

ISARMUN 2018



ISARMUN

United Nations Human Rights
Council

UNHRC

STUDY GUIDE

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Introduction from the Chairs

Dear delegates,

Welcome to the United Nations Human Rights Council (HRC)! Your committee will be led by Camille Saikali, Jochen Schlotterbeck and Mareike Schörgendorfer. Camille grew up in Beirut and did a double bachelor degree in History and Politics and now masters in European and International Studies; she is very experienced in MUNs. Jochen is about to finish his studies in History and Philosophy and was introduced to the world of MUNs in his Erasmus studies in Cork. Mareike studies law and currently prepares for her first state examination and focuses in European and International Law; she also interned at the Permanent Mission of Germany to the UN in Geneva.

The following topics will be discussed in this HRC session:

1. Modern slavery
2. Statelessness and arbitrary deprivation of nationality

The Human Rights Council is mandated to strengthening the promotion and protection of human rights around the globe and for addressing situations of human rights violations and make recommendations on them; the Human Rights Council reports on an annual basis to the General Assembly.

The existing diversity we live in should be built upon and there is action needed to ensure that the values of Equality and Diversity are taken into account and voiced around the world.

We hope you find this background guide useful in your preparation for IsarMUN. You are also encouraged to conduct your own research on both topics to further explore in-depth knowledge and your Member State's policies. The literature recommended under the point "Further reading" as well as the Human Rights Council's website are good starting points.

Each delegate will be required to submit a Position Paper to the Chairs before the conference, you can find the applicable Guidelines on IsarMUN's homepage.

We wish you all the best in your preparation and are looking forward to meeting you at IsarMUN and seeing fruitful, passionate debates and entertaining Socials!

Your Chairs,

Camille, Jochen, Mareike

Introduction to the Committee

You are currently attending a session of the Human Rights Council in Geneva, Switzerland.

1. What are Human Rights

Human Rights is a political and independent idea which truly emerged in the 16th century¹. The United Nations Human Rights Office for the High Commissioner (OHCHR) describes Human Rights as such:

“Human rights are rights inherent to all human beings, whatever our nationality, place of residence, sex, national or ethnic origin, colour, religion, language, or any other status. We are all equally entitled to our human rights without discrimination. These rights are all interrelated, interdependent and indivisible.”²

Human Rights are mainly promoted by International Human Rights Law (IHRL). As a form of International Law, IHRL are primarily made up of treaties, agreements between sovereign States and Customary International Law. Other International Human Rights instruments, while not legally binding, contribute to the implementation, understanding and development of IHRL³.

2. History of the Human Rights Council

The Human Rights Council (UNHRC) is an inter-governmental body within the United Nations (UN) system created in 2006 that investigates allegations of breaches of human rights within UN member states, and addresses important thematic human rights issues, such as freedom of association and assembly, freedom of expression, freedom of belief and religion, women's rights, LGBT rights, criminals, drug lords in Philippines and the rights of racial and ethnic minorities⁴. Simply, the UNHRC principal missions are to ensure that all people are aware of their rights and that can actually use them⁵.

The UNHRC convenes at least 10 weeks per year in the United Nations Office in Geneva, Switzerland⁶. Regular sessions usually take place in March, June and September. The Council has a Bureau consisting of a president and four vice-presidents, each representing one of the five regional groups. They serve for a year in accordance with the Council's annual cycle (January – December). To this date, the Council adopted over 1,500 texts addressing wide range of thematic and country-specific human rights issues⁷.

The UNHRC is made of 47 member states, elected by the UN General Assembly for staggered three-year terms on a regional group basis, responsible for the promotion

¹ Wikipedia Human Rights webpage: https://en.wikipedia.org/wiki/Human_rights

² OHCHR full definition of Human Rights: <https://www.ohchr.org/en/issues/pages/whatarehumanrights.aspx>

³ Wikipedia IHRL webpage: https://en.wikipedia.org/wiki/International_human_rights_law

⁴ Wikipedia UNHRC webpage: https://en.wikipedia.org/wiki/United_Nations_Human_Rights_Council

⁵ UNHCR easy-to-read document: <https://www.ohchr.org/Documents/HRBodies/HRCouncil/AboutHRC.doc>

⁶ UNHCR booklet: https://www.ohchr.org/Documents/HRBodies/HRCouncil/HRC_booklet_En.pdf

⁷ UNHCR booklet: https://www.ohchr.org/Documents/HRBodies/HRCouncil/HRC_booklet_En.pdf

and protection of all human rights around the globe⁸. Below, you can find a table of current elected members⁹:

Terms	African States (13)	Asian States (13)	Eastern European States (6)	Latin American & Caribbean States (8)	Western European & Other States (7)
2017—2020 ^[12]	 Angola  Democratic Republic of the Congo  Nigeria  Senegal	 Afghanistan  Nepal  Pakistan  Qatar	 Slovakia  Ukraine	 Chile  Mexico  Peru	 Australia  Spain
2016—2019	 Egypt  Rwanda  Tunisia  South Africa	 China  Iraq  Japan  Saudi Arabia	 Croatia  Hungary	 Brazil  Cuba	 United Kingdom  Iceland*
2015—2018 ^[13]	 Burundi  Ivory Coast  Ethiopia  Kenya  Togo	 South Korea  Kyrgyzstan  Mongolia  Philippines  United Arab Emirates	 Georgia  Slovenia	 Ecuador  Panama  Venezuela	 Belgium  Germany  Switzerland

*The [United States](#) was a member of the 2016-19 group, but left prematurely in June 2018.^[14] Its seat has been taken by [Iceland](#) as from July 13, 2018.

During the 38th Session (18 June - 6 July 2018) of the Human Rights Council, the President of the Council announced the United States of America's withdrawal from the Council.¹⁰ On 13 July 2018 Iceland was elected to serve as a member of the Human Rights Council from 13 July 2018 to 31 December 2019 to replace the vacancy left by the United States of America.¹¹

⁸ Official OHCHR webpage: <https://www.ohchr.org/EN/HRBodies/HRC/Pages/Home.aspx>

⁹ Wikipedia UNHRC webpage: https://en.wikipedia.org/wiki/United_Nations_Human_Rights_Council

¹⁰ Article on the withdrawal of the United States of America from the UNHRC: <https://www.thehindu.com/opinion/op-ed/rhetoric-and-reality-on-the-unhrc-and-human-rights/article24382547.ece>

¹¹ Article on the election of Iceland into the UNHRC: <https://icelandmag.is/article/iceland-poised-replace-us-un-human-rights-council>

Topic A- Fighting contemporary forms of slavery

1. Introduction to Topic A

The Walk Free Foundation estimated in its report The Global Slavery Index 2016¹² that 45,8 million people were victims of modern slavery. Those 45.8 million people are on one hand the smallest percentage in history that ever was enslaved, but on the other hand this is the highest number of enslaved people ever.

A few months ago the Walk Free Foundation published The Global Slavery Index 2018 and the number of estimated slaves was fallen to 40.3 million people. This is the same amount of people living in different forms of slavery as in the 2017 published Global Estimates of Modern Slavery¹³ by the International Labour Organisation. Even with that positive trend, both organisations agree that it is still a long way to eradicate modern slavery completely.

The above mentioned reports point out that modern slavery consists of many different forms like forced labour, debt bondage, forced marriage and human trafficking, all those forms of slavery will be defined in the following section of the study guide. For the introduction to the topic we will focus on the broad term of modern slavery that refers to situations of exploitation that a person cannot refuse or leave because of threats, violence, coercion, deception, and/or abuse of power.

