



UN HUMAN RIGHTS COUNCIL PRESIDENT'S LETTER

Lake Erie International Model United Nations

Northcoast High School Conference XXXI
March 30 - April 1, 2010

CHAIRING STYLE

I would like to open by saying it is a distinct honor and privilege to welcome you to Lake Erie International Model United Nation's Thirty First Northcoast Conference. The purpose of this portion of my Chairman's Letter is not to introduce myself, but rather to introduce you to my chairing style and my expectations from the committee:

My chairing style has been described as "stern, yet flexible". I feel that this is a fairly accurate description. I believe that my role serves three primary functions for your committee. I see my role as the facilitator/educator and evaluator of the committee. It is my belief that the role of the chair is to facilitate the conduct of the body, not control it. I charge each of you to decide the direction of debate, based upon your research and debating skills. Additionally, I am a firm believer in the educational purpose of this conference. As such, I will limit my interference to those instances when it is educationally beneficial to do so. I will interject only when specifically asked to do so by the body, when the committee is beginning to lose control or focus, or when a serious procedural error has been made.

My second role is to act as an evaluator of delegate performance. I consider this my primary function that will always take precedence over the aforementioned roles. As such, I cannot and will not answer specific questions regarding individual topics, country policies, or parliamentary procedure. If a question is posed, it must be done through the proper parliamentary procedures and will be answered only to the committee as a whole and not to any individual delegate or delegation.

I would like to close this section by giving you my expectation that as a delegate of my council you do the following:

1. Conduct substantial research should be conducted concerning the UN Human Rights Council (its goals and principles), the delegate's individual country (including history, government, resources, allies and enemies, and foreign policy), and the assigned topics.
2. Know the Rules of Procedure and know how and when to use them. Failure to know and when use the rules properly will cause delegations' to receive lower evaluations.
3. Know the Conference Handbook and the Conference Policies therein. Failure to adhere to these policies will cause delegations' evaluations to suffer.
4. Come to the conference prepared. Arrive at each session on time. Be ready to debate at the beginning, middle, and end of each and every session.
5. Treat one another, as well as the conference staff, with respect and common courtesy.

6. Treat the topics that you will be debating with respect. They represent not just an opportunity for you to debate amongst peers, but real life concerns of millions, if not billions of humans world-wide.
7. To respect your and other's assignments. Each of you will be researching a country that is vastly different than the one you currently live in. Please take the time to know and understand your countries national identity/culture and respect it as you respect your own.
8. Learn from and teach one another.
9. And lastly, have Fun!!

More detailed information on the evaluative process, rules of procedure, and conference policies can be found on our conference website, www.leimun.com.

THE COUNCIL

The Human Rights Council is a relatively new inter-governmental body within the UN system that was created by the UN General Assembly on March 15, 2006. The Council currently is comprised of 47 States that have the responsibility of "...strengthening the promotion and protection of human rights around the globe...with the main purpose of addressing situations of human rights violations and make recommendations on them."

On June 18, 2007, one year after the General Assembly created the Council, the member states voted to adopt a plan to build internal capacity of the Council, known as its "Institution-building package." The intent of this package was to provide the institutional elements to guide the future work of the Council as well as improve the efficiency and effectiveness of the body. Among the components of said plan, is the Universal Periodic Review Mechanism, which seeks to assess the status of human rights in all 192 member states of the UN. Additionally, the package created the Advisory Committee, which will act as a think tank for the Council that will provide expertise and analysis on thematic human rights issues. The plan also included a revised complaints procedure mechanism, that will allow individuals and non-governmental organizations to bring human rights violations to the attention of the Council.

The Council currently hears a wide range of Human Rights related issues and complaints however below you will find briefings three of the issues addressed by the Human Rights Council. For more information on the Human Rights Council, please visit: <http://www2.ohchr.org/english/bodies/hrcouncil/>

THE TOPICS

Combating Racism, Racial Discrimination, and Xenophobia

During the past 50 years since the signing of the Universal Declaration of Human Rights in 1948, the UN and the international community have made many advances toward the elimination of racism, racial discrimination and xenophobia worldwide. National and international laws have been enacted and numerous international human rights instruments, particularly a treaty to ban racial discrimination, have been adopted. Progress has been made—witness the defeat of apartheid in South Africa. Yet, the dream of a world free of racial hatred and bias remains only half fulfilled.

