The United Nations Office of the High Commissioner for Refugees (UNHCR) was established on December 14, 1950 by the United Nations General Assembly. Under the mandate to lead and co-ordinate international action to protect refugees and resolve refugee problems worldwide, UNHCR’s primary purpose today is to safeguard the rights and wellbeing of refugees throughout the world. Striving to ensure that all can exercise the right to seek asylum in another country and are protected against persecution of all kinds, the agency oversees a vast network of camps and coordinates with governments and organizations at the global and national levels.

I: Protecting Women’s Rights at Refugee Camps

Statement of the Issue

While refugee camps face numerous difficulties due to a lack of resources and support, few actions are currently being taken to protect the rights of women in conflict zones and refugee camps. Women all over already face the challenge of particular stereotypes, perceptions and systems in place that create disadvantages across society, leaving many vulnerable. As refugees, women are exposed to more dangerous situations when fleeing their homes. Reports show that 90% of those killed in present conflicts are civilians, with the majority being women and children.¹

**History**

To understand the hardships women face it is important to look to the history of women in zones of conflicts. For centuries during wars, the sexual abuse of women was considered an acceptable practice and a byproduct of war. In fact, it wasn’t until the conflict of Yugoslavia where the issue of violence against women was brought to the forefront within the UN. In this case, there was extensive detention and rape of Muslim women in Bosnia and Herzegovina. The UN Security Council declared the incessant instances of sexual assault to be an international crime.\(^2\)

The UNHCR has affirmed prioritizing the protection of women and children and their needs. In order to do so they have brought in special units, new staff and changes in their practice both in their Headquarters and on the field.\(^3\) However, in an analysis of the effectiveness of these new policies by the independent organization Human Rights Watch, several inconsistencies arise between the policies of the UNHCR and the actual implementation in the field.\(^4\) It has only recently defined protecting refugees beyond granting them asylum to making sure they are physically protected.

Furthermore, due to more awareness of the difficulties refugee women face, the UNHCR devised two sets of guidelines in the 1990s that provide “a range of preventive and remedial measures that can and should be taken to combat sexual violence.”\(^5\) However these guidelines are often neglected or ignored by the UNHCR staff. There are several reasons as to why this occurs. In some scenarios, the guidelines are unintended to due to crises and workers are overwhelmed by large quantities of refugees entering their camps. Other times, the field staffs of the UNHCR are uninformed about the guidelines or have little comprehension as to what is required of them. Lastly, it is important to mention that some of the UNHCR staff may avert intervening in cases of sexual violence in refugee camps due to personal discomfort as they may consider these acts to be “private matters” or just an inescapable by-product of such conflicts.\(^6\)

Over time, the United Nations’ reaction to sexual assault and violence against women became more forceful, and in July 2008, the UN Secretary General began a global campaign to

\(^2\) Ibid, 2.
\(^5\) Ibid, 1.
\(^6\) Ibid, 1.
end violence against women. This campaign called on all parts of society, including
governments, civil society, the private sector, women’s organizations, the media, and the entire
UN to “Adopt and enforce national laws to address and punish all forms of violence against
women and girls.” Yet, with at least 1 in 5 women refugees estimated to have experienced
sexual violence, this proposal has not been the resolution to end all problems and more work
must be done to advance the rights of women in refugee camps.\(^7\)

**Current Situation**

According to the UNHCR, there are 68.5 million forcibly displaced people in the world of
which 25.4 million are refugees.\(^9\) Half of these refugees are women. Women are
disproportionality affected by the ramifications of displacement and more susceptible to physical
and psychological violence as well as further exposed to trafficking, torture and slavery. While
progress has been made, a 2017 study by the Refugee Rights Data Project, which focused on
refugee camps in Greece, found that more than 46% of women do not feel safe living in
camps.\(^10\) This danger is pertinent and actions must be taken in order to address it.