The Global Slavery Index 2018 and the Global Estimates of Modern Slavery are the leading reports when it comes to modern slavery. Because of that those two reports will be the main source of data for this study guide. But this should not limit a Delegate to use other reports as source for their data.

2. Discussion of the topic

2.1 Vulnerability to Slavery

To understand why people get forced into slavery The Global Slavery Index created a model to analyze how vulnerable people are to be victims of slavery. To achieve this they based their model on the human security theory, created by the UN development programme. For the Vulnerability model they identified 23 different factors that show how vulnerable people are to be victims of slavery. Those different factors can be seen in the table underneath, ordered into five different groups.¹⁴

¹² "The Global Slavery Index 2016", accessed 18 September 2018, <https://downloads.globalslaveryindex.org/ephemeral/GSI-2016-Full-Report-1537305837.pdf>.

¹³ "Global Estimates of Modern Slavery", accessed 11 September 2018, https://www.ilo.org/wcmsp5/groups/public/@dgreports/@dcomm/documents/publication/wcms_575479.pdf.

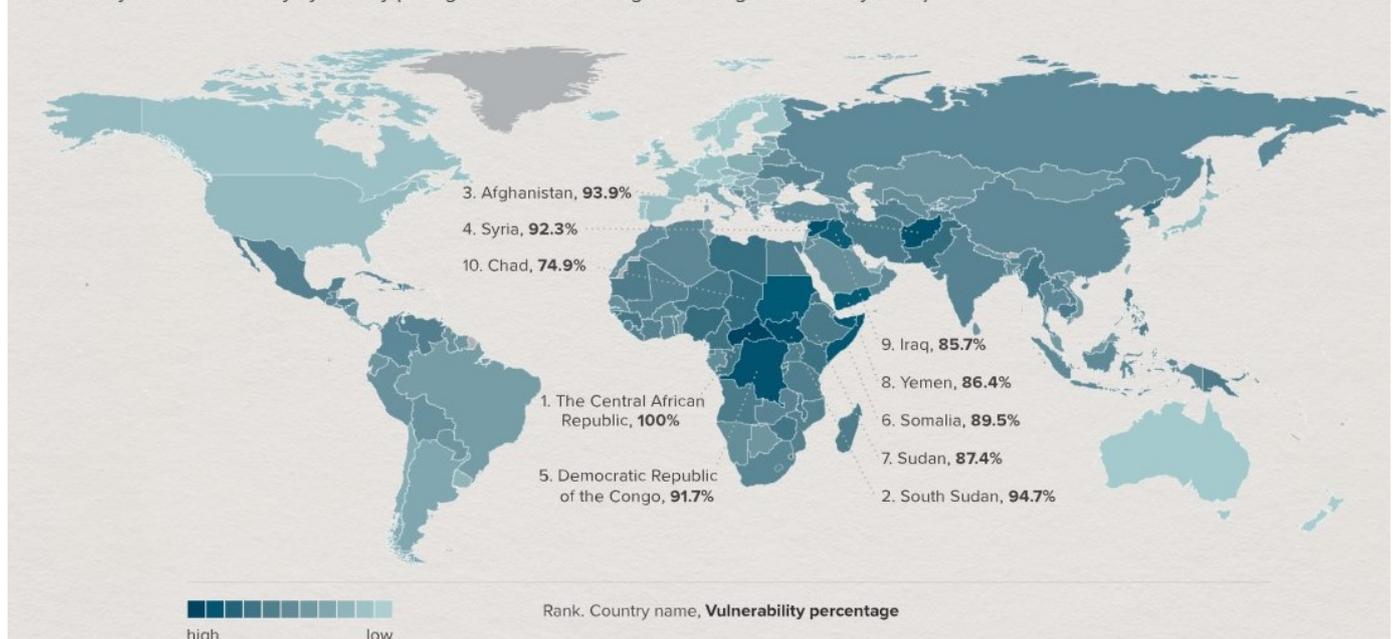
¹⁴ "Vulnerability" by the Global Slavery Index, accessed 19 September 2018, <https://www.globalslaveryindex.org/2018/methodology/vulnerability>

Governance issues	Lack of Basic Needs	Inequality	Disenfranchised groups	Effects of conflict
Political instability	Cell phone users	Ability to obtain funds	Acceptance of immigrants	Impact of terrorism
GSI government response	Undernourishment	Violent crime	Acceptance of minorities	Internal conflicts fought
Women's physical security	Social safety net	GINI coefficient	Same sex rights	Internally displaced persons
Political rights	Ability to borrow money	Confidence in judicial systems		
Regulatory quality	Tuberculosis			
Disabled rights	Access to clean water			
Weapons access				

This list provides a guideline for governments, NGOs and other organisations to lower the risk of slavery. They can analyse the different factors and then try to improve those factors. This should result in a society that has a higher human security and is less vulnerable to slavery. The map beneath indicates the vulnerability of the states according to the model of The Global Slavery Index 2018.¹⁵ As you can see the 10 countries with the highest vulnerability in the map here will flow a list with the 10 countries with the lowest vulnerability score.¹⁶

- | | |
|----------------------------|----------------------------|
| 1. Denmark 1.0% | 6. Sweden 4.3% |
| 2. Switzerland 1.5% | 7. Australia 4.3% |
| 3. New Zealand 1.9% | 8. Norway 4.5% |
| 4. Austria 3.4% | 9. Netherlands 6.1% |
| 5. Iceland 4.2% | 10. Finland 8.2% |

Vulnerability to modern slavery by country (noting 10 countries with highest average vulnerability score)