As racial discrimination and ethnic violence grow in complexity, they become more of a challenge for the international community. As a result, new tools to deal with racism are called

for. In 1997, the General Assembly decided, in resolution 52/111, to hold the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance. The World Conference which was held in Durban, South Africa in the fall of 2001. The Durban Conference was a groundbreaking endeavor by the international community.

The 2001 Durban Conference was a landmark event in the struggle to improve the lives of millions of human beings around the world who are victims of racial discrimination and intolerance. After a wide-ranging debate, the Conference adopted by consensus the groundbreaking [Durban Declaration and Programme of Action \(DDPA\)](#), which provided an important new framework for guiding governments, non-governmental organizations and other institutions in their efforts to combat racism, racial discrimination, xenophobia and related intolerance.

While progress has been made since 2001, there is a continued need for committed implementation of the DDPA. Racist attitudes and hate speech can be found in many countries and technologies such as the Internet provide new vehicles for their proliferation.

In 2009, the international community revisited the commitments made at the 2001 Durban Convention. The UN Human Rights Council reopens this discussion is moving to hold member states to their commitments to stamping out racism globally.

Some questions that may aid your research:

Question 1: What is the role of the Human Rights Council on this matter in light of the 2001 and 2009 Durban Conventions?

Question 2: What recommendations can the Human Rights Council make to further address the issue of Racism, Racial Discrimination and Xenophobia?

Question3: What is your state's stance on this topic? What is the status of Racism, Racial Discrimination and Xenophobia in your country?

Question 4: What level of cooperation can be reached between the member states of the HRC to reach resolution on this matter? With the wider international community?

Question 5: What are the short and long term resolutions to addressing this matter? What mechanisms can be crafted to hold states accountable?

Related Resources:

www.un.org

<http://www2.ohchr.org/english/bodies/hrcouncil/>

http://www.un.org/durbanreview2009/pdf/DDPA_full_text.pdf

<http://www.amnesty.org/en/discrimination>

<http://www.hrw.org/en/home>

<http://www.hrw.org/legacy/campaigns/race/>

Education as an Essential Human Right

Education as an Essential Human Right is an issue that is in essence enshrouded within The Universal Declaration on Human Rights, which states that “Education shall be free, at least in the elementary and fundamental stages. Elementary education shall be compulsory...Parents have a prior right to choose the kind of education that shall be given to their children.” This axiom of international human rights is thus echoed in various other international commitments throughout history. However while it would seem that the issue of education would be a basic human right globally, many states have failed to meet this Human Rights benchmark or are facing a crisis in providing quality education to its youngest and most vulnerable groups of citizens.

Thus, Education as an Essential Human Right has been an issue at the forefront of the Council for over a decade. The then Commission on Human Rights, in 1998 and 2004 set out resolutions 1998/33 and 2004/25, that set to appoint a Special Rapporteur on Education whose mandate was to gather information on the status of education globally, advocate for the expansion of the right to education, advocate gender equality in states’ education systems, to coordinate similar efforts with the ECOSOC, the UN Children’s Fund, and other organs of the UN, and to review and report on the interdependence between education and other human rights issues.

Prior to the groundbreaking changeover from the Commission to the Council in General Assembly Resolution 60/251, the Commission had drafted seven comprehensive resolutions pertaining to the advancement of the right to education. Once the transition had occurred, the right to education once again became a top issue for the newly formed Human Rights Council, that quickly passed resolutions 5/1 and 8/4 respectively in 2007 and 2008, further outlining and extending the mandate of the Special Rapporteur.

At the 8th session of the Council in 2009, the Special Rapporteur submitted UN A/HRC/11/8, which focused on the Rights of Detained Persons to Education as well as his addendum in UN A/HRC/11/8.1 which focused on communications he has made with countries over the past year. The Council now reopens this issue to discuss the status and consolidation of Education as an Essential Human Right globally.

Some questions that may aid your research:

Question 1: What is the status of rights to education within your state?

Question 2: Has your country worked with other states as well as IGO’s and NGO’s on the consolidation and protection of Education as an Essential Human Right?

Question 3: What mechanisms can be imposed by the UN HRC or the UN GA to further enforce Education as an Essential Human Right globally?

Question 4: Is the current mandate of the Special Rapporteur appropriate? Should his/her role be expanded? Diminished?

Question 5: What are the main underlying sub-issues within this topic? Should a resolution from the Council be broad or specific when pertaining to Education as an Essential Human Right?

