE 2018.  
\textsuperscript{27}GLOBAL COMPACT ON REFUGEES (GCR), PARAGRAPH 69, 4 JUNE 2018.  
\textsuperscript{28}GLOBAL COMPACT ON REFUGEES (GCR), PARAGRAPH 71, 4 JUNE 2018.
3. Recognizing that statelessness may be a consequence of refugee movements, UNHCR also encourages greater participation by the international community, national governments, and local organizations in a shared effort to end statelessness.\textsuperscript{29} (Please see attached brief addressing Statelessness.)

4. Opening labor markets and industries that can capitalize on skills refugees may possess will strengthen local economies and communities.

**SOLUTIONS**

Voluntary repatriation is the preferred solution for a majority of refugee situations and can be assisted by State contributions to uphold the principles of non-refoulement, educate individuals so they may make informed decisions, and engage multiple stakeholders in developing safe and sustainable pathways for return.\textsuperscript{30} Information and refugee documentation sharing will also be a useful tool for reintegrating displaced persons in their country of origin. All voluntary repatriation efforts should utilize regionally specific political and social mechanisms for coordinating humanitarian, peacebuilding, and development initiatives.

Resettlement is another proposed solution that directly addresses and fulfills the objective of burden and responsibility sharing. At the request of host countries, UNHCR will partner with relevant stakeholders using techniques derived from the Emerging Resettlement Countries Joint Support Mechanism (ERCM) to develop a three-year strategy that will enlarge resettlement operations, develop building and technology infrastructure in areas able to accommodate refugees, and streamline the resettlement process.\textsuperscript{31} The Global Refugee Forum will serve as the primary platform where discussions between States and other actors in regards to resettlement operations,

\textsuperscript{29}GLOBAL COMPACT ON REFUGEES (GCR), PARAGRAPH 83, 4 JUNE 2018.
\textsuperscript{30}GLOBAL COMPACT ON REFUGEES (GCR), PARAGRAPHS 87-89, 4 JUNE 2018.
\textsuperscript{31}GLOBAL COMPACT ON REFUGEES (GCR), PARAGRAPH 91, 4 JUNE 2018.
security measures, and data sharing will occur. Proposed three-year strategies will also establish additional pathways for entry to third countries. These complementary pathways may include providing humanitarian visas for use in humanitarian admission programs as a means of registration and documentation, fostering collaboration between educational organizations and governments in order to create opportunities for refugees to receive scholarships and student visas, and enabling refugees through skill-building workshops and training programmes so they may participate in the labor market.32

The most immediate humanitarian efforts should be initiated at the regional and local levels. Local solutions that invest in integrating refugees can cause profound and positive change.33 Encouraging peaceful coexistence between refugees and locals is important in creating an unbiased and nondiscriminatory community dynamic. Areas of focus for local initiatives may include proper documentation and registration, legal assistance for providing proper permits, language and vocational training, educational programmes for women and girls, and skills training to increase participation of refugees in various industries.34

CONCLUSION

Negotiations on the Global Compact on Refugees were not without disagreements among member states. Questions were raised about whether to include references to internally displaced persons, about the relationship between this compact and the Global Compact on Migration, and about how frequently to hold the Global Refugee Forum, to name a few.

Addressing the needs of over 20 million refugees requires a commitment from all sides in a spirit of burden and responsibility-sharing. The international community must address the root

32GLOBAL COMPACT ON REFUGEES (GCR), PARAGRAPHS 91-93, 4 JUNE 2018.
34GLOBAL COMPACT ON REFUGEES (GCR), PARAGRAPHS 97-100, 4 JUNE 2018.
causes that lead to displacement in the first place; host countries must continue to be open to
those seeking refuge and facilitate humanitarian assistance where needed to promote resilience
among refugees and solutions to their plight; donor countries must continue to support host
countries and communities to promote preparedness for when refugee crises occur. The Global
Compact on Refugees is an attempt to normalize these efforts. While not legally binding on
governments, it does provide guidelines to facilitate a more effective, coordinated response to a
major refugee influx.

In the view of UNHCR’s Assistant High Commissioner Volker Turk at his final briefing
on the Compact to Member States in July, what must be done can be summed up in three words—
“implementation, implementation, implementation.” The major question before this body then is
“What can member states do to facilitate implementation?”
QUESTIONS TO CONSIDER

1. What specific strategies can States use to actualize the concepts of the Global Compact on Refugees?

2. What role does globalization play in responsibility sharing?

3. What measures should be implemented to enhance reliable data collection regarding refugees?

4. What is the impact, if any, of refugees on your country?

5. What measures has your country taken to address the refugee crisis?

6. Should the Global Compact on Refugees be expanded to include IDPs?

7. Do the Global Compacts on Refugees and on Migrants complement each other?

8. What distinctions should be made between refugees and migrants, if any?
BIBLIOGRAPHY


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Refugees flee their homes due to fear of persecution and depend on the host nations that accept them to protect them. More often than not, these individuals face further persecution throughout the process and upon arrival. In a tumultuous world where fear of “the other” is becoming all too common, refugees face the growing issue of xenophobia. One 2015 report from the United Nations High Commissioner for Refugees (UNHCR) defines xenophobia as, “attitudes, prejudices and behavior that reject, exclude and often vilify persons based on the perception that they are outsiders or foreigners to the community, society or national identity.”