Negative stereotypes and perceptions of women are further augmented in refugee
camps, where women are often viewed as inferior to, or less productive, than men. As a result
of this skewed perspective, women have less access to jobs and correspondingly less financial
independence. This produces an outcome where women are often more dependent on others
for food or assistance. Dependency on others leads to abuse by those with more power or more
financial resources within the refugee camps.\(^11\) It has been reported that some demand sexual
favors from women in exchange for access to resources.\(^12\) Thus, it is not uncommon for women
in refugee camps to turn to prostitution as a way to get food, water and shelter.

Another challenge that arises is the inadequate availability of information and limited
capacity to collect data and information in refugee camps, which prevents women from receiving
the justice they deserve and from measuring the magnitude of these incidents of sexual
violence. The situation only becomes more difficult due to a lack of accountability and

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\(^12\) Ibid, 3.
monitoring mechanisms to follow up the violations reported. This has caused the analysis of security situations including women’s human rights to be incomplete.

Additionally, there is the immense challenge of corruption in refugee camps. When it comes to sexual violence, police officers are often paid not to investigate certain cases by the perpetrators of the crime. Furthermore, some of the police are themselves involved in sexual violence. Without addressing the flaws of this system, victims are rarely helped and abusers are protected.

Assistance and protection for women and other refugees does not end with policemen or guards; women can also look to United Nations Peacekeepers. However, in the present, female UN Peacekeepers consist of only 4 percent of all 80,000 UN Peacekeepers. This gender disparity is alarming because female peacekeepers play an important role in preventing sexual violence in refugee camps through their unique ability to engage with the women and girls in their mission communities. Women in refugee camps are more comfortable speaking with female UN Peacekeepers, rather than male UN Peacekeepers, and as a result, female UN Peacekeepers are more capable of gaining the trust of the community. Women officers have a greater understanding of women’s needs and vulnerabilities and, if women do experience sexual assault, they are more likely to gravitate towards these female officers as someone they can relate to, especially when unarmed. Additionally, according to Olivera Simic from the International Peacekeeping Journal, studies have suggested that the presence of women peacekeepers goes beyond comforting women refugees but it even “fosters a change in male behavior.”

In Liberia in 2007, the UN implemented their first ever all-female police unit which was incredibly successful. Not only did it help improve the security of the situation, but according to Tahir-Kheli the first Ambassador for women’s empowerment by the United States, they have “directly contributed to improved reporting of instances of violence against women and to a

16 Ibid, 1.
corresponding decrease in the actual number of instances of such violence.”\textsuperscript{18} They have also inspired an increase in Liberian women joining the country’s police force.

**Analysis**

If women have experienced sexual abuse, often times, perceptions within society continue to work against them and can lead to further hardships. For instance, in many cultures, women are often valued by their virginity. If a woman experiences rape or sexual assault, some cultures and communities will no longer consider her pure, and this association with sexual abuse can generate shame. Subsequently, women are often isolated or punished by family as a result of this perceived change in status. These beliefs have the dangerous effect of causing many women to not want to acknowledge the assault because of fear from society and thus are unlikely to seek medical help or even report the incident.\textsuperscript{19} For the few that do decide to make a claim about assault or rape, many find that it is extremely difficult to report their abusers. The reason behind this is that some of these acts often go unnoticed by others and it is hard to find evidence or a witness to support their allegation. This impedes many from successfully trying their abuser for a crime they committed.

Another eminent issue is education, which provides women with the ability to make more informed choices and leads to female empowerment. A major obstacle is that many girls and women do not have access to this type of knowledge. Currently, in the world’s conflict zones, there are 10 million girls not in school and in refugee camps only 30% of students enrolled in secondary school are girls.\textsuperscript{20}

As a result of the conditions of a refugee camp women tend to face these series of issues:

- Lack of education
- Dependency on other men for resources
- Little to no medical assistance
- Increased likelihood of sexual assault
- Difficulty in reporting sexual assault


These challenging conditions lead to a series of troublesome situations for women, including an inability to find employment due to a lack of adequate training, harmful perceptions of their ability to do work due to gender, and the straining responsibility of taking care of children. Subsequently, women face a higher risk of becoming a burden for society, resulting in becoming a part of a lower socio-economic class in the new country of refuge. Due to their economic status, these women and their children have less access to vital resources such as education, medical services and food. Furthermore, due to little or no medical assistance in refugee camps, especially during pregnancy and in cases of sexual assault, women may suffer from increasingly poor health and are unable to receive proper medical attention. Medical conditions, especially chronic health issues and diseases that can be passed on to children, can continually harm families. In sum, poor living conditions and a lack of resources overall can continue to have a negative effect across generations.