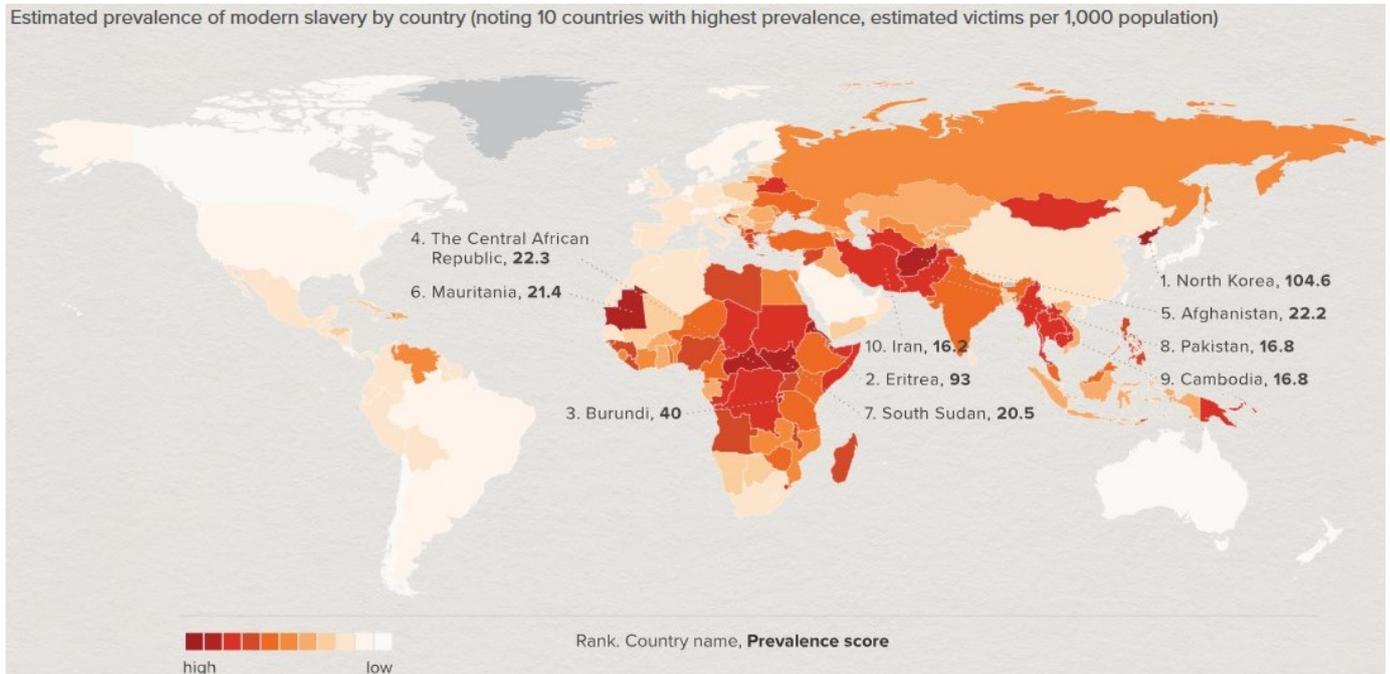


¹⁵ "Global Findings" by the Global Slavery Index, accessed 19 September 2018, <https://www.globallslaveryindex.org/2018/findings/global-findings>

¹⁶ "Vulnerability" by the Global Slavery Index, accessed 19 September 2018, <https://www.globallslaveryindex.org/2018/methodology/vulnerability>

2.2 Prevalence of Slavery

As it was pointed out earlier, there are 40,3 million people living in slavery or similar forms. Under this paragraph you will find a map created for The Global Slavery Index 2018 that shows the prevalence of slavery in the country. In the map the 10 countries with the highest prevalence are named, followed by a list of the states with the lowest prevalence underneath the map¹⁷.



- | | |
|---------------------------|--------------------------|
| 1. Japan 0.3 | 6. Chile 0.8 |
| 2. Canada 0.5 | 7. Mauritius 1.0 |
| 3. Taiwan 0.5 | 8. Uruguay 1.0 |
| 4. New Zealand 0.6 | 9. Costa Rica 1.3 |
| 5. Australia 0.6 | 10. USA 1.3 |

According to the map it's obviously that the people of the African, the Asian and parts of the Eastern European region suffer the most under slavery. On the other hand the Western European and the American regions suffer little under slavery. The question is does this put the states of the American and the Western European regions in responsibility to take action and support the countries of the Asian, the African and parts of the Eastern European regions in their fight against slavery.

Especially the developed countries of the world have the responsibility to act. Because they support forms of slavery by importing products from developing countries. According to The Global Slavery Index 2018 the G20 states imported "at-risk products"¹⁸ worth 354 billion dollars. This is why they demand actions from all states but especially the G20 states to eradicate slavery in supply chains. Out of the G20

¹⁷ "Prevalence" by the Global Slavery Index, accessed 19 September 2018, <https://www.globallslaveryindex.org/2018/methodology/prevalence/>

¹⁸ "G20 Analysis" by the Global Slavery Index, accessed 19 September 2018, <https://www.globallslaveryindex.org/2018/methodology/g20-analysis>

countries¹⁹ only seven have taken actions in this chase.²⁰ Those are Brazil, China, France, Germany, Italy, United Kingdom, United States. Also the Australian government is in a progress of introducing the Modern Slavery Bill 2018 where they will introduce supply chain transparency laws.²¹ The other 11 countries of the G20 did not take action now.²²

2.3 Different forms of Slavery

In this section a description of the different forms of slavery will follow. For the definition of the various forms of slavery this study guide will mostly use definitions of the United Nations and its organisations

2.3.1. *Serfdom*

In the Supplementary Convention of 1956 serfdom is defined as “the condition or status of a tenant who is by law, custom or agreement bound to live and labour on land belonging to another person and to render some determinate service to such other person, whether for reward or not, and is not free to change his status”²³

2.3.2. *Forced Labour*

According to the Forced Labour Convention of 1930, forced labour is described as “all work or service which is exacted from any person under the menace of any penalty and for which the said person has not offered himself voluntarily”²⁴

2.3.3. *Debt Bondage*

The Supplementary Convention of 1959 categorises debt bondage as “status or condition arising from a pledge by a debtor of his personal services or those of a person under his control as security for debt or the length and nature of those services are not respectively limited and defined”²⁵

2.3.4. *Trafficking*

““Trafficking in persons” shall mean the recruitment, transportation, transfer, harbouring or receipt of persons, by means of the threat or use of force or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power or of a position of vulnerability or of the giving or receiving of payments or benefits to achieve the consent of a person having control over another person, for the purpose of exploitation. Exploitation shall include, at a minimum, the exploitation of the prostitution

¹⁹ For this it will only be 19 G20 countries as the European Union is also a member of the G20 group and not a sovereign country.

²⁰ “Highlights” by the Global Slavery Index, accessed 19 September 2018, <https://www.globalslaveryindex.org/2018/findings/highlights>.

²¹ The content and the progress of the “Modern Slavery Bill 2018” can be seen on the Website of the Parliament of Australia, accessed 19 September 2018, https://www.aph.gov.au/Parliamentary_Business/Bills_Legislation/Bills_Search_Results/Result?bld=r6148.

²² “Highlights” by the Global Slavery Index, accessed 19 September 2018, <https://www.globalslaveryindex.org/2018/findings/highlights>.

²³ The Supplementary Convention of 1956, Article 1(b), accessed 31. August 2018, https://treaties.un.org/doc/Treaties/1957/04/19570430%2001-00%20AM/Ch_XVIII_4p.pdf.

²⁴ The Forced Labour Convention Article 2(1), accessed 31. August 2018, https://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:12100:0::NO::P12100_ILO_CODE:C029.

²⁵ The Supplementary Convention of 1956, Article 1(a), accessed 31. August 2018, https://treaties.un.org/doc/Treaties/1957/04/19570430%2001-00%20AM/Ch_XVIII_4p.pdf.

of others or other forms of sexual exploitation, forced labour or services, slavery or practices similar to slavery, servitude or the removal of organs;”²⁶

2.3.5. *Forced Prostitution and Sexual slavery*

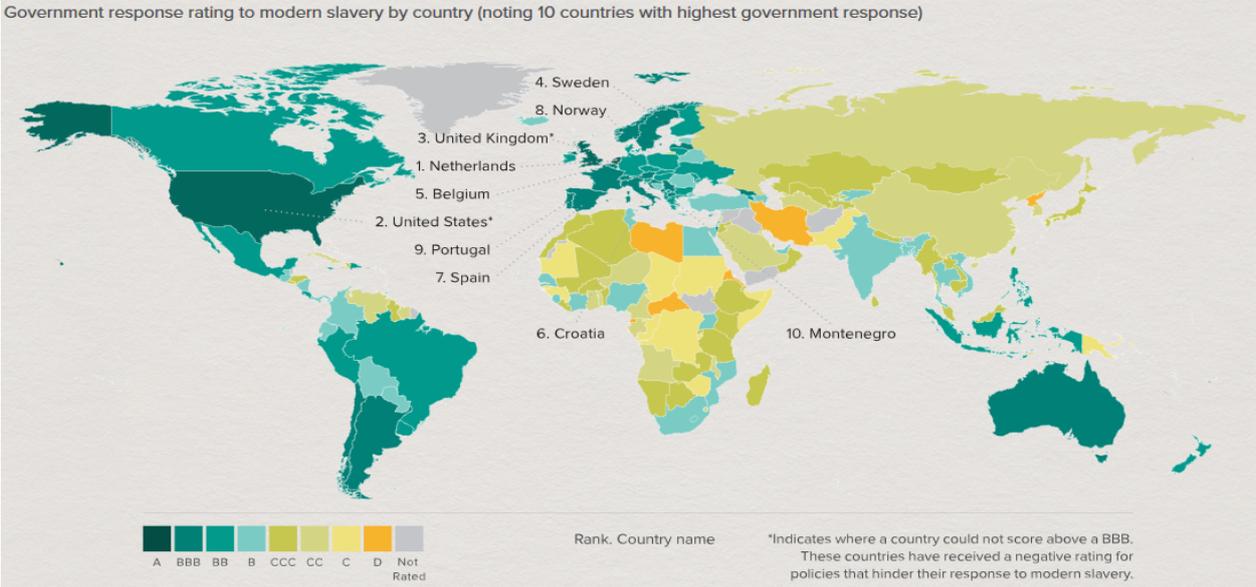
“If psychological brainwashing techniques are unsuccessful, pimps control prostitutes through (1) physical abuse; (2) physical control of prostitutes’ children, with threats to keep the children as hostages if prostitutes leave; (3) serious threats of physical harm, including murder; (4) keeping prostitutes in a continuous state of poverty and indebtedness; and (5) ensuring that they have no freedom to move outside unaccompanied”.²⁷