Refugees and asylum seekers may face “restricted access to asylum or negatively affect the quality of asylum…and [they] may be denied equal access to public services and become targets of racially motivated acts.” Those being affected by xenophobic attitudes are refugees residing in both industrialized and developing nations. Asylum seekers and refugees are vulnerable to becoming scapegoats, especially during politically tumultuous times. To truly address this issue, it will take the cooperation and collaboration of all Member States, other international and regional organizations, as well as NGOs and community groups.

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1 PROTECTION FROM XENOPHOBIA: AN EVALUATION OF UNHCR’S REGIONAL OFFICE FOR SOUTHERN AFRICA’S XENOPHOBIA RELATED PROGRAMME WRITTEN BY: JEAN PIERRE MISAGO, IRIANN FREEMANTLE & LOREN B. LANDAU THE AFRICAN CENTRE FOR MIGRATION AND SOCIETY UNIVERSITY OF WITWATERSRAND, UNHCR, FEBRUARY 2015

2 UN HIGH COMMISSIONER FOR REFUGEES (UNHCR), COMBATING RACISM, RACIAL DISCRIMINATION, XENOPHOBIA AND RELATED INTOLERANCE THROUGH A STRATEGIC APPROACH, DECEMBER 2009, AVAILABLE AT: HTTP://WWW.REFWORLD.ORG/DOCID/4B30931D2.HTML
UNITED NATIONS HIGH COMMISSIONER FOR REFUGEES RESPONSE

In cooperation with UNHCR, several Member States have launched creative awareness-raising campaigns to “roll back xenophobia.” UNHCR states that the Office has an “integral role to play in this regard and seeks to address public attitudes towards persons of concern in a more strategic manner.” A 2009 UNHCR guidance paper, *Combating Racism, Racial Discrimination, Xenophobia and Related Intolerance through a Strategic Approach*, outlines how racial discrimination and the fear of other can negatively impact refugees and what the international community can do to create an effective solution. In the guidance paper, UNHCR outlined seven elements for a strategic approach to address xenophobia. They are as follows:

1. Monitoring signs of racial discrimination, xenophobia and related intolerance, and tracking and reporting hate crimes;
2. Analyzing the underlying reasons for racial discrimination, xenophobia and related intolerance;
3. Assessing the manifestations of these phenomena and their impact on protection;
4. Understanding legal obligations to protect all individuals from racial discrimination and multiple forms of discrimination;
5. Engaging a network of diverse organizations and actors that implement complementary activities targeting different groups in society;
6. Including affected communities in the strategic approach;
7. Providing individual support to victims (including medical, psychological, or legal support).

Media and political dialogue should be closely monitored and incidents such as hate crimes should be reported to UNHCR. The greatest concern the agency has is for the protection of asylum seekers and refugees. Xenophobic attitudes can have real consequences such as restrictive asylum policies, including the creation of barriers to territories and procedures, increased use of detention, extended applications of the exclusion clauses, and potential denial of
citizenship. Member States have a legal obligation to protect refugees from discrimination, particularly if they have ratified the International Convention on the Elimination of All Forms of Racial Discrimination (ICERD).

UNHCR is also finding hope for solutions in technology. In 2015, the UNHCR Innovation Service partnered with UN Global Pulse, the United Nations initiative for big data analytics, to find additional insights into the refugee situation in the Mediterranean region. Originally, the technology was being used to analyze Twitter data to identify patterns that could help provide insights into cross-border movements. Following the terrorist attacks in Munich, Paris, and Berlin, the technology was finding posts about negative sentiment towards refugees in other parts of the world. The team then ‘taught’ a machine to ‘learn’ how to read, compile, categorize and aggregate different types of Twitter posts, in different languages and across cities and to quantify both xenophobia and integration-friendly comments.

CASE STUDIES

The following are three case studies that will provide real examples of countries facing the challenge of xenophobia. While these are not the only cases of xenophobia in the world, they do offer insight into the issue.

European Crisis

Large-scale and continued conflict has caused protracted displacement of millions of refugees, many of whom due to proximity are fleeing to European countries. There are a limited number of safe pathways, and many refugees are crossing the Mediterranean and tragically perishing along the way. According to UNHCR, domestic pressure is causing numerous

\(^4\) UN HIGH COMMISSIONER FOR REFUGEES (UNHCR), COMBATING RACISM, RACIAL DISCRIMINATION, XENOPHOBIA AND RELATED INTOXIDATION THROUGH A STRATEGIC APPROACH, DECEMBER 2009.