**Conclusion**

When considering the multitude of issues that women in refugee camps face, there are a series of actions that international organizations like the UN could take. However, it is important to keep in mind that a change in policy does not necessarily translate to a change in the field. There needs to be clearer communication between the field officers and those in leadership so that they can work together to protect women and girls. The other problem is the social stigma around sexual assault, which prevents many from receiving help and creates more suffering for the victims. Through education, women and girls can better empower themselves and question norms, but one thing is clear; the severity of this issue emphasizes the importance of legitimate action from the UNHCR.

**Questions to Consider:**

- How can we incentivize women in refugee camps to seek for help through health care systems or through peacekeepers?
- What ways can we combat the stigmatization of women who have been sexually assaulted?
- How can we best educate women in refugee camps about these issues?
- What ways can we change the attitudes of others towards women especially in conflict zones?
- How can we motivate or encourage an increase in women peacekeepers?
II: Developing a Global Action Plan to End Statelessness

Statement of the Issue

In accordance with UNHCR and its High Commissioner Antonio Guterres, “Statelessness is a profound violation of an individual’s human rights. It would be deeply unethical to perpetuate the pain it causes when solutions are so clearly within reach. This
Global Action Plan sets out a strategy to put a definitive end to this human suffering within 10 years. When Guterres said this, statelessness was affecting an estimated 10 million people around the world who did not have a nationality or legal documentation and it continues to be rampant and damaging. Thus, in 2015 the UNHCR called for a Global Campaign to end statelessness by 2024. This campaign hopes to complete this ambitious goal within a decade through the creation of a plan with 10 goals or specific actions governments are highly recommended to prioritize. There are also milestones or interim targets in 2017 and 2020 that are there to measure the program’s progress towards achieving its goals. The 10 actions are:

Action 1: Resolve existing major situations of statelessness

Action 2: Ensure that no child is born stateless

Action 3: Remove gender discrimination from nationality laws

Action 4: Prevent denial, loss or deprivation of nationality on discriminatory grounds

Action 5: Prevent statelessness in cases of State succession

Action 6: Grant protection status to stateless migrants and facilitate their naturalization

Action 7: Ensure birth registration for the prevention of statelessness

Action 8: Issue nationality documentation to those with entitlement to it

Action 9: Accede to the UN Statelessness Conventions

Action 10: Improve quantitative and qualitative data on stateless populations.

According to the UNHCR, “The Global Action Plan includes Actions to: resolve existing situations of statelessness; prevent new cases of statelessness from emerging; and better identify and protect stateless persons.” Through countries establishing and implementing National Actions Plans with specific instructions and strategies to carry out the UN goals, the UN hopes that many of these actions will be completed. The actions are not in a specific order.

of importance but instead are present so that each individual country can determine which ones are most relevant to their situation. 23

In order to understand this Global Action plan, it is fundamental to understand what it means to be stateless. A stateless person is someone without citizenship or nationality from any government under international law. People can become stateless as a result of many circumstances. For example, a country can cease to exist as a result of war, leaving its former citizens without citizenship. Additionally, some people become stateless due to conflicts with laws and through governments removing the citizenship status of those that they presume should not be citizens of their country.