2.3.6. *Forced Marriage and the Sale of Wives*

“Any institution or practice whereby: (i) A woman, without the right to refuse, is promised or given in marriage on payment of a consideration in money or in kind to her parents, guardian, family or any other person or group; or (ii) The husband of a woman, his family, or his clan, has the right to transfer her to another person for value received or otherwise; or (iii) A woman on the death of her husband is liable to be inherited by another person.”²⁸

2.4. Government Response

Below this paragraph you will find a list of the 10 states that have the lowest government response rating to all forms of slavery. Underneath that list a world map will follow that shows the government response rating worldwide. In this map the 10 states with the highest government response rating are marked.²⁹ Interestingly only the Netherlands can reach an A-rating and no country could reach an AA-rating or even a AAA-rating. This means there is even for the high rating states plenty to do to



²⁶ Protocol to Prevent, Suppress and Punish Trafficking in Persons Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime, Article 3(a), accessed 10. September 2018, <https://www.ohchr.org/en/professionalinterest/pages/protocoltraffickinginpersons.aspx>.

²⁷ Nancy Erbe, “Prostitutes, Victims of Men’s Exploitation and Abuse”, Law and Inequality Journal, vol. 2 (1984), pp. 609, 612-13.

²⁸ The Supplementary Convention of 1956, Article 1(c), accessed 10. September 2018, https://treaties.un.org/doc/Treaties/1957/04/19570430%2001-00%20AM/Ch_XVIII_4p.pdf.

²⁹ “Global Findings” by the Global Slavery Index, accessed 19 September 2018, <https://www.globalslaveryindex.org/2018/findings/global-findings>

reach an AAA-rating.

- | | |
|-----------------------------|--------------------------|
| 1. North Korea | 6. Equatorial Guinea |
| 2. Libya | 7. Burundi |
| 3. Eritrea | 8. Republic of the Congo |
| 4. Central African Republic | 9. Sudan |
| 5. Iran | 10. Mauritania |

The government response rating by The Global Slavery Index 2018 consists of 5 different milestones, as pictured in the table beneath this paragraph. Those milestones are broken down into different activities, those activities consist of different indicators. Overall the 5 milestones consist of 28 activities and 104 indicators. A full list of all activities and indicators can be found on the Website of “The Global Slavery Index”. This list also includes a Rating description for the indicators to point out what is necessary to achieve a high government response rating and lower the vulnerability of the people to be a victim of modern slavery.³⁰

Breakdown of milestones into activities and indicators

Milestone	No. of activities	No. of indicators
Survivors of slavery are identified and supported to exit and remain out of slavery	9	31
Criminal justice mechanisms function effectively to prevent modern slavery	6	33
Coordination occurs at the national and regional level, and governments are held to account for their response	4	10
Risk factors such as attitudes, social systems, and institutions that enable modern slavery are addressed	7	19
Government and business stop sourcing goods and services produced by forced labour	2	11
Total:	28*	104

* Taiwan and Kosovo have 27 activities, not 28, as they are unable to ratify international conventions.

2.5. Historical background

Since the early days of the human history slavery was part of many civilizations and cultures. As slavery was always part of our history, the fight against forms of slavery and forced labour was also part of human history. From the ancient Persia and the Roman Republic, over the European kingdoms in the Middle Ages to the European empires and their colonies there was always a fight against slavery and forced labour. Most of the laws against slavery during that time were national laws or bilateral treaties. The first multilateral treaty against the slave trade was part of the final act of the Congress of Vienna in 1815. All signatories agreed that “the Slave Trade,” has been considered, by just and enlightened men of all ages, as repugnant to the principles of humanity and universal morality”.³¹ The next transnational step in the fight against slavery was the Brussels Conference Act of 1890 that focused to put an end to the slave trade and Importation of Firearms, Ammunition, and Spirituous Liquors.³²

After those to attempts to put an end to slavery it was time for the League of Nations to step in. For that they appointed the Temporary Slavery commission in 1924, that led to

³⁰ “Government Response” by the Global Slavery Index, accessed 19 September 2018, <https://www.globalslaveryindex.org/2018/methodology/government-response/#table:9>

³¹ T.C. Hansard, The Parliamentary Debates from the Year 1803 to the Present Time, Volume 32. 1 February to 6 March, 1816. p. 200.

³² General Act of the Brussels Conference relative to the African slave trade, signed at Brussels, July 2, 1890, accessed 17 August 2018, <https://catalog.hathitrust.org/Record/010445236>.

the Convention to Suppress the Slave Trade and Slavery in 1926. This treaty is with some additions still active today and one of the last states that ratified the Slavery Convention of 1926 was Kazakhstan in 2008.

In 1930 the ILO adopted the Convention Concerning Forced or Compulsory Labour. This Convention was accompanied by the Abolition of Forced Labour Convention in 1957. Those two Conventions are part of the eight ILO fundamental conventions and they are, with some additions, still in act today.

With the Universal Declaration of Human Rights in 1948 the United Nations prohibited all forms of slavery and slave trade. Since that time the United Nations works together with its agencies, member states and NGOs to abolish all forms of slavery and slave trade.

2.6. Agreements/actions

The 1926 Convention to Suppress the Slave Trade and Slavery created by the League of Nations to prevent and suppress the slave trade and to bring about, progressively and as soon as possible, the complete abolition of slavery in all its forms.³³

The 1930 Convention Concerning Forced or Compulsory Labour by the ILO is one of the eight fundamental conventions of the ILO. Its object and purpose is to prohibit the imposition of forced or compulsory labour for the benefit of private individuals, companies or associations.³⁴

The 1948 Universal Declaration of Human Rights by the United Nations declared in Article 4 “no one shall be held in slavery or servitude; slavery and the slave trade shall be prohibited in all forms.”³⁵

The 1956 Supplementary Convention on the Abolition of Slavery, the Slave Trade, and Institutions and Practices Similar to Slavery is an additional treaty by the United Nations to the 1926 Convention to Suppress the Slave Trade and Slavery.³⁶

The 1957 Convention concerning the Abolition of Forced Labour by the ILO is one of the eight fundamental conventions of the ILO. The treaty prohibits forms of forced labour which were still allowed under the 1930 Convention Concerning Forced or Compulsory Labour.³⁷

The Protocol of 2014 to the Forced Labour Convention, 1930, is the newest treaty by ILOs fight against forced labour. Its objective is to obligate each member to prevent all sorts of forced or compulsory labour. It also obligates all members to develop a

³³ Slavery Convention (No. 1414) in League of Nations Treaty Series Volume 60, p. 263.

