

Study Guide Human Rights Council

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Topics:

- 1) The Problem of Xenophobia and Related Human Rights During the European Refugee Crisis
- 2) Human Rights Infringement by Technological Development and Cyber Crime



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Topic A: The Problem of Xenophobia and Related Human Rights During the European Refugee Crisis

I. Introduction:

The instability in the Middle East, notably Syria, has led to a massive evacuation of civilians to safer lands in Europe and neighbouring Middle-Eastern countries. The sudden influx of refugees seeking to escape war-torn Syria has not only sparked political worry across Europe but also an increase in xenophobia amongst civilians fearing the consequences of accepting refugees into their respective countries. It is in that respect that various nations have chosen to restrict the entry of refugees past their borders, whilst others have chosen to keep them open. It is believed that there are around 21.3 million refugees who have fled war-torn Afghanistan, Syria and Iraq in search for a life aboard. The UN's role in this conflict, is to reinitiate peace in Syria, mainly through focusing its attention on increasing the humanitarian resources targeted to Syria, as well as encouraging individual nations to accept refugees and legalise their settlements to provide a short-term solution and hence ease the burden on families with no other option. Amongst those who have fled are those who managed to leave Syria and flee to international territories, while others are internally displaced persons, seeking safer lands within Syria.

2) Important Statistics to take into consideration:

53% of refugees worldwide came from three countries



Top hosting countries

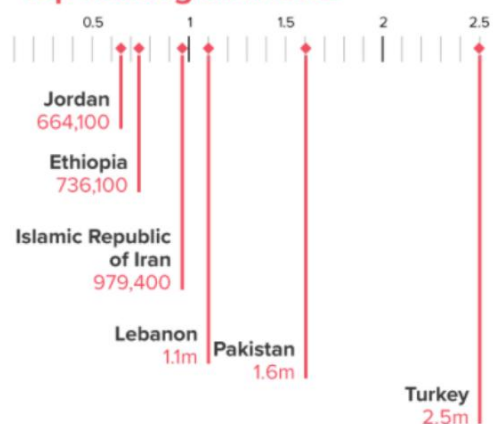


Figure 1. Refugee Origin (UNHCR)

Figure 2. Distribution of Refugee-Intake (UNHCR)

The geographic proximity of Turkey, Pakistan, Lebanon and Iran explains their intake of the greatest number of refugees. Yet, economic and political instability looming over the Middle East has put in jeopardy the ability of those countries to accept more incoming refugees.

The country of origin of the greatest number of refugees in the world are Somalia, Afghanistan, and Syria, all countries with ongoing conflict. The economic and political challenges faced by those countries lead to instability in their respective regions.

Given the cultural background of the countries accepting the most refugees, xenophobia tends to be unnoticed in those nations. Unfortunately, the cultural divide is evident as the Arab and Muslim culture fade in European territories. As a result, xenophobia drives hateful crimes and tension amongst various ethnicities.

3) Timeline of events:

2011: Syrian uprising begins

- 5,000 refugees flee to Lebanon- settlements of refugee camps begin.
- Refugees being fleeing in Turkey- settlements of refugee camps begin (\$15 million spent on establishment of 6 camps.
- Refugees being fleeing in Jordan- settlements of refugee camps begin.

2012: Establishment of more camps, cease fire, and intensification of conflict

- Syrian Refugees of Kurdish origins seek peace in northern Iraq in Domiz Camps.
- First UN cease-fire.
- War intensifies in Aleppo, it is a war-zone.
- UNHCR establishes first camp in Za'atari, northern Jordan.

2013: Syrian Refugee crisis reaches 1M

- Northern Jordan camp Za'atari grows exponentially as influx of refugee increases.
- Beirut bombing: War and instability spreading over the region.

2013: Syrian Refugee crisis reaches 2M

- 2M refugees, half of which are children.
- Sweden offers permanent residence to Syrian Refugees
- Turkey builds wall to protect its territory from tension between Arabs, Kurds and Refugees.
- 16 countries make pledge to accept refugees and provide legal settlements (Australia, Austria, Canada, Finland, France, Germany, Hungary, Hungary, Ireland, Luxembourg, Moldova, Netherlands, Norway, Spain, Sweden, Switzerland, USA) pledging the reinstatement of a total of 10,240 refugees.
- USA is the only country with open ended number on resettlement.
- Greece pushes back refugees
- UK announces it will take Refugees

2014: Increasing number of refugees

2015: Increasing number of refugees

Deteriorating conditions of refugees in camps.

