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**Preventing the mistreatment of civilian populations by
host governments**
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Deputy Chair



Committee: General Assembly 2nd Committee

Issue: Preventing the mistreatment of civilian populations by host

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Introduction

Civilian populations such as refugees, asylum seekers, or immigrants aren't necessarily treated equally as native citizens of states. This, in fact, contradicts the humanitarian nature of asylum in that the mistreatment of refugees defeats the purpose of aiding them.

The presence of armed elements, and more specifically combatants, in an influx of refugees or in existing camps and settlements threatens the fundamental principle of the civilian and humanitarian character of asylum, and can generate serious security concerns for refugees, receiving states and local communities, as well as humanitarian workers. In some contexts, inter-state relations and regional stability may even be threatened, and the realization of durable solutions such as voluntary repatriation may be hindered.

Key Vocabulary

Refugee: a person who has been forced to leave their country in order to escape war, persecution, or natural disaster.

Asylum: the protection granted by a state to someone who has left their home country as a political refugee.

Immigrant: a person who comes to live permanently in a foreign country.

Internment: the state of being confined as a prisoner, especially for political or military reasons.

Refoulment: the forcible return of refugees or asylum seekers to a country where they are liable to be subjected to persecution.

Focused Overview

Asylum means the granting by a State of protection on its territory to individuals fleeing another country owing to persecution, serious harm, armed conflict or other situations of violence. Asylum therefore has an inherently peaceful, civilian and humanitarian character. Military activity is incompatible with the very institution of asylum.

Persons who pursue military activities in a country of asylum cannot be asylum-seekers or refugees. It must therefore be ensured that only civilians benefit from asylum, and also that refugee camps/settlements are protected from militarization or the presence of combatants, as well as from attack more generally. Maintaining the civilian and humanitarian character of asylum is of crucial importance, notably at the onset of an emergency situation.

Host Governments are primarily responsible for maintaining the civilian and humanitarian character of asylum. Humanitarian organizations such as UNHCR do not have the mandate or the means to assume this responsibility.

However, UNHCR has an important supervisory, monitoring, advisory and, where required, assistance role. This section sets out what actions UNHCR and its partners can take to advise and assist the authorities to ensure that the civilian and humanitarian character of asylum is respected.

Major Parties Involved and Their Views

Major countries such as France, the US, and the UK, have had a known history of mistreating, refusing and committing refolement of refugees.

Although some major countries (such as France, Italy, Germany, Spain) that have exhibited such behavior have recently been working to improve their tackling of refugee related issues.

Evaluation of Previous Attempts to Resolve the Issue

There are no current treaties or other valid responses for this issue. Therefore, it is important for delegates to take this issue seriously and begin the process of preventing the mistreatment of civilians by host governments.

Evaluation of Previous Attempts to Resolve the Issue & Possible Solutions

Fundamental principles for effecting separation operations in a refugee context include the following:

- Required action: all armed elements, whether combatants or civilians, present among the refugee population must be disarmed; combatants should, in addition, also be identified, separated and interned.
- A combatant cannot be considered an asylum seeker or a refugee.
- Former combatants should not automatically benefit from refugee status through group determination on a prima facie basis.
- The role of separation in the eligibility process (i.e., eligibility to seek asylum and/or be granted refugee status) is not definitive of any legal status.
- Where refugee status is based on group determination, civilian family members of combatants should be treated as refugees and should not be interned.
- Child soldiers should not be interned but should be identified in order that they may benefit from special protection and assistance measures.
- In case of mass exodus, the priority is to ensure access to safety; separation measures cannot be applied in such a way that they hinder entry by refugees.
- The identification and separation process must also not interfere with the principle of non-refoulment.
- Some principles and suggestions for good camp security and management:
 - Refugees themselves should have a role in ensuring their security, and the peaceful and humanitarian character of refugee camps/settlements.
 - Programmes empowering refugees to take a role in their own security could include refugee watch systems, and awareness raising activities relating to issues of militarization, and their rights and responsibilities in the host country.

- In particular, refugee leaders and representatives should be elected among candidates that are committed to promoting the civilian and humanitarian character of their camp, and should be elected or appointed through a transparent and open process ensuring the full participation by all sections of the refugee community.
- The establishment of effective and safe information channels, as well as reporting and complaint mechanisms is also part of good camp management.
- An effective administration of justice system should be set in place. It should include a system for recording and addressing crimes in and around refugee camps or settlements, and ensure that a culture of impunity is not permitted to take hold.
- Providing a visible and effective government and international presence (e.g. UNHCR protection staff) in and around refugee camps and settlements on an ongoing basis is also important to build confidence and a rapport of trust with the refugee community.
- Securing and protecting the legal rights of refugees:
 - Recognizing refugees as having clear legal rights in the country of asylum is fundamental to their protection, while the absence of such rights increases their vulnerability.
- Measures which can improve their legal protection and rights include: providing refugees with individualized and proper legal documentation; ensuring access to prompt and effective legal remedies; providing protection from arbitrary arrest or detention; ensuring that the right to freedom of movement is respected; implementing mass information programmes to inform refugees about their rights and obligations.
- Establishing an effective relief distribution system that guarantees the delivery of assistance to refugees and minimizes the risk of diversion to armed elements.
- Constant dialogue and cooperation with local populations and authorities can be a powerful tool to ensure effective security around refugee areas. In addition to dialogue, other trust-building measures between refugees and local populations should also be promoted, and appropriate mediation mechanisms should be in place, should conflicts arise.
- Expansion of educational opportunities and other structures programmes (including recreational) should be vigorously promoted, especially for at risk groups. In particular, the international community should expand refugee education programmes, including at the secondary and tertiary level, so that refugees, especially the youth, are engaged positively and provided alternatives and hope for the future.
- A partnership approach: a strategy of cooperation programmes with national law enforcement authorities. When the resources of a host state are overwhelmed by security problems in refugee populated areas, cooperation programmes with national law police forces may be necessary.
- In some situations, supporting governments through the adoption of such security packages, can significantly improve the overall security situation of refugees.

Further Reading

- [This is a very useful source for getting inspiration for clauses. It's very long but helpful when you skim through it and read the parts that are relevant for you for Human Trafficking](#)

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