³⁴ Forced Labour Convention, accessed 17 August 2018, https://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:12100:0::NO::P12100_ILO_CODE:C029.

³⁵ The Universal Declaration of Human Rights, accessed 17 August 2018, <http://www.un.org/en/universal-declaration-human-rights>.

³⁶ Supplementary Convention on the Abolition of Slavery, the Slave Trade, and Institutions and Practices Similar to Slavery (No. 3822) in United Nations Treaty Series Volume 266, p.3.

³⁷ Abolition of Forced Labour Convention, accessed 17 August 2018, https://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:12100:0::NO:12100:P12100_INSTRUMENT_ID:312250:NO.

national policy and plan of action for the effective and sustained suppression of forced or compulsory labour.³⁸

2.7. Current status

In the previous section about agreements/actions it was made clear that the United Nations created many treaties to abolish slavery in all its forms. The big question concerns the effectiveness of the member states in fulfilling the international treaties. According to the 2017 Global Estimates of Modern Slavery, there are still 40,3 million people that were victims of modern slavery or similar forms. This raises the following question: how is slavery still a thing? When nearly every state condemn slavery and signed many of the earlier mentioned treaties, this question should be a great way to start your thinking process.

As The Global Slavery Index 2018 pointed out even the states that are most advanced in the fight against slavery, have still some things to do in their fight. Especially when it comes to importing “at-risk products” from other states. This shows that modern slavery can not be eradicated by states by them own. The all the countries need to work together as modern slavery is a worldwide problem. This is the reason why the United Nations need to address this matter. For this the United Nations Human Right Council needs to work out a solution how the fight against slavery can be made more effective. To achieve this the the UNHRC should consider to work together with the ILO, the United Nations Development Programme, other UN organizations, NGOs and other organisations that focus on developing or fighting against slavery, just as the Walk Free Foundation.

3. Bloc positions

For this topic the members of the Human Rights Council will be divided in three different blocs. Those blocs will show how good they are in abolishing slavery for this the data of the “Global Estimates of Modern Slavery”³⁹ by the ILO and “The Global Slavery Index 2018”⁴⁰ by the Walk Free Foundation will be used. For the classification the focus will lay on the estimated number of slaves in the states and how eager the government is in fighting slavery.

The bloc of states that have a low number of estimated slaves and is doing a lot to fight against the different forms of slavery, consists of *Australia, Belgium, Brazil, Chile, Croatia, Ecuador, Georgia, Germany, Hungary, Iceland, Japan, Mexico, Panama, Peru, Saudi Arabia, Senegal, Slovakia, Slovenia, South Africa, Republic of Korea, Spain, Switzerland, Tunisia, United Arab Emirates and United Kingdom.*

The following bloc of states are the undecided or schizophrenic states. It consists of *China, Cuba, Egypt, Ivory Coast, Kyrgyzstan, Nepal, Philippines, Qatar, Ukraine.*

³⁸ Protocol of 2014 to the Forced Labour Convention, 1930, accessed 17 August 2018, https://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:12100:0::NO::P12100_ILO_CODE:P029.

³⁹ “Global Estimates of Modern Slavery”, accessed 11 September 2018, https://www.ilo.org/wcmsp5/groups/public/@dgreports/@dcomm/documents/publication/wcms_575479.pdf.

⁴⁰ “The Global Slavery Index” accessed as download 18. September 2018, <https://www.globalslaveryindex.org/resources/downloads>.

Some of those countries have strengthened the laws that prohibited slavery but still struggle to lower the amount of slaves in their state. Other countries in this block have a low number of slaves but have quite loose laws against slavery.

The bloc, of states that have a lot of estimated slaves and is doing little to nothing to fight against the different forms of slavery, consists of *Afghanistan, Angola, Burundi, Democratic Republic of the Congo, Ethiopia, Iraq, Kenya, Mongolia, Nigeria, Pakistan, Rwanda, Togo, Venezuela*.

4. Points a Resolution Should Address

- Does the UN consider all different forms of slavery or are there more forms that should be considered?
- Are the international treaties and human rights rules sufficient to abolish all the different forms of modern slavery? If not, how could they be improved?
- How effective are the systems to observe the progress of nation states in implementing the international treaties and the national efforts to abolish all forms of slavery?
- Does the HRC have the right instruments to motivate, urge or force nations to abolish slavery? If not, how could the instruments of the UN improved?
- What can the UN, especially the HRC, do to support the member states to lower the Vulnerability of slavery?
- Are there other UN bodies, International organizations or NGOs that the HRC could work together to achieve a more effective fight against modern slavery

5. Further reading

The United Nations and the International Labour Organization are the main sources for international treaties to abolish slavery in all its forms. A good overview about some of those treaties was written down in the section “2.2. Agreements/Actions”. The ILOs “Global Estimates on Modern Slavery” is also a very good source of the current situation regarding modern slavery.

The Gilder Lehrman Center’s Modern Slavery Working Group at Yale University provides on its Website a good reading list named “Influential Readings”.⁴¹ On this list you can find books, essays and other readings from different people that focused on researching modern forms of slavery. This list of researchers could also used to find more publications of them about the topic of modern slavery.

⁴¹ “Influential Readings” by the Gilder Lehrman Center’s Modern Slavery Working Group, accessed 18 September 2018, <https://modernslavery.yale.edu/digital-resources/reading-lists/influential-readings>.

6. Bibliography

- Global Slavery Index. (2016). Global Slavery Index. [online] Available at: <https://www.globalslaveryindex.org/resources/downloads/> [Accessed 19 Sep. 2018].
- Global Slavery Index. (2018). Global Slavery Index. [online] Available at: <https://www.globalslaveryindex.org/resources/downloads/> [Accessed 19 Sep. 2018].
- Walk Free Foundation & ILO (2017). Global Estimates of Modern Slavery: Forced Labour and Forced Marriage. [online] Geneva. Available at: <https://www.ilo.org/global/topics/forced-labour/lang--en/index.htm> [Accessed 19 Sep. 2018].
- T.C. Hansard. (1816). The Parliamentary Debates from the Year 1803 to the Present Time, Volume 32. 1 February to 6 March 1816. p. 200.
- Nancy Erbe. (1984) "Prostitutes, Victims of Men's Exploitation and Abuse", Law and Inequality Journal, vol. 2.

Topic B – Arbitrary deprivation of nationality and stateless people

1. Introduction to Topic B

The term “stateless person” means a person who is not considered as a national by any State under the operation of its law.⁴² Nationality is the legal bond between a person and a state. Some stateless persons are also refugees but not all refugees are stateless. Actually, many persons who are stateless have never crossed an international border.⁴³ Statelessness can occur for many reasons such as discrimination against particular ethnic or religious groups, or on the basis of gender; emergence of new states and transfers of territory between existing States as well as gaps in nationality laws.

Statelessness leads to serious consequences for people affected as nationality is a prerequisite for accessing political and judicial processes needed to exercise civil and political rights, as well as economic, social and cultural rights.⁴⁴ Stateless people face difficulties in accessing basic rights such as education, healthcare and employment.⁴⁵

There is no generally accepted, concrete process to determine statelessness. The UN Convention relating to the Status of Stateless Persons⁴⁶ defines who is deemed as a stateless person but does not provide a procedure to determine statelessness. Therefore, this is up to the member states to adopt respective legislation but unfortunately this is missing in many states.