\(^5\) HTTP://WWW.UNHCR.ORG/INNOVATION/TEACHING-ROBOT-DETECT-XENOPHOBIA-ONLINE/
European countries to respond by unilaterally imposing tighter legal and physical restrictions on
access to their territory.\(^6\) To improve the situation and prevent exclusion based on xenophobia,
UNHCR’s Regional Bureau for Europe is working with a range of organizations and partners,
including the European Union and its agencies, the Council of Europe, the Organization for
Security and Cooperation in Europe, other UN agencies, civil society and NGOs.\(^7\)

The European Commission, the executive arm of the European Union, is taking steps to
address racism, xenophobia, and other forms of intolerance. The European Commission outlines
the relevant legislation to combat xenophobia on their website. The first is the “Victims’ Rights
Directive” which establishes minimum standards on the rights, support and protection of all
victims of crime. Another is the “Audiovisual Media Services Directive”, banning incitement to
hatred in audiovisual media services and the promotion of discrimination in audiovisual
commercial communications.\(^8\) Perhaps the most effective way to bring about change is to spark
conversation. One documentary, The Island of All Together, does just this. The filmmakers
invited European tourists and Syrian refugees on the Greek island of Lesbos to sit down and talk
to each other. When people are given a chance to talk to each other, they connect.\(^9\) The
documentary was screened at an event at UN headquarters in New York on “Promoting Diversity
and Combatting Xenophobia”. Mr. Álvaro Mendonça e Moura, the Permanent Representative of
Portugal, concluded the event by emphasizing that public awareness campaigns and increasing
intercultural dialogue are imperative to promote tolerance and fight xenophobia. The
involvement of civil society and municipalities is essential as well as recognizing that education

\(^6\) HTTP://WWW.UNHCR.ORG/EN-US/EUROPE.HTML
\(^7\) IBID.
\(^9\) TO WATCH THE SHORT DOCUMENTARY OR READ MORE ABOUT IT, GO TO:
HTTP://WWW.THEISLANDOFALLTOGETHER.COM/
must be ensured, not just food and shelter. Having integrated societies is the only way to uphold human dignity.¹⁰

**USA Crisis**

Economic downturn, rising unemployment and urbanization are all reasons animosity is fueled towards refugees.¹¹ One of the most common reasons for xenophobia in the United States is the fear of an increase in violence. The United States has a long history of excluding certain groups, with one of the most infamous policies perhaps being the Chinese Exclusion Act of 1882.¹² While the rhetoric has been geared more towards immigrants, refugees are also facing tighter restrictions from the United States. In 2016, the U.S. admitted almost 85,000 refugees, a number that declined to 45,000 refugees in 2017, the lowest number in a decade after an executive order reduced the cap on refugee admissions.¹³ A common misconception is that refugees will bring crime with them. In reality, refugees are rarely, if ever, the reason behind an increase in crime. The New American Economy Research Fund used resettlement data from the US Department of State’s Worldwide Refugee Processing System to calculate the 10 cities in the US that received the most refugees relative to the size of their population between 2006 and 2015. Cross-referencing these numbers with data from the Federal Bureau of Investigation, the results showed that “rather than crime increasing, nine out of 10 of the communities actually became considerably more safe, both in terms of their levels of violent and property crime.”¹⁴ The one city that did see an increase in crime is suffering from the far reaching opioid epidemic.

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¹⁰ NEGUS, KELCEY. NOTES FROM MEETING AT UN HEADQUARTERS IN NEW YORK, NEW YORK ON JULY 14, 2016.
¹¹ UN HIGH COMMISSIONER FOR REFUGEES (UNHCR), COMBATING RACISM, RACIAL DISCRIMINATION, XENOPHOBIA AND RELATED INTOLERANCE THROUGH A STRATEGIC APPROACH, DECEMBER 2009.
¹² TO READ MORE ABOUT THE CHINESE EXCLUSION ACT OF 1882, GO TO: HTTP://OCP.HUL.HARVARD.EDU/IMMIGRATION/EXCLUSION.HTML
in the United States and the violence is thought to have been connected to gang-related activities, not refugees.

There have been recent reports that the US government is considering plans to admit no more than 25,000 refugees. Some officials are wanting the numbers to be even lower. Stephen Miller, a senior adviser for the Trump administration would like to see the number cut to as low as 15,000. This trend has caused worry among multiple UNHCR Officials in New York City, according to Dr. Mike McBride, a volunteer consultant with UNHCR. With 25.4 million refugees and 3.1 million asylum seekers, accepting limited numbers will place unnecessary burden on those seeking safety.

South African Crisis

South Africa, one of the largest economies on the continent of Africa, borders Namibia, Botswana, Zimbabwe, Mozambique, Swaziland, and Lesotho. Xenophobia has been a particular concern in South Africa following violent attacks on refugees in 2008 and 2015. Refugees that are considered at risk are from Somalia, Democratic Republic of Congo, Angola, Ethiopia, Burundi, Congo, Rwanda, and Zimbabwe. According to a report evaluating the xenophobic related programs in Southern Africa, “xenophobia threatens the lives and livelihoods of refugees, asylum seekers, economic migrants and other locally defined ‘outsiders’ including domestic migrants and ethnic minorities.” UNHCR recognizes the risk that xenophobia poses to persons of concern, and the UNHCR Regional Office for Southern Africa (ROSA) has provided a number of recommendations:

