



### ***Committee Background***

The United Nations High Commissioner for Refugees (UNHCR) was formed on December 14th, 1950 in an effort to aid displaced Europeans in World War II. The agency is mandated to lead and coordinate international action to protect refugees and resolve refugee problems worldwide. Its primary purpose is to safeguard the rights and well being of refugees. UNHCR strives to ensure that everyone can exercise the right to seek asylum and find safe refuge in another State, with the option to return home voluntarily, integrate locally or to resettle in a third country.<sup>1</sup> In addition, UNHCR is governed by the UN General Assembly and the Economic Social Council (ECOSOC), and is lead by High Commissioner António Guterres, who is in charge of the direction and control of the organization.

### **Topic I: North Korean Refugees in China**

#### ***North Korean Refugees and China***

During World War II, Winston Churchill famously remarked that understanding the actions of Russia as “a riddle, wrapped in a mystery, inside an enigma.” These same words can be applied to one of most perplexing nations of today: the Democratic Peoples Republic of Korea (DPRK). In an age of rapid globalization and expansion of telecommunications, DPRK has achieved a level of unparalleled isolation from the rest of the world. International organizations (IGOs) and non-governmental organizations (NGOs) are often times barred from entry. Those who are allowed to step into the border are heavily regulated, and oftentimes confined to a closely monitored section of the nation’s capital, Pyongyang. Meanwhile, citizen’s lack access to the global Internet and is prohibited from immigration. Rather than logging into the World Wide Web, citizens log into the nation’s intranet, which is physically separated from the global Internet.<sup>2</sup> Nonetheless, tens of thousands of North Koreans have sought haven in its two neighboring countries: China and South Korea. Numerous reasons have prompted North Koreans to flee their home country.

Citizens are greatly barred from the right to free speech, assembly, religion, and movement. A huge factor for this restriction of human rights is the is the government’s Ministry of People’s Security (MPS). The MPS is composed of an estimated 180,000 public security personnel who maintain law and order, investigate criminal cases, monitor the political attitudes of civilians, investigate political dissenters, control the travel of individuals, and other government activities.<sup>3</sup> The MPS essentially functions as a paramilitary organization for the

<sup>1</sup> <http://www.unhcr.org/pages/49c3646c2.html>

<sup>2</sup> <http://www.washingtonpost.com/blogs/worldviews/wp/2013/06/27/hacker-group-anonymous-is-no-match-for-north-korea/>

<sup>3</sup> <http://www.refworld.org/country,,,PRK,,51d172214,0.html>



government in order to maintain border and internal security. In the process, it frequent abuses human rights by detaining political opponents and defectors, holds individuals without trial, and has committed numerous acts of torture.<sup>4</sup> Compounding this illiberal society is extreme corruption. DPRK was ranked 182 out of 183 countries surveyed in Transparency International's 2011 Corruption Perceptions Index and 174 in 2012.<sup>5</sup> To make matters worse, the World Food Programme (WFP) and Food and Agriculture Organization (FAO) estimates that 2.8 million vulnerable people, equal to slightly more than 10 percent of all North Koreans, face under-nutrition and a lack of vital protein and fat in their daily diet.<sup>6</sup> These issues have played a key role in inspiring North Koreans to seek a better life in China and South Korea. Overall, South Korea has been more welcoming of the estimated 25,000 defectors compared to inexact quantity in China. The history and policies of China are at the heart of this issue, but the significance of South Korea must not be understated.

North Koreans began fleeing to China in the mid-1990s from a famine that killed around 1 million people. Looking for food and work, hundreds of thousands of North Koreans, mainly from northern provinces, crossed into China. Only intending to stay for a few months, many of these North Koreans looked to make some money, and return home to their families. However, China considers North Koreans "illegal economic migrants" and regularly arrests and deports them. North Koreans face serious starvation, some 2 million have died of hunger since 1995,<sup>7</sup> North Korean leaders consider leaving the state without permission treason, and harshly punishes those caught with detention, torture, and sometimes death. Under North Korean law, the minimum punishment is five years of hard labor in labor camps. The U.S. State Department's "Report on International Prison Conditions" concludes that North Korean Political detainees are "routinely subjected to systematic physical and psychological mistreatment [including] severe beatings, electric shock [and] coercion of mothers to watch infanticide of their newborns<sup>8</sup>." In addition, women make up 70 percent of North Korean refugees in China<sup>9</sup>. A number of them are forced into marriages, and also risk the threat of sexual abuse and trafficking. Overall, 80-90 percent of these women are trafficked, approximately 20,000-30,000 individuals.<sup>10</sup> In the face of this refugee crisis, UNHCR has been active in both China and South Korea.