Statelessness is better grasped through understanding the methods of acquiring citizenship. Although ways of acquiring citizenship vary from country to country, there are two main ways. The first is through birth, which can occur through Jus Sanguinis or Jus Solis. Jus Sanguinis is citizenship acquired by birth, “it states that the child acquires citizenship from the place of birth of the parents.” 24 Jus Sanguinis is used by many states throughout the world today, such as in Germany, Italy, Sweden, and Norway. Different from this method, Jus Solis citizenship is when citizenship is determined by the place of birth and not the parents’ citizenship. Jus Solis is only practiced in Argentina. Some countries, such as England, the United States of America and France, use a combination of both Jus Solis and Jus Sanguinis. Alternatively, an individual can acquire citizenship through naturalization; naturalization is the process by which one obtains citizenship through the fulfillment of certain conditions. These conditions vary from country to country, but the most common conditions are residence, purchase of real estate, marriage, and civil or military service.

**History**

It has been 64 years since stateless people were initially recognized under international law. To date, there have been two conventions by the United High Commissioner for Refugees addressing the issues of statelessness and attempting to regulate their protection; The Convention Relating to the Status of Stateless Persons (1954) and The Convention on the Reduction of Statelessness (1961). The first convention, in 1954, was created to protect the rights of stateless people and guarantee their right to education, employment, housing, travel

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23 Ibid, 5.
documents and an identity. This convention also brought forth the legal definition of statelessness. Following that, at the convention of 1961, international law makers undertook plans to reduce statelessness through international frameworks.

In addition to these conventions, there are a series of agreements that recognize the human right to a nationality, including The Universal Declaration of Human Rights; The International Covenant on Civil and Political Rights; The International Convention on the Elimination of Racial Discrimination; The Convention on the Elimination of All Forms of Discrimination Against Women; The Convention on the Rights of the Child; The International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families; and The Convention on the Rights of Persons with Disabilities. The Global Action Plan is based on the standards contained in these international treaties.

Although the international community took the previously mentioned action, these treaties and conventions had little effect on the reality of statelessness. Mark Manly, the head of the UN Refugee Agency’s stateless unit explains, “It may be a bit of understatement to say that these are the two least loved multilateral human rights treaties. For many years they were pretty much forgotten and that was in large part because they had no UN agency promoting them.”

Some of the earliest cases of statelessness occurred during the fall of the Soviet Union in Eastern Europe, where victims of ethnic discrimination by countries were denied recognition as citizens by members of their community. This especially happened after the boundaries were redrawn and new countries were established and divided. After more recognition from international law, some of the world’s major cases of statelessness are now places where the UNHCR is involved. For example, in 1989, thousands of African Mauritanians faced ethnic persecution in their country, so they escaped to Senegal. Many of the refugees arrived without papers, as their documentation had been confiscated by security forces in Mauritania. Although they could wait five years and apply for Senegalese residence, many preferred to go back to the Mauritania with the help of the UNHCR, who granted them travel documents. However, a great number remain stateless, as they are unable to provide substantial proof that they are Mauritanian. Cases like these are not limited to places with ethnic conflicts. For instance, in

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Lebanon, ID cards were first implemented in the 1902s, but they were not required by law, so not everyone registered for them. This resulted in several generations of families being stateless, despite being Lebanese. They are now unable to travel and have no access to schooling or healthcare. Examples like these convey the importance of carrying out the Global Action Plan, which protects people from these complicated situations where they are denied resources, access, and help due to a lack of nationality or documentation.

**Current Situation**

Since the release of the Global Action Plan, large amounts of support have been gathered worldwide. At a conference held in Brazil, Latin American states adopted The Brazil Declaration and Plan of Action, which is committed to ending statelessness by 2024. In February of 2015, The Economic Community of West African Countries adopted the Abidjan Declaration of Ministers of ECOWAS Member States on the Eradication of Statelessness, which contains 62 guidelines and instructions on the prevention and reduction of statelessness.

In 2014, in partnership with the Global Action Plan to End Statelessness, the #IBelong campaign was put in motion by the UNHCR along with member UN bodies to raise awareness of the plan through encouraging the involvement of governments and civil society. The campaign gained support from the General Assembly, which passed a resolution, “in which it welcomes the call by the High Commissioner for action to end statelessness within a decade.” It has also been supported by the UN Secretary General, who urged “member states to support the campaign to end statelessness and ensure that everyone enjoys the right to a nationality” on January 2015. This campaign prompted the European Union to adopt an EU council on conclusions of statelessness.