16 IBID.
17 UNHCR MULLS SOLUTIONS FOR REFUGEES AFFECTED BY XENOPHOBIA - HTTP://WWW.REFWORLD.ORG/COUNTRY,COI,UNHCR,,ZAF,,5566CD9C4,0.HTML
18 HTTP://WWW.UNHCR.ORG/4DFDBF4C16.PDF
19 PROTECTION FROM XENOPHOBIA: AN EVALUATION OF UNHCR'S REGIONAL OFFICE FOR SOUTHERN AFRICA'S XENOPHOBIA RELATED PROGRAMME WRITTEN BY: JEAN PIERRE MISAGO, IRIANN FREEMANTLE & LOREN B.
1. The need for a revised and more relevant agency-wide strategy and guidance to address xenophobia in UNHCR’s operational areas;
2. The creation of strategic advocacy platforms at both the headquarters and field level that exploit UNHCR’s comparative advantage in social change and attract new partners with a mutual interest in combating xenophobia;
3. Base xenophobia related programming on evidence-based understanding of current socio-political and socioeconomic conditions and theoretically sound and empirically supported behavioral change models;
4. Review results based management objectives, indicators, outputs and outcomes to realistically reflect xenophobia programming and enable better monitoring; and
5. Dedicate more oversight, training, human and financial resources to anti-xenophobia programming.

At a panel discussion on “Promoting Migrant Integration and Combating Xenophobia,” the Deputy Permanent Representative of South Africa stated that a real challenge the country is facing is when refugees enter the country and then disappear into the cities. Under the constitution, refugees have the right to housing and education and health – all the rights of a South African citizen except for the right to vote. However, it can be difficult to ensure these rights are being protected when individuals are hard to locate in urban settings.20 The South African government intends to address xenophobia by introducing educational activities in schools and other centers to promote a better understanding of refugees, asylum-seekers and other foreign nationals.21

CONCLUSION

The main concern that Member States should focus on is overcoming xenophobia. Member States have already acknowledged the need to address xenophobia in numerous resolutions. The General Assembly adopted resolution 72/150 on 19 December 2017, which

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20 NEGUS, KELCEY. NOTES FROM MEETING AT UN HEADQUARTERS IN NEW YORK, NEW YORK ON JUNE 2, 2016.
21 UNHCR MULLS SOLUTIONS FOR REFUGEES AFFECTED BY XENOPHOBIA - HTTP://WWW.REFWORLD.ORG/COUNTRY,COI,UNHCR,ZAF,5566CD9C4,0.HTML HTTP://WWW.REFWORLD.ORG/COUNTRY,COI,UNHCR,ZAF,5566CD9C4,0.HTML
“strongly condemns attacks on refugees, asylum seekers and internally displaced persons and acts that pose a threat to their personal security and well-being, calls upon all States concerned and, where applicable, parties involved in an armed conflict to take all measures necessary to respect and ensure respect for human rights and international humanitarian law, and urges all States to fight racism, racial discrimination, xenophobia, related intolerance and hate speech.”

The issue is not whether xenophobia needs to be opposed, but instead, there must be an agreement forged on how to oppose it. The recommendations provided by the Regional Office of Southern Africa could be a good starting point for other nations. In order to come to a solution, consider the questions below.

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22 GENERAL ASSEMBLY RESOLUTION 72/150 "OFFICE OF THE HIGH COMMISSIONER FOR REFUGEES"
QUESTIONS FOR DElegates

1. What is the policy of your country on xenophobia?
2. What steps has your country taken, if any, to address xenophobia?
3. What role can Non-Governmental Organizations play?
4. What can the United Nations do to address xenophobia?
5. What elements should be included in a resolution that would produce lasting change?
6. How can we leverage technology to analyze data and create a counter-narrative for hate speech?
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DEFINITIONS, MANDATES, AND NUMBERS

The 1954 Convention relating to the Status of Stateless Persons defines a stateless person as “A person who is not considered as a national by any State under the operation of its law.”¹ A stateless person, deprived of a nationality for a variety of reasons, faces many challenges. Those lacking a nationality are more vulnerable to systemic discrimination —— they have limited access to education and healthcare, difficulty traveling, and are deprived of the privileges of citizenship like voting. There are at least 10 million² people worldwide who lack a nationality; they are stateless.