Deadliest year overall.

2016: Turkish border becomes unstable

2017: EU Regional trust fund allocates 200M euros to the refugee crisis.

4) Xenophobic attacks to take into consideration:

- Dresden Mosque attack (2016): Bomb attack on mosque and islamic centre
- USA Chapel Hill Shooting
- Shooting in France.

- Another trend worth noting is the rise of far-right movements across Europe...

Adding on to these attacks can be any other relating to your country's history and that of its allies.

5) Documents worth exploring further:

- 1951 Refugee Convention (who is a refugee? what are their rights? in what way can they acquire legal asylum?...)
- Geneva Convention (1949) (set of rules which must be applied in a time of conflict to protect civilians and children from armed conflict)
- Universal Declaration of Human Rights
- United Nations High Commissioner for Refugees

6) Possible points to address in a resolution:

- To what extent may countries justify their inaction due to fear of accepting foreign people?
- On what **legal grounds** may countries refuse to accept refugees?
- What legal **documents, conventions, treaties** (etc.) may be relevant to encourage countries to accept more refugees?
- Some countries (ie. Lebanon, Turkey, Jordan) have taken in the majority of Syrian refugees while others have refused to open their borders- what terms of negotiation may be put in place to reverse this pattern and ensure a more equitable distribution of refugees across the world?
- What are the long-term consequences of a limited intake of refugees due to xenophobia?
- What measures can countries adopt to ensure the safety of their citizens while providing a necessary contribution to the refugees of the Syrian crisis?
- In what ways is the international community responsible for the Syrian crisis- and what would this responsibility entail for member states of the UN?

- Is there a correlation between the number of refugees taken in and the number of xenophobic attacks in the same country?

Be sure to include the answer to these questions in your draft resolution. These will guide your debate and ensure you maintain your country's position in mind while working alongside other member states to find realistic solutions to this issue.

7) Suggested Further Reading:

Arraf, Jane. "Will Syrian Refugees Transform or Threaten Jordan's Economy?" *The Christian Science Monitor*. The Christian Science Monitor, 12 Oct. 2013. Web. 27 Oct. 2013. <<http://www.csmonitor.com/World/2013/1012/Will-Syrian-refugees-transform-or-threaten-Jordan-s-economy>>.

"Conflict Timeline | Syria Deeply." *Syria Deeply Syria News*. N.p., 6 Mar. 2011. Web. 27 Oct. 2013. <<http://beta.syriadeeply.org/conflict-timeline/>>.



Topic B: Human Rights Infringement By Technological Development And Cyber Crime

Introduction:

In the past few decades, we have seen an incredible expansion in our realm of possibility, largely due to technology. From instantly connecting people around the world to allowing for incredulous theory testing, a whole new era has begun. With it, however, came ethical debates which we had never thought about. The dilemma between getting information that could potentially save lives, but having to comb through an ocean of privacy to attain this information has consumed many news cycles in the past years. This conference will therefore prove useful in identifying the different aspects of this issue, and, with any luck, advance our search for the proper ethical conduct in relation to technology.

Precedents:

Most of you have probably heard of at least a few examples of past technological oversteps or scandals, one of the most prominent being the Snowden situation. For the few who are not familiar, in short Edward Snowden was a contractor for the CIA. After learning and using the United States espionage software in 2013, his ethics pushed him to share an extensive amount of information about said software to the world, before seeking asylum in Russia. He now faces charges under the espionage act. (Edward Snowden: Leaks That Exposed US Spy Programme)

Other prominent examples include Julian Assange, creator of Wikileaks, which, as you probably know, is homes to thousands of documents the government deemed necessary to keep hidden from the public. Assange, similarly to Snowden, is now in a form of house arrest in the UK, despite the UN's ruling that he had been 'arbitrarily detained' (Profile: Wikileaks Founder Julian Assange).

Furthermore, in 2014, Yahoo was hacked, compromising over 500 000 user accounts, and gathering a significant amount of information. Two Russian spies and hackers were responsible, and the US government pressed charges. However, as Russia and the US do not have an extradition treaty, this has only served to increase the tension between the two countries (Newman).