UNHCR does not have any physical refugee camps located in China to assist the situation. Simply put, UNHCR cannot have any active presence in China without China's permission. Therefore, UNHCR focuses on this issue by discussing with the Chinese government possible

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<sup>4</sup> <http://www.state.gov/j/drl/rls/hrrpt/humanrightsreport/index.htm?year=2012&dliid=204210>

<sup>5</sup> <http://cpi.transparency.org/cpi2012/results/>

<sup>6</sup> <http://www.hrdreport.fco.gov.uk/wp-content/uploads/2011/01/2012-Human-Rights-and-Democracy.pdf>

<sup>7</sup> <http://www.economist.com/node/1189310>

<sup>8</sup> <http://www.state.gov/documents/organization/210160.pdf>

<sup>9</sup> <http://alturl.com/vzepak>

<sup>10</sup> [ibid.](#)



policy changes and works with South Korea on refugee laws. Programmes tend to focus on specific asylum laws advocating for greater legal protection in the region. One of the key principles that UNHCR advocates for the post is non-refoulement, which is a principle in international law where nations do not return victims back to the nation prosecuting them. For instance, this principle would prevent victims from being returned back to their home nation where their human rights and personal safety would be at risk. Only through an international effort incorporating UNHCR, China, South Korea, DPRK, and the international community, as a whole will this crisis be solved.

### ***Guiding Questions***

1. How does your nation differentiate an economic migrant and a refugee? What are the different legal protections associated with those different statuses?
2. Has your nation ratified the Protocol Relating to the Status of Refugees? What is your nation's policy regarding non-refoulement?
3. Generally speaking, what is your nation's attitude towards granting asylum towards refugees? How many refugees currently live in your nation? Are there tensions between your citizens and these individuals?
4. How can your nation's policies regarding refugees, border security, and sovereignty be applied to this situation?
5. In what way can the international community and your nation work with the governments in the region to better the situation?

## **Topic II: The Impact of Climate Change on Migration and Displacement**

### ***Background***

The 1951 Refugee Convention in conjunction with the 1961 Protocol defines the legal term for refugees to be those, "owing to well founded fear of being persecuted for reasons of race, religion, nationality, membership of a particular social group or political opinion, is outside the country of his nationality and is unable or, owing to such fear, is unwilling one unwilling to avail himself to the protection of that country; or who, not having a nationality and being outside the country of his former habitual residence as a result of such events, is unable or, owing to such fear, unwilling to return to it." This definition raises first order questions concerning the perception and treatment of climate related dispersion. Climate Induced Migration (CIM), fleeing from various environmentally induced onsets, now affects many. These particular migrants are more likely to remain within their own borders, fleeing to major cities, although some do cross borders. Under the Convention, these people are defined as internally displaced rather than having the legal protection of a refugee. Those who do flee across international borders are met with resistance and securitization of borders through transit states. Adhering to the current legal definition, because they are not being outright persecuted, or that there is no



definable perpetrator in CIM; they do not receive a protected status and are subject to arrest and deportation. Controversy over the legal term of a refugee is rife among the international community. Many small island and equatorial nations (who experience the effects of climate change with the greatest frequency and intensity) have called for a reworking of the term and demanded to open the floor for discussion on what persecution could entail and also for the expansion of the refugee term.

The First Assessment Report of the Intergovernmental Panel on Climate Change (IPCC) issued in 1990 noted that the greatest single impact of climate change might be on human migration and displacement. The Fourth Assessment Report (2007) by Pachauri, R.K. and Reisinger at the IPCC provided ample indications that climate change will raise the risk of humanitarian emergencies. The findings as of now suggest that climate change is expected to bring about significant changes in migration patterns throughout the developing world. This includes increases in the frequency and severity of chronic environmental hazards and sudden onset disasters, which are projected to affect migration patterns of communities and countries.

In addition, the 2007 report focuses on vulnerability (adaptive capacities) of populations to climate change, instead of migrations. Climate Induced Migration (CIM) is regarded as a consequence of climate change through three channels: hydro-meteorological disasters, slow-onset environmental degradation (including rising sea levels), and resource depletion induced violence. Vulnerability is a measure by which the relative risk experienced by individuals; households and communities to adverse changes in their environment may be determined. It is built on 'everyday issues' such as poor land management practices and is compounded by 'episodic issues' such as flooding, leaving the poor and marginalized members of society disproportionately affected by disasters.