Following the 1954 Convention, the 1961 Convention on the Reduction of Statelessness, which was enacted on December 13, 1975, sought to establish a framework for combating statelessness: “a body to which a person claiming the benefit of this Convention may apply for the examination of his claim and for assistance in presenting it to the proper authority.”³ The Office of the United Nations High Commissioner for Refugees (UNHCR) was designated as this body by General Assembly resolutions 3275 (XXIX) of December 10, 1974 and 31/36 of November 30, 1976. The Conventions are supported by the 1948 Universal Declaration of Human Rights, which states that everyone has the right to a nationality.⁴ However, this is not the reality for millions of stateless persons or the international community itself. The 1961

¹ 1954 CONVENTION RELATING TO THE STATUS OF STATELESS PERSONS, ARTICLE 1, PARAGRAPH 1.
² UNHCR, ENDING STATELESSNESS.
³ 1961 CONVENTION ON THE REDUCTION OF STATELESSNESS, ARTICLE 11.
⁴ UNIVERSAL DECLARATION OF HUMAN RIGHTS, ADOPTED BY THE GENERAL ASSEMBLY 10 DECEMBER 1948.
Convention on the Reduction of Statelessness, in its effort to reduce statelessness, calls upon State Party to the Convention to provide citizenship to people born on their territory or who have resided in their territory for a specified period of time. But it is the States who determine the standards for granting nationality; the Convention sets out limits only where withdrawal of a nationality would result in a person becoming stateless.\(^5\) The Convention also provides guidelines for granting citizenship to stateless children born in that country or when one or both parents are of the nationality of that country (Article 1-4); when statelessness has occurred due to a loss of or renunciation of a nationality (Articles 5-7); or deprivation of nationality (Article 8-9); or in cases of State succession or changes in territorial boundaries (Article 10).\(^6\) While the country provides the national legislation governing the process of granting nationality and there are exceptions that could lead to a rejection of an application for citizenship status, the net result, if countries were to live up to the guidelines in the Convention, would be a reduction in statelessness. However, since fewer than half the Member States are parties to the Convention and while many who are not parties to it follow the guidelines, the lack of universal coverage and adherence means that many States do not contribute to a resolution of the problem.

There was a significant increase in accession to both the 1954 and 1961 Conventions in 2011 at the special High Commissioner’s Dialogue on Stateless Persons to commemorate the 50th anniversary of the 1961 Convention. Additional advocacy efforts include the 2014 #IBelong Campaign\(^7\) to End Statelessness in 2014. Currently, there are 90 States party to the 1954 Convention, and 71 States party to the 1961 convention.\(^8\) Prior to the campaign, those numbers were 41 and 17, respectively. GA resolution 50/152 of December 21, 1995, “entrusted UNHCR

\(^{5}\) “PREVENTING AND REDUCING STATELESSNESS,” UNHCR PUBLICATION 2014, P. 6
\(^{7}\) THE #IBELONG CAMPAIGN LAUNCHED IN 2014, WITH THE HOPES OF ENDING STATELESSNESS BY 2024. AMONG THE OBJECTIVES OF THE CAMPAIGN ARE: FUNDRAISING, RAISING PUBLIC AWARENESS, AND HELPING MEET THE GLOBAL ACTION PLAN TO END STATELESSNESS, WHICH LAUNCHED IN THE SAME YEAR.
\(^{8}\) GA 73/12, PART 1, PG. 13
with a global mandate to identify, prevent, and reduce statelessness and protect stateless persons, specifically requesting that the Office ‘provide relevant technical and advisory services pertaining to the preparation and implementation of nationality legislation.’”\(^9\) However, nationality and its’ requirements are an integral aspect of state sovereignty. Identification and prevention largely require Member States to invite UNHCR to advise on legislation and implementation of measures, with no obligation to take the advice after receiving it. Additionally, many Member States are not party to either of the Conventions even if they have supplementary regional treaties, such as the United States.

The scope of statelessness goes far beyond accession. UNHCR estimates that there were approximately 3.2 million documented stateless persons, and that there are probably closer to ten million stateless persons overall.\(^10\) While the disparity is less than it has been in the past, as documentation practices become better and more coordinated the vast difference between recorded and estimated numbers reflects one of the major problems facing UNHCR and the international community—— the difficulty of determining who is stateless and documenting them. Some countries lack adequate documentation procedures; statelessness is often a byproduct of conflict and instability that puts additional stress on state services like documentation and increases the number of potential stateless persons. Additionally, some stateless persons are reluctant to engage with government or UN officials for fear of deportation. Because nationality and the criteria of citizenship is determined by the State, there is the added complication of legal issues regarding citizenship status that may lead to large numbers of former

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citizens being deprived of citizenship. For instance, the case of succession states in the former Soviet Union or the deprivation of citizenship for some Palestinians living in Jordan.\footnote{HUMAN RIGHTS WATCH, "STATELESS AGAIN: PALESTINIAN-ORIGIN JORDANIANS DEPRIVED OF THEIR NATIONALITY," 2010 REPORT.}

The development and strengthening of statelessness determination procedures will lead to better quantitative data, as per Action 10 of the Global Action Plan (GAP) to End Statelessness.\footnote{UN HIGH COMMISSIONER FOR REFUGEES (UNHCR), GLOBAL ACTION PLAN TO END STATELESSNESS, 4 NOVEMBER 2014, AVAILABLE AT: HTTP://WWW.REFWORLD.ORG/DOCID/545B47D64.HTML.} An upcoming opportunity for obtaining a more accurate picture of statelessness is the 2020 census; some States have opted to pre-code an option for census respondents to record themselves as stateless, as seen in the Conference of European Statisticians Recommendations for the 2020 Censuses of Population and Housing.\footnote{HTTPS://WWW.UNECE.ORG/PUBLICATIONS/2020RECOMM.HTML.} It is difficult, however, because some states do not regard these people as stateless. UNHCR reports it only has accurate data on stateless persons from 75 out of the 98 countries known to have populations of stateless people. Over the last decade, UNHCR has documented an additional 27 States with stateless populations.\footnote{UNHCR, GLOBAL TRENDS 2017, FIGURE 17, PG. 52.}