There are also examples of non-political cyber hacks, such as the T-mobile hack, where about 15 million users found their names, birth dates, and addresses exposed. This exposes the dangers and risks this new era of technology has opened up. If left unchecked, the vast amount of personal information present on the web could be used for severely unethical purposes

(Greenberg).

All of these examples can prove useful during a debate, as they can help us identify how the law systems currently see and treat cyber crime. To study them and their repercussions is an excellent way of determining the correct manner with which to treat cyber crime.

Law and Cyber-crime:

The 12th article in Universal Declaration of Human Rights states that:

No one shall be subjected to arbitrary interference with his privacy, family, home or correspondence, nor to attacks upon his honour and reputation. Everyone has the right to the protection of the law against such interference or attacks. (Universal Declaration of Human Rights)

Therefore, it would be safe to assume that every country is under the obligation to follow the law above, and refrain from any the use of any spyware. It is, however, not that simple. Even though most countries give the impression of following these laws and accepting these rights as fundamental, some do not put their actions where their words are.

As law usually depends on each country, we will look at a specific one, and its official views concerning cyber crime. Let us start by the United states. The most obvious law preventing most forms of cyber crime resides in the constitution itself. The 4th amendment details

The right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures, shall not be violated, and no Warrants shall issue, but upon probable cause, supported by Oath or affirmation, and particularly describing the place to be searched, and the persons or things to be seized (Baltzell)

In simpler terms, the right to privacy. Therefore, if going by the constitution, any unwarranted attempt to gather information about citizens, such as what Snowden seems to have uncovered, is technically illegal. However, this does not seem to defer some governments. The alleged Russian hack during the presidential election last year, for example, demonstrates the willingness of countries to use this technology to advantage themselves and/or their people (Trump Election: US 'identifies Agents behind Russian Hack).

The issue with cyber-crime is that it has not been present for long. Therefore, we are only on the first wave of laws. Unrefined and untested, these laws may not work even if implemented and followed to the letter, which they are not. This brings us to another major difference between cyber-crime and any other form of crime. It can be extremely difficult to track and prove a cyber

crime, as most attacks are done anonymously.

UN Action

In order to tackle such an issue, after their 12th Crime Congress, the UN has created an intergovernmental expert group, with the hope that each delegation may share their best legislation against cyber crime, strengthening the defence against it. Additionally, The United Nations Office on Drugs and Crime, UNODC, supports national action against cyber crime by sharing its expertise on criminal justice systems, and providing assistance in research, data collection international cooperation, and other aspects (Schaechter).

Points you might wish to consider when writing a resolution:

1. The pre-established laws concerning Cyber crime
 - If these laws existed before the development of technology (such as the 4th amendment) or if they were created as a response to it.
2. The specific laws dealing with cyber crime in the country you are representing, if any.
 - Although the Declaration of Human Rights prohibits cyber crime through its 12th clause, each country has its own laws, some of which are more advanced and fleshed out than others.
3. Any discrepancies between a nations actions and statements/laws
 - Your country may commit cyber espionage, but officially not support or admit it. You must follow suit.
4. The issue of spying on developing countries, which have not yet expanded on their cyber crime laws.
 - And how this may be treated, such as the creation of an international cyber crime court.
5. The difficulty of determining the guilty party in the case of anonymous hacking
 - This might include citizens of a nation, but the inability to tell if their actions were sanctioned by their government, or self-motivated

Sources you may find of interest in your research:

1. <http://uk.businessinsider.com/cyberattacks-2015-12?r=US&IR=T/#hackers-gained-access-to-unclassified-white-house-systems-in-2014-but-the-nature-of-the-hack-got-way-worse-as-new-details-emerged-this-year-5>
2. http://www.unis.unvienna.org/unis/en/events/2015/crime_congress_cybercrime.html
3. https://www.unodc.org/unodc/en/frontpage/2015/March/focus_its-a-crime_-cybercrime.html
4. <https://www.unodc.org/cld/v3/cybrepo/>
5. <http://www.un.org/en/universal-declaration-human-rights/>
6. <http://constitutionus.com/>



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"Universal Declaration of Human Rights" *United Nations*. United Nations, n.d. Web. 19 Mar. 2017. <<http://www.un.org/en/universal-declaration-human-rights/>>.