Related Resources:

<http://www2.ohchr.org/english/issues/education/rapporteur/overview.htm>

www.un.org

<http://www2.ohchr.org/english/issues/education/rapporteur/issues.htm>

<http://www.un.org/en/documents/udhr/>

<http://www2.ohchr.org/english/issues/education/rapporteur/index.htm>

Human Rights Status of Displaced Persons

While the term “Displaced Persons” (which includes both Refugees and Internally Displaced Persons [IDPs]) was coined after World War II to explain the mass exodus of Eastern Europeans westward, the human rights status and protections offered to these individuals has been an issue of discussion older than the modern definition.

Acting on a recommendation from the Commission on Human Rights, in 1992, the UN Secretary-General appointed the first Special Representative on the rights of internally displaced persons. Pursuant to Commission Resolution 2004/55, the Representative had the mandate to engage in coordinated advocacy in favor of the protection and respect of the human rights of IDPs, to hold continuing and enhancing dialogues with governments as well as non-governmental organizations and other actors, to strengthen the international response to internal displacement, and to mainstream the human rights of IDPs into all relevant parts of the UN system.

Pursuant to E/CN.4/RES/1996/52, the Special Representative worked with Representative Francis M. Deng to draft a report for the Council outlining “gray areas within international law” as they pertain to the rights of IDP’s. Thus, in 1998, the Commission was presented with the Guiding Principles on Internal Displacement (E/CN.4/1998/53/Add.2), a comprehensive report focusing on areas of need within both international law as well as setting guidelines for the then Commission to hone their discussions surrounding the Human Rights of IDPs.

While the Guiding Principles of 1998 aided the Commission in its forward progress toward clear universal rights for IDPs, as well as aiding its work with member states to reaching standard level on human rights of IDPs, there still exists in 2010 a myriad of issues pertaining to Displaced Persons and their human rights protection. With the current conflicts in the Middle East and southern Asia we are seeing a new wave of displaced persons that present new challenges to the application of international norms on the human rights of displaced persons. Operative clauses of Council Resolution 6/32 point toward enduring problems in the protection of human rights of displaced persons, the Council through Operative clauses 3 and 4 of HRC Res. 6/32 state that the Council,

3. *Expresses concern* at the persistent problems of large numbers of internally displaced persons worldwide, in particular the risk of extreme poverty and socio-economic exclusion, their limited access to humanitarian assistance, vulnerability to human rights violations and difficulties resulting from their specific situation, such as lack of food, medication or shelter and issues

pertinent during their reintegration, including, in appropriate cases, the need for the restitution of or compensation for property;

4. *Expresses particular concern* at the grave problems faced by many internally displaced women and children, including violence and abuse, sexual exploitation, forced recruitment and abduction, and notes the need to continue to pay more systematic and in-depth attention to their special assistance, protection and development needs, as well as those of other groups with special needs among the internally displaced, such as older persons and persons with disabilities, taking into account the relevant resolutions of the General Assembly and bearing in mind Security Council resolution 1325 (2000) of 31 October 2000; ...

While the Commission and subsequently the Council have made great strides in the consolidation and protection of the human rights of both refugees and internally displaced persons, there are, as Resolution 6/32 has pointed out, a myriad of issues that remain to be addressed by the Council concerning the further consolidation of human rights as they pertain to displaced persons. Thus in 2009 and 2010, the Council proposes a review of the progress toward universality in the application of said rights as well as heading off many new and pervasive issues.

Some Questions that may assist in your research:

Question 1: What is the status (if any) of displaced persons, both internally displaced persons and refugees, within your country?

Question 2: How much, if any, of your population is living as refugees within other countries?

Question 3: What is the difference between the rights of refugees and internally displaced persons? Should the Council continue to only focus on Internally Displaced Persons? Should it expand its mandate to include refugees?

Question 4: What additional areas should the UN HRC focus on as it pertains to the human rights of IDPs?

Question 5: What mechanisms are being and can be implemented to further consolidate and promote the Human Rights of both Refugees and Internally Displaced Persons?

Related Resources:

<http://www2.ohchr.org/english/issues/idp/index.htm>

<http://www2.ohchr.org/english/issues/idp/activity.htm>

<http://www2.ohchr.org/english/issues/idp/mandate.htm>

<http://books.google.com/books?id=g6tLPgAACAAJ&dq=Displaced+Persons&cd=6>

<http://www.unhcr.org/cgi-bin/texis/vtx/home>