As of 2017, the largest stateless populations (over 100,000) where data was available was in Côte d’Ivoire (700,000), Myanmar and the Myanmar Rohingya populations displaced in Bangladesh (930,000), and Thailand (438,821, though more than 23,000 stateless persons were granted Thai nationality in the last four years as a part of the #IBelong campaign).\footnote{UNHCR, OVERCOMING STATELESSNESS IN THAILAND ONE CASE AT A TIME.}

**VULNERABLE POPULATIONS**

The root causes of statelessness are similar to those for displacement of people in general—— natural disasters, conflict, human rights violations, or poverty. However, statelessness may also result from state succession. This includes either the coming into being of new states with somewhat artificial borders that cross natural ethnic boundaries as was the case...
in the Middle East, or where new states come into being following the collapse of a predecessor state as witnessed after the demise of the Soviet Union or the breakup of former Yugoslavia.

The situation regarding the Palestinian population is especially complex from a legal standpoint. Some Palestinians have been provided with documentation by neighboring states, but the documentation falls short of full citizenship. Others have been granted citizenship status by the Palestinian Authority that now has observer state representation in the United Nations. But whether these actions or forms of documentation constitute full citizenship status, which would mean they would not qualify as stateless persons, is still open to debate. If they were to be considered stateless, they would be the largest stateless population in the world. Regardless of their current status, since in terms of humanitarian assistance they come under the auspices and mandate of the United Nations Relief Works Agency (UNRWA) in Palestine, including Gaza, UNHCR does not deal with them as stateless persons and their situation would not come under the authority of UNHCR or its Executive Committee. Thus, resolutions addressing their situation would not be appropriate for this session of MUN. However, if Palestinians have sought refuge beyond areas of UNRWA operations (Jordan, Syria, Lebanon the West Bank, and Gaza,) they could be considered under UNHCR’s stateless mandate, if they are stateless, according to the international definition.

Regional treaties play a role in strengthening UNHCR’s authority on dealing with the world’s statelessness issue; regional treaties include the African Charter on the Rights of the Child, the American Declaration on the Rights and Duties of Man, the European Convention on Human Rights, the Arab Charter on Human Rights, and the Organization of Islamic Cooperation.

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16 INTERVIEW WITH UNHCR STAFF FOCAL POINT ON THE MIDDLE EAST; SEE ALSO ABBAS SHIBLAK, “STATELESS PALESTINIANS,” FORCED MIGRATION REVIEW, NO. 26, PP. 8-9.
(OIC) Covenant on the Rights of the Child in Islam. Many of the regional treaties emphasize the children’s right to a nationality, as over a third of the world’s stateless population are children.\(^\text{18}\)

Regarding conflict and/or human rights violations, in the case of refugees and particularly refugee children, those born in the recipient or host country may not be granted citizenship by that country. Considering the average time a refugee spends in exile is approximately 20 years,\(^\text{19}\) this has the potential to create an entire generation of stateless persons. Yet, the country of origin from which their parents fled may also deny the child citizenship since they were not born in that country. These situations highlight the two major criteria upon which citizenship is granted (aside from naturalization): \textit{jus soli (“law of the soil”)} and \textit{jus sanguinis (“law of blood”).}\(^\text{20}\) UNHCR’s efforts are primarily focused on \textit{jus soli}, or de jure stateless populations in efforts to close legislative loopholes that leave people stateless. In the former case, states grant citizenship automatically to anyone born on the state’s territory; in the latter, states grant citizenship based on blood ties. While states maintain sovereignty as to the criteria of citizenship, many refugee children born outside their parents’ home country would not qualify under either criterion. Some states only allow citizenship to certain races or ethnicities. Additionally there are 27 nations do not allow women, in this case mothers, to pass along their nationality to their children.\(^\text{21}\) Thus, if the father has died or there is a divorce, a child who would have obtained their father’s nationality at a designated age, may no longer be granted that nationality or the nationality of their mother. Statelessness in children, compounded with limited access to civil documentation in developing nations, makes it difficult for states and non state

\(^{18}\text{UNHCR, A SPECIAL REPORT: ENDING STATELESSNESS.}\)

\(^{19}\text{WORLD BANK, “HOW MANY YEARS DO REFUGEES STAY IN EXILE?”}\)

\(^{20}\text{UNHCR, THE STATE OF THE WORLD’S REFUGEES: A HUMANITARIAN AGENDA, PG. 3.}\)

\(^{21}\text{UNHCR, ENDING STATELESSNESS}\)
actors to provide any kind of assistance. Registration may be difficult for stateless persons displaced by conflict who lose or leave behind documentation while fleeing.