By the end of 2017 there was an estimated of more than 10 million stateless people worldwide; UNHCR is the UN agency tasked with addressing statelessness.

2. Discussion of the topic

Statelessness is a global problem but yet a forgotten human rights crisis, as it didn't fully emerge onto the international human rights agenda. Statelessness doesn't only occur in the global south but is also very present in Europe for example.⁴⁷

2.1 The Legal Status of Statelessness

In the beginning, the issues of “refugee crisis” and “statelessness” were interchangeable because refugees fleeing their home countries usually were deemed stateless in their transit country. Nowadays, the numbers of refugees and asylum-seekers are usually reflected in figures relating to these groups.

⁴² Article 1 (1) Convention on the Status of Stateless Persons, UN Treaty Series, vol. 360, 117.

⁴³ Bhabha (ed.), *Children without a State: A Global Human Rights Challenge*, Cambridge 2011, 90.

⁴⁴ Weissbrodt / Collins, *The Human Rights of Stateless Persons*, Human Rights Quarterly 28 (2006), 40.

⁴⁵ Razali et al., *Migration and Statelessness*, *Pertanika Journal of Social Sciences & Humanities* 23 (2015), 20 ff.

⁴⁶ see Footnote 42.

⁴⁷ see Statelessness Index, European Network on Statelessness available under <https://index.statelessness.eu/>.

The issue of statelessness first appeared on the international agenda when words such as 'inhumane', 'embarrassing' and 'a blemish in international law' were used to describe the plight of stateless persons.⁴⁸

The Hague Convention of 1930 postulates that everyone has a right to have a nationality and stipulates that "it is in the general interest of the international community to secure that all its members should recognise that every person should have a nationality [...]; the ideal towards which efforts of humanity should be directed in this domain is the abolition of all cases of [...] statelessness."⁴⁹ Therefore, from a historical point of view, statelessness is interlinked with the concept of national sovereignty.

When it comes to the legal status of stateless persons, there are two types of statelessness: *de jure* and *de facto* statelessness. *De jure* statelessness means having no nationality at all; *de facto* statelessness means that someone cannot prove their nationality or has a nationality that is ineffective. When it comes to these types of statelessness there is no difference when it comes to the implications because the common denominator is statelessness.⁵⁰

It is noted that stateless persons may not be confused with Sans-papiers that have no right of residence at their residing country but nationality of their home country. In contrast to this, stateless people that are recognized as such by their residing country usually do have a right of residence while not having a nationality at all.

2.2. Causes of Statelessness

Statelessness is a man-made problem and can occur overnight due to a bewildering array of causes. The following are a few that are deemed to be the most frequent causes:

2.2.1. Conflict of Laws

The conflict of laws (between different nationality systems) and gaps in nationality laws can be identified as a leading cause of statelessness.⁵¹

Nationality can be either acquired by birth within the territory of the state or inherited from a parent who is a national of a certain state. According to the principle of *jus soli* (i.e. predominant in the Americas) nationality is given to all individuals born within the territorial boundaries under the control of a certain state. In contrast to this, with the principle of *jus sanguinis* (i.e. without any restrictions in almost any country of the world except for sexual restrictions on the Arabian Peninsula), nationality is given through descent where at least one parent is officially a national.

The following example demonstrates the consequences of conflicts between different laws: State A confers nationality by descent while State B confers nationality by place

⁴⁸ UNHCR, *Special Report: Ending Statelessness Within 10 Years*, available at <http://www.unhcr.org/ibelong/special-report-ending-statelessness-within-10-years/>.

⁴⁹ League of Nations, *Convention on Certain Questions Relating to the Conflict of Nationality Law*, Treaty Series vol. 179, p. 89, No. 4137.

⁵⁰ UNHCR, *Expert Meeting - The Concept of Stateless Persons Under International Law*, LPPR/2010/01.

⁵¹ UNHCR, Stateless People, <http://www.unhcr.org/ceu/78-enwho-we-helpstateless-people-html.html>.

of birth. The combination of a particular individual's birthplace and parentage is such that neither nationality is acquired, even if the respective laws are not seen as "bad".⁵²

Statelessness may also be inherited. For instance, Lebanon is a country where only the male parent can give the nationality to their children. Therefore if a child born on Lebanese soil from a Lebanese mother and an unknown father, then the child simply does not have a nationality.

What is needed are safeguards within nationality laws⁵³ that prevent statelessness from arising in the first place to prevent that the regular operation of these states' nationality laws leave people stateless.

2.2.2. *Arbitrary deprivation of nationality*

Arbitrary acts involve the collective withdrawal or denial of nationality to a certain group of population carried out in a discriminatory manner on the basis of characteristics such as ethnicity, gender, language or religion.

Usually, the group concerned displays a minority in the respective state and/or has ties to another state where they may share ancestral roots. In other instances, the state manipulates nationality policy in order to construct or assert a particular national identity to the exclusion of those who do not fit the mould (such as the case of the Kurds in Syria in the 1960s).⁵⁴

Also, the practice of *jus sanguinis* is critical in states where women are discriminated because they cannot pass on their nationality to their children with the result of their children being born stateless. In 2014, this still applied to 27 countries, amongst them Libya and Malaysia.⁵⁵

2.2.3. *Territorial Circumstances*

Another context in which there is a high risk of conflict of nationality laws and where a large number of people is affected simultaneously is that of state succession. In the case of a state secession (e.g. the secession of Eritrea from Ethiopia), when a state dissolves into multiple states (e.g. former Yugoslavia or Soviet Union) and also at the end of World War I + II, the question emerges as to what happens to the nationality of the persons affected. Such cases are also characterized by civil unrest that often results in mass migration and in the very end results in a mass loss of citizenship. The nationality laws of successor states may conflict but also the new definition of who is a national of the origin state may leave people stateless. In the context of state succession, it is usually vulnerable minorities associated with the successor or the origin state that end up deprived of nationality.⁵⁶

Another situation that results in complicated challenges concerning the determination of a nationality is the one of contested or emerging statehood. For instance, the term

⁵² Institute on Statelessness and Inclusion, *The World's Stateless*, Nijmegen 2014, 23.

⁵³ such as those laid out in the UN Convention on the Reduction of Statelessness.

⁵⁴ KurdWatch, *Stateless Kurds in Syria. Illegal Invaders or Victims of a Nationalistic Policy*, Report No. 5, http://www.kurdwatch.org/pdf/kurdwatch_staatenlose_en.pdf.

⁵⁵ Nürnberger Menschenrechtszentrum, *Das Recht, Rechte zu haben*, 22 January 2018, <http://www.menschenrechte.org/lang/de/verstehen/das-recht-rechte-zu-haben#!prettyPhoto>.

⁵⁶ Institute on Statelessness and Inclusion, *The World's Stateless*, Nijmegen 2014, 24.

“Palestinian” describes a group sharing a common heritage and attachment to Palestine but the nationality status of this population is not yet determined and currently it is not possible to define whether someone can be considered a national under operation of the law of Palestine.