Although progress has been made in incentivizing countries to prioritize the fight against statelessness, The Global Action plan still faces serious challenges. In the Middle East region, one of the main issues stateless people face is laws that discriminate against women and only allow nationality to be passed through the father. Problems arise when the father is unable to register the child or is stateless. This not only affects the child, but all members of the family.

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30 Ibid.
31 UNHCR. (2017). #IBelong Campaign to End Statelessness
32 Ibid.
Laura van Waas, who runs the Statelessness Programme at Tilburg University, argues that in addition to the stateless child being affected, “It's the mother, who has nationality, who feels guilty for whom she has chosen to marry... And it's the young men who are perhaps the worst affected...in most of the countries we are looking at you can acquire nationality through your husband, and your children will take his nationality. But if you are a young stateless man, you can’t acquire nationality through marriage, and because your children have to acquire their nationality through you, they will also be stateless.”

It is also important to note that the areas in which there are the highest concentrations of stateless people are in Asia and the Middle East, but stateless people are found worldwide. Although the experience of statelessness is different from country to country, these individuals tend to face the same issues globally. Due to their status, they are often not given the same rights and guarantees as ordinary citizens, which places a heavier burden on them throughout their lives. For stateless children, many are denied education due to their lack of identity. This state also prevents people from owning land, employment, and even the ability to get married. As a result, it is important to note the high concentration of statelessness found in today’s society and the urgent need for action.

Fortunately, along with several nations pledging to work to end statelessness, a change of attitude has also been made. Governments now increasingly accept that this is not purely an issue of their sovereign discretion, but that issues of statelessness are of legitimate concern for the international community. During the interim year of 2017, the Kenyan government officially recognized the Makonde, a long-standing stateless group, as the 43rd official tribe in Kenya, and over 1000 members of the Makonde have received citizenship. Additionally, Madagascar has made changes to its nationality law so that women can now pass nationality to their children just as men can. This push for citizenship is fundamental and, although it is estimated that there are only 10 million people living in this condition, Browen Manby, a Visiting Senior Fellow at the London School of Economics for Human Rights, warns that it could actually increase the numbers elsewhere, “Nigeria, for instance, has a large number of people who are absolutely undocumented... Once you really start being strict about ID documents, all the people who have managed to get by with a bit of cash... are going to find it much more difficult to get an ID from

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37 Ibid.
somewhere, and I think a problem of statelessness is going to be revealed which is already there but has never been identified.”^38

Analysis

When researching the Global Action Plan to End Statelessness, it is important to keep in mind country involvement with the action plan and how individual countries supports it and ensure the success of the action plan itself. Many governments have begun to make positive changes related to combating statelessness, and there are several reasons why it is in their best interest to do so. Governments have realized that it is not beneficial for their state to have a very large disenfranchised undocumented population within their country. Having tens or hundreds of undocumented people makes it hard for them to determine who exactly is living in their nation and how to best control them. Through determining and identifying people, they can prevent chaos from disturbing the nation, and by granting everyone rights, they have the potential of boosting their economy through more workers and consumers. By contrary, the exclusion of rights to large groups due to their lack of identity can hinder the economic and social development of the nation.

It is clear that whatever the cause, statelessness not only affects the countries where individuals reside in, but has serious ramifications for people all over the world. Without a legal identity, you are denied your human rights, such as having proper documents, employment, education and access to health services. This can lead to forced displacement for people, just like many people that are forced to flee from their homes can become stateless, making this condition a vicious and unending cycle.

Conclusion

The urgency of statelessness, as it inhibits 10 million people from their basic human rights, is one that cannot be ignored. It is commendable that the UNHCR, through its Global Action plan, is hoping to eradicate this issue in 6 years. We must continually call the international community to action in new and innovative ways in order to guarantee its success.

Questions to Consider

What is the role your country plays in interacting with the Global Action Plan to end Statelessness?

What kind of progress has occurred in the past years?

How does this issue affect your country?

What type of resources can your country bring in to address this issue?

What is the country’s policy on statelessness?