Two of the newly independent Baltic states (Estonia and Latvia) exemplify the challenges of determining nationality following the collapse of a state or changes in boundaries. Both enacted citizenship laws that discriminated against people of Russian descent, many of whom had lived in those Republics for decades prior to the collapse of the Soviet Union. The new citizenship laws requires former citizens to pass a language exam in order to qualify for citizenship. This criterion was applied to everyone but is particularly hard to meet for many older Russians since they had not learned the native language during their time in the Republic when it was still a part of the USSR. In 2017, UNHCR reported that Estonia and Latvia have taken steps to “further facilitate the acquisition of citizenship by those born in Estonia and Latvia to non-citizen parents, which will help ensure that these situations are resolved over time.”

In addition, the General Assembly addressed this issue through a draft proposal of the International Law Commission and subsequent resolutions. General Assembly resolution 55/153 contains the draft proposal for a possible convention on the topic of “Nationality of natural persons in relation to the succession of States.” While no particular State is mentioned, those drafting the document obviously had in mind events occurring in both the former Soviet Union and the former Yugoslavia. The draft proposal lays out guidelines to follow in granting inhabitants of these territories either in the predecessor State or successor State, while ensuring that whatever is done does not cause the individual to become stateless. While there are some

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22 UNHCR, A SPECIAL REPORT: ENDING STATELESSNESS IN 10 YEARS. PC 8-9.
24 UNHCR, STATELESSNESS AROUND THE WORLD.
limiting conditions, in most cases it is recommended that the individual have the option of taking the nationality of either of the two States. Further, all Member States were requested to comment on the possibility of agreeing to a convention on this issue.\textsuperscript{26} However, after several years where the item was discussed in the Sixth Committee with no resolution of these issue (1954, 1955, 1963, 1966), the General Assembly gave up and in the latest resolution (A/RES/66/92, OP4) decided that, upon request of any State, it will revert to the question of nationality of natural persons in relation to the succession of States, in particular concerning the avoidance of statelessness.”\textsuperscript{27} In other words, the GA will not consider the issue unless a Member State asks it to do so, and that is not likely to happen in the immediate future.

PROBLEMS FACING STATELESS PERSONS

Stateless persons face challenges and obstacles to their everyday lives, worsened by the lack of legal protection from the country they reside in. Potential areas of discrimination include, but are not limited to, education, employment, cultural or religious observance, access to medical care, and freedom of movement. The resources available to them may be limited and inadequate. Being stateless means lacking a sense of identity and limits their ability to participate in the political process since they usually do not have the right to vote.\textsuperscript{28} This may also have a negative impact on their community, since stateless persons cannot fully contribute to the community itself due to discrimination or lack of identity with the community. The long-term effects of lack of education or employment, the need for health care, and other factors can ultimately contribute to greater poverty if these conditions are not remedied.

\textsuperscript{26} A/RES/55/153. STATE COMMENTS WERE INCLUDED IN REPORTS TO THE GENERAL ASSEMBLY - A/59/180 AND ADD. 1 AND 2; A/63/113; AND A/66/78 AND ADD. 1.
\textsuperscript{27} A/RES/66/92, OPERATIVE PARAGRAPH 4.
\textsuperscript{28} "PREVENTING AND REDUCING STATELESSNESS: THE 1961 CONVENTION ON THE REDUCTION OF STATELESSNESS," UNHCR PUBLICATION 2010, P. 2
POLICIES AND PROGRAMS: UNHCR AND GOVERNMENT EFFORTS

While not all stateless persons are refugees, they are often in refugee-like situations. This is one of the reasons UNHCR received the mandate to help them, but as is the case today with refugees, most stateless people live in urban, non-camp settings. Thus, UNHCR’s work on behalf of stateless persons is often conducted on a more abstract or legal level than typical operations out in the field designed to assist displaced persons in camps. In 2017, UNHCR reported that 56,500 stateless persons were granted citizenship in 29 countries “with significant reductions occurring in the Philippines, the Russian Federation, Sweden, Tajikistan, and Thailand, among other places. In Tajikistan, for example, close to 12,000 people had their nationality confirmed in 2017, as did 11,000 in Thailand.” This process ultimately relies on the political will and cooperation of national governments who are the only actors who can grant citizenship and thus reduce the number of stateless persons throughout the world. Nevertheless, UNHCR has undertaken a number of steps in cooperation with governments and other humanitarian actors to try and reduce statelessness.