2.2.4. Administrative barriers

A further cause of statelessness are administrative barriers and lack of documentation. Persons facing difficulties in accessing birth registration or other forms of civil registration may be unable to acquire nationality. This risk increases where those people that are unable to access civil registration services also belong to a minority or discriminated groups, especially the migrant or refugee population.⁵⁷ The Roma are an evident example that demonstrates how the lack of undocumentation can evolve into a issue of statelessness.⁵⁸

In the aftermath of territorial circumstances, statelessness may also be inherited. Situations of state succession may endure and if the states concerned do miss to put any administrative measures in place to prevent statelessness being passed on from parent to child, statelessness actually is passed on to the newborn child. This results in the exclusion and marginalization of a stateless group and also effects the respective community.⁵⁹

2.3. Agreements/actions

The acquisition and loss of nationality is - as an expression of self-determination and sovereignty - regulated by every state itself and limited by international law. Therefore, it depends on a state’s domestic nationality law, whether an individual is considered a national of a particular state.⁶⁰

On the international level, there are some treaties addressing statelessness. In addition to that, stateless persons may be protected further through the recognition of common principles in international law such as the principle of non-refoulement to stateless persons but also refugees.

2.3.1. Treaties

The Universal Declaration of Human Rights adopted in 1948 emphasizes that everyone “has a right to nationality” and this may not arbitrarily be withdrawn from anyone.⁶¹

To the Draft Convention Relating to the Status of Refugees 1951 a Protocol on Statelessness was added but this was separated out before further discussion. In 1954, this Protocol was transferred to an independent agreement, the Convention relating to the Status of Stateless Persons.⁶² This Convention not only establishes a

⁵⁷ UNHCR Executive Committee, *Conclusion on Civil Registration*, 17 October 2013 (LXIV)-2013, no 111.

⁵⁸ Ibid.

⁵⁹ Institute on Statelessness and Inclusion, *Causes of Statelessness*, Nijmegen 2014, 27.

⁶⁰ UNHCR, *Handbook on Protection of Stateless Persons*, 30 June 2014, paragraphs 23-24.

⁶¹ UN General Assembly, *Universal Declaration of Human Rights*, 10 Dec 1948, UN Doc. A/RES/217(III), Article 15.

⁶² UN General Assembly, *Convention Relating to the Status of Stateless Persons*, 28 September 1954, United Nations, Treaty Series, vol. 360, p. 117.

legal definition but also obliges the signatory states to issue identity documents to stateless persons and to ensure them a basic set of human rights including the right to identify, receive education, employment, housing and to travel.

The 1961 Convention on the Reduction of Statelessness⁶³ emphasises the right of every person to a nationality and contains guidelines to avoid statelessness of newborn children and to protect against a later loss of nationality.

Regional agreements such as the 1969 American Convention on Human Rights⁶⁴, the 1990 African Charter on the Rights and Welfare of the Child⁶⁵, the 1997 European Convention on Nationality⁶⁶ and the 2006 Council of Europe Convention on the Avoidance of Statelessness in relation to State Succession⁶⁷ highlight the right of every person to have a nationality and clarify national rights and duties to safeguard these rights.

Unfortunately, the international support for these agreements is quite little and will need further strengthening. The 1954 Convention has been ratified by 90 States but only 71 States are parties to the 1961 Convention. This is comparatively low support in comparison with the 146 State Parties to the 1951 Convention Relating to the Status of Refugees and the 1967 Protocol.

2.3.2. Other legal (non-binding) instruments

The following Conventions and Resolutions enunciate principles that foster combatting some of the root sources of statelessness.

In its 1976 Resolution 31/36,⁶⁸ the United Nations General Assembly requested the United Nations High Commissioner for Refugees to undertake the functions as stated in Art. 11 of the 1961 Convention on the Reduction of Statelessness, i.e. granting stateless persons certain benefits that have been promised in the Convention.

Later in the 1989 Convention on the Rights of the Child,⁶⁹ the United Nations General Assembly ensures all rights of a child, inter alia it states every child's right to acquire nationality (Art. 7). Furthermore, States - in accordance with national law - have to ensure that these rights are implemented in a case where a child would otherwise be considered stateless.

⁶³ UN General Assembly, *Convention on the Reduction of Statelessness*, 30 August 1961, United Nations, Treaty Series, vol. 989, p. 175.

⁶⁴ Organization of American States (OAS), *American Convention on Human Rights, "Pact of San Jose", Costa Rica*, 22 November 1969, Article 20.

⁶⁵ Organization of African Unity (OAU), *African Charter on the Rights and Welfare of the Child*, 11 July 1990, CAB/LEG/24.9/49 (1990), Article 6.

⁶⁶ Council of Europe, *European Convention on Nationality*, 6 November 1997, ETS 166, e.g. Article 4.

⁶⁷ Council of Europe, *Council of Europe Convention on the Avoidance of Statelessness in Relation to State Succession*, 15 March 2006, CETS 200.

⁶⁸ UN General Assembly, *Question of the establishment, in accordance with the Convention on the Reduction of Statelessness, of a body to which persons claiming the benefit of the Convention may apply*, A/RES/31/36, 30 November 1976.

⁶⁹ UN General Assembly, *Convention on the Rights of the Child*, 20 November 1989, UNTS vol. 1577, p. 3.

The 1969 Convention on the Elimination of All Forms of Discrimination⁷⁰ prohibits discriminatory treatment on the basis of colour, race or national origin. As racial and ethnic discrimination are one of the main causes of statelessness, these principles shall guide states in dealing with stateless persons.

With a special focus on women, the 1979 Convention on the Elimination of All Forms of Discrimination Against Women⁷¹ does not only set out a definition of what can be considered discrimination against women but further strengthens the principles when dealing with particularly vulnerable stateless individuals, such as women (Art. 9).

Since 2008, the Human Rights Council (under agenda item 2 and 3) regularly passed resolutions⁷² on the right to a nationality and arbitrary deprivation of nationality and in that course, urged states to “adopt and implement nationality legislation with a view to avoiding statelessness”. Further, it recalls obligations on states to prevent statelessness and grant nationality to certain groups, i.e. ensuring that children are registered after birth as a prerequisite to acquire nationality. Its 2016 resolution⁷³ proposes states to refrain from automatically extending deprivation of nationality to relatives and discusses the right of the child to nationality and its protection against statelessness. Lately, the Universal Periodic Review also draws attention to worrying situations or developments concerning statelessness and arbitrary deprivation of nationality.

However, the United Nations Human Rights Council never passed a resolution nor did it hold a debate solely on statelessness. There are definitely deplorable omissions in the way statelessness is addressed in the Human Rights Council. Unfortunately, no thematic resolutions dealing with specific (marginalised and/or discriminated) groups such as Indigenous people or migrants nor thematic resolutions dealing with minorities have mentioned statelessness.

2.4. Increased awareness and accelerated cooperation

There are many human rights mechanisms within the United Nations that are in the position of tackling statelessness, i.e. by increasing awareness and providing a platform of sharing best practices. It is only since recently that the mechanisms really made a progress.

In October 2013, the former UN High Commissioner for Refugees, António Guterres, called upon the international community for a total commitment to “eradicate statelessness”.⁷⁴ The Global Action Plan to End Statelessness: 2014 - 2024 (Global Action Plan) was developed in consultation with States, civil society and international

⁷⁰ UN General Assembly, *International Convention on the Elimination of All Forms of Racial Discrimination*, 21 December 1965, United Nations, Treaty Series, vol. 660, p. 195.

⁷¹ UN General Assembly, *Convention on the Elimination of All Forms of Discrimination Against Women*, 18 December 1979, United Nations, Treaty Series, vol. 1249, p. 13.

⁷² see UN Human Rights Council, *Human rights and arbitrary deprivation of nationality*, 27 March 2008, A/HRC/RES/7/10 and its subsequents.

⁷³ UN Human Rights Council, *Elimination of discrimination against women : resolution / adopted by the Human Rights Council*, 15 July 2016, A/HRC/RES/32/4.