Scholars are clear that vulnerability is based on socioeconomic and physical factors. Physical vulnerability considers the geography of livelihoods and hazards, previous disasters, resource depletion and scarcity, and established infrastructure. Developing countries are under pressure to incorporate adaptive mitigating policies against climate change. However, strained budgets, unstable political environments, and often times resource dependence and, in many cases, resource dependence increase vulnerability.

The IPCC report (2001b: 13-16) noted that climate change is likely to very likely to cause higher maximum temperatures, more intense precipitation events, increased risk of drought, increase in tropical cyclone peak wind intensities, and an increasing number of floods in some areas. Further, "it is widely accepted that climate change is not only manifested in changes in long term average conditions, but may include changes in extremes or variability, and will be experienced via changes in the frequency, severity, timing and spatial extent of climatic conditions and events such as droughts and floods".<sup>11</sup> "Recently, it has become more evident that climate change will not express itself primarily through slow shifts in average temperature over a long period...there is mounting evidence that it is extreme events, such as droughts, floods and

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<sup>11</sup> <http://reliefweb.int/report/indonesia/food-supply-and-food-security-situation-countries-affected-asia-tsunami>





heat waves that we must prepare for,” The claim was further substantiated by the findings of the IPCC.<sup>12</sup>

### *Recent Histories of Displacement and Migration*

In the wake of hydro-meteorological disasters such as the 2011 earthquake-tsunami that devastated Japan, and the likes of Hurricane Sandy that ravaged United States infrastructure on the East Coast, the international community has turned its eye toward the necessity of early warning systems and preparations for nations most likely to be affected by these disasters.

Some widely recognized examples of the failures of early warning systems could be traced back to the 2004 Indian Ocean tsunami. Failure to alert inhabitants of the impending tidal wave ultimately led to a death toll that soared up to 184,167 casualties and displaced over 1.69 million people. Despite knowledge of the colossal 9.1 magnitude earthquake, little was done to warn people, and less was done to drive people away from the coastline where most of the damage was done.

The economic repercussions in the region also contributed to internally displaced peoples (IDPs). Given that the most heavily affected areas lay on the coast of the Indian Ocean, fishing markets, providing direct employment to over 250,000 people, primarily drove local economies. It is estimated that 66% of fishing fleets and market infrastructure were destroyed, creating a disaster driven recession at the local and national level<sup>1</sup>. Subsequently, thousands without residence or occupation have migrated inland and across borders.

More prominent, even, is the worldwide event of environmental degradation. The most affected region has been Sub-Saharan Africa, having seen the greatest mass of environmental refugees since 1995. Expansive droughts and interminable famines have displaced tens of millions. Those who reside in the Horn of Africa are especially vulnerable due to their practice of subsistence agriculture. Long droughts eradicate nutrients in the soil, leading to crop failure, the inability to feed livestock, and ultimately famine with many thousands in Ethiopia and Somalia having already fled across borders to refugee camps in Kenya. Desertification, not only in Africa, will create wide swaths of currently occupied land, uninhabitable. A 2009 report from the United Nations University Institute for Environment and Human Security found that citizens of Eastern countries and in the Horn of Africa have a comparatively low capacity to cope with and adapt to environmental stresses as most are currently confronting high levels of poverty and are the victims of ongoing violent conflict. The fact that the regions governances often lack the resources to assist residents in times of crisis only exacerbates vulnerability to climate changes.

Morocco, Tunisia, and Libya each lose more than 1,000 square kilometers of arable land each year to the desert, with most agriculturalists and dependents fleeing to coastal cities. China has abandoned an estimated 40 cities, both ancient and new, over the expansion of the Taklimakan and Gobi Desert, which is expanding 4,000 square miles every year. The Asian Development Bank has identified an additional 4,000 villages at risk of abandonment in the

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Gansu province alone. The UN Environment Program estimates that by 2060 the continent of Africa alone will have 50 million environmental refugees. Several recent studies by the IPCC suggest that even under the lowest rate for the increase of temperatures, a rise of 1-2 degrees could lead to water shortages for 700-1,500 million people.

Oceanographers predict sea levels to rise between 3 and 6½ feet by the end of the century<sup>1</sup>. A combination of ice caps melting and water warming creates a dangerous scenario for island nations. Some islands only extend 33 feet above sea level. Though the issue doesn't seem imperative for today's generation, the international community must look towards the well being of future generations, and preserving the culture and identity of island nations.