First, UNHCR has constantly advocated for accession to the two Statelessness Conventions. The Conventions provide guidelines that, if followed, would diminish the number of stateless persons. With a greater number of states adhering to the Conventions, the international community would develop more consistency and uniformity in how stateless persons were treated, promote a “rule of law,” and more efficient regulation of migration. Second, UNHCR works extensively with its usual partners in the humanitarian area to promote concern for stateless persons, raise awareness of the issue, and improve protection or their access to basic human rights. These partners include The United Nations Children's Fund (UNICEF), the United Nations Development Programme (UNDP), the United Nations Population Fund

29 UNHCR, “GLOBAL TRENDS 2017” CH. 6, P. 53.
(UNFPA), numerous non-governmental organizations (NGOs), regional organizations and civil society. Third, UNHCR works closely with Governments to provide technical advice and encouragement regarding national legislation to address the concerns of stateless people. While the establishment of such legislation is ultimately the responsibility and prerogative of the State, UNHCR can provide useful information on legislation and best practices in other countries. Such practices could include simplifying application procedures, prohibiting withdrawal of nationality if it would result in statelessness, allowing women to pass along their nationality to their children, ensuring birth registration, the granting of residence permits, providing the rights to travel and return, access to employment, improved access to education and health services, and ultimately, for some, granting citizenship. Other strategies could include having a clear vision and a regional focus; investing in research on the need for attention to and reforms in dealing with statelessness; building coalitions, and promoting media coverage. Finally, out in the field, UNHCR has begun a very extensive registration and documentation program to assist refugees, internally displaced persons, and stateless persons in obtaining documents to give them identity and access to necessary services. UNHCR also provides training programs for government officials regarding registration and documentation procedures.

Many governments have taken steps to reduce statelessness. As noted earlier, several have acceded to the Conventions. Some 30 states are participating in UNHCR studies and surveys as part of Action 10 of the Global Action Plan to improve both qualitative and quantitative data for stateless persons and how to best assist them, for example in Kazakhstan.
and Zambia. In addition, in 2017, the Rohingya population was identified as stateless, instead of in the separate category of displaced persons to give a more accurate account of the world’s stateless population, as stateless Rohingya populations are currently displaced throughout Myanmar and Bangladesh.\(^3^7\) The Rohingya are a Muslim population that have resided in the Myanmar Rakhine State, and have been denied citizenship in Myanmar based on their ethnicity.\(^3^8\) After attacks on the Rohingya residences in Myanmar in 2016, hundreds of thousands fled to Bangladesh in what UNHCR characterizes as, “the largest and fastest refugee influx seen in the region in the past twenty years.”\(^3^9\) UNHCR has called on the state of Myanmar to put an end to this humanitarian crisis by ending the Rohingya population’s statelessness. As previously mentioned, Estonia and Latvia have taken steps to prevent another generation of stateless persons. Additionally, Brazil resolved the statelessness crisis of Brasileirinhos Apatridás children in 2007, and 300,000 Urdu-speakers (sometimes referred to as Biharis) were granted citizenship in Bangladesh in 2008.\(^4^0\) All States, however, could share best practices, reexamine their existing legislation in light of best practices, take steps to improve educational opportunities, ensure that stateless persons have access to basic public services, promote more effective registration and documentation, and implement pledges they have made.

**RECOMMENDATIONS FOR A RESOLUTION**

Generally, UNHCR resolutions are adopted by consensus. The primary reason for this is because questions relating to UNHCR are considered humanitarian rather than political in nature, despite the fact that there are obvious political issues and ramifications involved. In addition, 

\(^3^7\) UNHCR, "GLOBAL TRENDS 2017," CH. 6, P 52.
\(^3^8\) "UNHCR MYANMAR REPORTED A BASELINE ESTIMATE OF 900,000 NON-DISPLACED STATELESS PEOPLE IN RAKHINE STATE AT THE START OF THE YEAR. HOWEVER, IN LIGHT OF THE 655,500 ARRIVALS FROM MYANMAR REPORTED IN BANGLADESH IN 2017, AND SOME 470,000 NON-DISPLACED STATELESS PERSONS ESTIMATED TO BE REMAINING IN RAKHINE STATE AT YEAR-END, IT IS NOW CLEAR THAT THE BASELINE ESTIMATE WAS TOO LOW" UNHCR "GLOBAL TRENDS 2017," PP. 22-25.
\(^3^9\) UNHCR "GLOBAL TRENDS 2017," PP. 22-25.
\(^4^0\) UNHCR, "STATELESSNESS AROUND THE WORLD."
resolutions adopted by consensus, though they are often watered down, carry more weight than those adopted by a vote. Delegates should, then, attempt to reach consensus at Model UN on one comprehensive resolution that would address the issue of statelessness and its consequences on stateless persons.

Delegates could consider the following:

A. Encourage Governments to consider acceding to one or both of the statelessness Conventions.

B. Encourage Governments to share best practices in terms of programming and legislation regarding stateless persons.

C. Encourage Governments to participate in UNHCR campaigns, such as the 2014 #IBelong call to end statelessness by 2024.

D. Call for greater cooperation between UNHCR, Governments, and NGOs to assist stateless persons.

E. Encourage donors to provide additional financial and technical support to UNHCR and other States dealing with issues relating to stateless persons.

F. Call upon Governments to adhere to pledges they have made regarding stateless persons.
QUESTIONS TO CONSIDER

1. Does your State have a stateless population? Under what circumstances did that stateless population arise; conflict, state succession, lack of adequate documentation and recordkeeping?

2. How does your State partner with UNHCR to assist stateless persons? How could this be improved?

3. If your State does not have a stateless population, can your States assist other States that do?
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1954 Convention relating to the Status of Stateless Persons.


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