⁷⁴ High Commissioner’s Closing Remarks to the 64th Session of UNHCR’s Executive Committee, 4 October 2013, see <http://www.unhcr.org/525539159.html>.

organisations and sets out a guiding framework of 10 Action points that are needed to be taken to end statelessness by the end of 2024. In line with the Global Action Plan, UNHCR launched its #IBelong campaign that aims on increasing awareness and mobilizing governments and civil society. 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 individuals.⁷⁵

Since then, there has been significant progress in the collaboration of international organisations and national governments. For instance, the EU Justice and Home Affairs Council adopted the first EU Council Conclusions on Statelessness that acknowledges the importance of identifying stateless persons and strengthening their protection.

2.5. Current Challenges

The consequences of statelessness are not only recognized by the affected individuals themselves but also by their family members, members of society and the international community of states. For us, living in modern societies with well-working bureaucracies, the possession of a nationality is considered natural and statelessness is very neglected and seen as very exceptional.⁷⁶

Without a nationality, many rights that can only be enjoyed by citizens of a particular state are far out of reach, such as political rights. Therefore, it is even more difficult for stateless persons to influence laws and policies in a way that would stop their fate of being stateless. Stateless groups will remain at the very margin of society and are very vulnerable to discrimination and exploitation which affects their physical and psychological well-being.⁷⁷

Although there are international mechanisms in place to address statelessness and prevent arbitrary deprivation of nationality, they lack effectiveness and strength.

First of all, there is still a lack of international cooperation. This can be seen by the very little number of State Parties to the two most relevant Conventions addressing statelessness. This, unfortunately, indicates a reluctance of many member states to adapt their national legislation to international frameworks and standards. It also shows a lack of willingness to truly participate in the reduction of statelessness. This results in a continuous growth in the population of stateless persons. A possible reason for this drawback may be the fear of giving up sovereignty in regard to nationality law, which lies at the heart of national sovereignty. But also, there has not been done enough in the Human Rights Council so far as the committee never focused on statelessness solely.

The result of the current lack of international cooperation can be seen in the legal vacuums that may be created. Probably, the most prominent case is that of Karimi Nasserli who was lost his Iranian citizenship by withdrawal of the Iranian State and,

⁷⁵ UNHCR, *Global Action Plan to End Statelessness: 2014 - 2024*, see <http://www.unhcr.org/ibelong/global-action-plan-2014-2024/>.

⁷⁶ Institute on Statelessness and Inclusion, *The World's Stateless*, Nijmegen 2014, 28 ff.

⁷⁷ Institute on Statelessness and Inclusion, *Impacts of Statelessness*, available under <http://www.institutesi.org/world/impact.php>.

after an odyssey through European states, stranded at Charles De Gaulle airport in Paris, where he lived for almost 18 years.⁷⁸

Another challenge that results from being stateless concerns the affected individuals themselves. With the inability to acquire nationality and create a legal bond to a state and its people, stateless persons are unable to fully integrate into existing society. The group of stateless persons will remain a group outside the society and always be vulnerable and exposed to discrimination and marginalization. But what is even more unfortunate is the fact that the eventual granting of citizenship does not guarantee integration into and acceptance by society. With discrimination of ethnic origin for instance, former stateless persons may still be vulnerable and result marginalized.⁷⁹

3. Bloc positions

It is difficult to gather data and figures on statelessness and therefore hard to indicate from where stateless people come and where they reside. The European Network on Statelessness though provides good data concerning the European continent; there are certain regions that provide many stateless persons (see Figure: States with Largest number of recognised stateless people⁸⁰).



In Western Europe, most states are party to the conventions on statelessness. Also, the European Network on Statelessness and the Council of Europe are great supporters of UNHCR's Campaign to end statelessness and are very engaged in that regard.

In contrast to this, the region of Eastern Europe has quite a large number of stateless individuals, especially in former Yugoslavia and Soviet Union (for the reasons see above); one can say that statelessness there is intergenerational.

In the Middle East and Africa there is a problem of gender and ethnic discrimination that occurs for instance against Kurds in Iraq or Nubians in Kenya. Not many parties are abiding by

the international conventions. The Ivory Coast and Lebanon count many stateless people.

⁷⁸ Van Glahn / Taulbee, *Law Among Nations. An Introduction to Public International Law*, New York 2017, 221.

⁷⁹ Weissbrodt / Collins, *The Human Rights of Stateless Persons*, Human Rights Quarterly 28, 2006, p. 264 ff.

⁸⁰ Nowhere to call home, in: *The Economist*, 17 May 2014, available on <https://www.economist.com/international/2014/05/17/nowhere-to-call-home>.

On the American continents, most parties abide to the international conventions. Also, there are not many people that are reported being stateless nor is there an noteworthy issue regarding arbitrary deprivation of nationality.

In Asia and the Pacific region there are many stateless persons because of discriminatory national laws. In Nepal, Bangladesh and South East Asia, especially Myanmar, we can find many people suffering from this matter because of discrimination of Rohingya. In this region, there is only a little amount of state parties to the Conventions.

4. Points a Resolution Should Address

- How can states be encouraged to become parties to the existing 1954 and 1961 Conventions on Statelessness?
- To what extent can the international community involve itself in solving the issue of statelessness of individual states?
- How can the UN Human Rights Council assist in reducing the number of stateless individuals and prevent arbitrary deprivation of nationality?
- Which means can the UN Human Rights Council undertake to support UNHCR's campaign to end statelessness by 2024?
- Which policies can be recommended that guarantee the protection of vulnerable groups among statelessness persons such as women and children?
- How can the integration of stateless individuals into society be fostered and improved?

5. Further reading

Delegates are strongly encouraged to conduct further research beyond the information provided by this Study Guide. This will help them in truly gaining in-depth knowledge and broaden the understanding of this topic.

Some legal and international frameworks are mentioned in section 2.2 of this Study Guide and it is recommended to look into these as a starting point. In Annex 2 of UNHCR's Global Action Plan to End Statelessness, a comprehensive overview of international standards in relation to statelessness can be found.

Further sources, that can be the starting point of your research, are the respective UNHCR homepage concerning statelessness as well as your respective Member State's laws and policies that can be found on Government websites. In addition to that, non-governmental organizations can also be a good source for research, such as the Institute on Statelessness and Inclusion, that provides a comprehensive, well-researched publication on "The World's Stateless".

6. Bibliography

- Bhabha, Jacqueline (ed.), *Children without a State: A Global Human Rights Challenge*, Cambridge 2011
- The Economist, *Nowhere to call home*, 17 May 2014, available on <https://www.economist.com/international/2014/05/17/nowhere-to-call-home>
- European Network on Statelessness, <https://index.statelessness.eu/>
- Institute on Statelessness and Inclusion (ed.), *The World's Stateless*, Nijmegen 2014
- Nürnberger Menschenrechtszentrum, *Das Recht, Rechte zu haben*, 22 January 2018, <http://www.menschenrechte.org/lang/de/verstehen/das-recht-rechte-zu-haben#!prettyPhoto>
- Razali, Rodziana Mohamed et al., *Migration and Statelessness. Turning the spotlight on Malaysia*, *Pertanika Journal of Social Sciences & Humanities* 23 (2015), 19-36
- UNHCR, *Global Action Plan to End Statelessness: 2014 - 2024*, see <http://www.unhcr.org/ibelong/global-action-plan-2014-2024/>
- Weissbrodt, David / Collins, Clay, *The Human Rights of Stateless Persons*, *Human Rights Quarterly* 28 (2006), 245-276
- Van Glahn, Gerhard / Taulbee, James Larry, *Law Among Nations. An Introduction to Public International Law*, New York 2017