The Marshall Islands are but one of the countless island nations who are threatened to be displaced by rising sea levels. Despite being on the front lines of an imminent disaster, many governments have no plans to fall back on when the inevitable occurs. This leads to a question of sovereignty that the island people must address. Where does the population go? As of now, no countries have stepped up and promised to welcome citizens of island nations. What becomes of the nation's resources? Rising sea levels decimate soils and flora native to an island. The question of statehood also rears its head in the coming years for island nations as "[a] state must possess a defined territory, a permanent population, a government and a certain measure of independence."<sup>13</sup>

Without a defined territory, does the state just disappear? All these questions and more have been brought up to the international community in conferences such as the Kyoto Protocol and the United Nations Framework Convention on Climate Change with little answers for a crisis most member states brush aside as reactionary.

Not only does the natural processes of environmental change displace people; it also creates violence over the control of remaining resources. Natural resources have long since been a catalyst for armed conflict throughout history. From tribal competition over wild game, to imperialist wars over precious minerals, natural resources have motivated and financed violence. Beyond increasing the risk of armed conflict, natural resources also increase the vulnerability of countries to armed conflict by weakening the ability of political institutions to peacefully resolve conflicts.

Somalia is a prime example of the dangers of armed conflict over declining natural resources. In 1975, the Somali government issued a new land legislation law that effectively made all unclaimed lands as property of the state. Farmers, whom were given their land by ancestors or by tribesmen, could not pay the hefty registration fees needed to claim their land. Nor could they accurately identify the precise boundaries of their land. Conflict arose between tribes as land that was traditionally theirs was being taken away from them. Fertile soils were stolen and their livelihood was ripped out from under them. The sudden onset of the Ogaden-War did nothing to lessen the conflict. The brief war between Somalia and Ethiopian forces over disputed lands did nothing to mitigate conflict within Somalia. The massive displacement of

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citizens from Mogadishu during this war put another burden on the region. Militias and warlords now claimed not only by local villagers and by those who registered their claims, but Land also. This sets the scene for what we observe in Somalia today. With land being such a valuable commodity, militia groups set out to defend and claim for territory for their own gain. Land is not something many link to natural resources, but Somalia is a testament to the prominence and prestige land plays in armed conflict.

### ***Conclusion***

Scientists predict serious impacts of climate change that would force million of people to abandon their homes. It is not too far off in the future either. Within the next few decades we can expect a diaspora of displaced people as a result of climate change. Existing institutions and organizations are not equipped to deal with this imminent crisis. New reforms geared toward a system of global adaptation governance as part of a larger program toward comprehensive Earth system governance are thus needed. Some possible reform options include: extending the definition of refugees under the 1951 Geneva Convention Relating to the Status of Refugees or giving responsibilities to the UN Security Council.<sup>14</sup> However, a more comprehensive solution appears to lie with a new legal instrument specifically tailored for the needs of climate refugees. A Protocol on the Recognition, Protection, and Resettlement of Climate Refugees to the United Nations Framework Convention on Climate Change, supported by a separate funding mechanism, the Climate Refugee Protection and Resettlement Fund. In this proposed legislation, the broad predictability of climate change impacts allows for preparation and planning. Instead of combating climate change through emergency responses and disaster relief, this legislation combats it in terms of planned and organized voluntary resettlement programs.

### ***Discussion Points***

1. **The social status of refugees:**

Many nations have dubbed the term “climate refugee.” The President of Kiribati explained, “when you talk about refugees-- climate refugees-- you’re putting the stigma on the victims, not the offenders.” To be sure, there are offenders in this situation as with any refugee situation. In many cases, those who have destroyed natural habitat, hoarded remaining resources, or incited violence over the control of depleting resources. When people discuss possible movement to other countries, they describe the importance of being regarded as active and positive influences in the community. The term “refugee” to them implies an inability to provide and protect your family. In places like Bangladesh, Tuvalu, and Kiribati while initially embracing the terminology of refugee, many advocacy groups regard it as inappropriate.

2. **Climate Induced Migration (CIM)**

(a) Does your government and public understand the fundamental causes of the so-called “threat” of forced migration?

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<sup>14</sup> [http://www.law.columbia.edu/null/download?&exclusive=filemgr.download&file\\_id=60985](http://www.law.columbia.edu/null/download?&exclusive=filemgr.download&file_id=60985)



- (b) Does your government believe in securitizing CIM?
  - (c) What are the ethical implications for denying immigration? For both the migrants and transit states?
3. **Two viable solutions available to the UN:**
- (a) Global Governance on the issue
  - (b) Revising Development and climate goals, not so much in the scope of UNHRC, but can ask UNEP or UNDP to consider in session.