

# **MEDIMUN XIV Annual Session 2019**



**RESEARCH REPORT – THE SECURITY COUNCIL  
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# Topic 1: The Question of upholding the Convention on the Rights of the Child

## Introduction

Children's rights are human rights for children. The 1989 Convention on the Rights of the Child is a treaty that recognizes specific rights for children.

Human rights are basic standards to which every person is entitled, to survive and develop in dignity. The United Nations set a universal standard for human rights with the adoption of the Universal Declaration of Human Rights in 1948. Since then, a number of human rights treaties have been developed to recognize the basic rights of all persons. Children have these rights, too. Children (under age 18) also have specific rights, recognized in the 1989 Convention on the Rights of the Child, given their vulnerability and dependence. All children's human rights apply to all children at all times, without exception. The provision and protection of children's Convention rights is the primary responsibility of governments at all levels, and realizing the promise of the Convention is an on-going, progressive commitment.

The Convention on the Rights of the Child sets out these rights in 54 articles and in a set of Optional Protocols.

## Definition of Key Terms

**United Nations Convention on the Rights of the Child:** a human rights treaty, which sets out the civil, economic, social and health rights of children. The Convention defines a child as any human being under the age of eighteen, unless the age of majority is attained earlier under national legislation.

**Committee on the rights of the child:** is a body of independent experts that monitors and reports on implementation of the United Nations Convention on the Rights of the Child by governments that ratify the Convention

**Optional Protocols:** Three additional protocols signed in the years after the signing of the Convention on the Rights of the Child; they include extra targets for countries such as decreasing the number of child soldiers and stopping the exploitation of children in pornography.

## General Overview

According to the convention children have the rights to:

- Protection (e.g., from abuse, exploitation and harmful substances)
- Provision (e.g., for education, health care and an adequate standard of living)
- Participation (e.g., listening to children's views and respecting their evolving capacities)
- Specific protections and provisions for vulnerable populations such as Aboriginal children and children with disabilities

## **CULTURE MATTERS**

Global human rights standards were challenged at the World Conference on Human Rights in Vienna (1993) when a number of governments (prominently China, Indonesia, Malaysia and Iran) raised serious objections to the idea of universal human rights. There are unresolved tensions between "universalistic" and "relativistic" approaches in the establishment of standards and strategies designed to prevent or overcome the abuse of children's capacity to work. Countries such as Saudi Arabia have ratified the Convention in 1996, but with a reservation to some articles stating they are in conflict with the provisions of Islamic Law, which is the National Law – Islamic countries should pay attention if their government uses Sharia Law

## **THE IMPORTANCE OF SEPARATE RIGHTS FOR CHILDREN**

- There are many reasons for singling out children's rights in a human rights Convention:
- Children start life with greater vulnerability. Children must rely on adults for the nurture, protection and guidance they need to grow towards independence. Because they are still developing, and because in many countries the legal framework gives children less status and protection than adults, children are especially vulnerable to poverty and to inadequate health care, education, nutrition, safe water, housing, community services, protection and environmental pollution.
- The actions, or inactions, of government impact children more strongly than any other group in society. Practically every area of government policy affects children to some degree. Policymaking that fails to take children into account has a negative impact on the future of all members of society. And, because all rights are interconnected and of equal importance, government decisions with regard to any one right must be made in the light of all the other rights in the Convention.
- Children's views are rarely heard and rarely considered in the political process. Children do not vote and do not otherwise take part in political processes. Without special attention to children in decisions affecting them, there is a risk that the impacts on children will be harmful.
- Many changes in society are having a disproportionate, and often negative, impact on children. Globalization, shifting employment patterns, widening economic and social disparities and climate change have strong impacts on children.

## **Major Parties Involved**

**USA:** The United States government played an active role in the drafting of the Convention and signed it on 16 February 1995, but has not ratified it. It has been claimed that American opposition to the Convention stems primarily from political and religious conservatives.

**UNICEF:** The United Nations International Children's Emergency Fund works in 190 countries to save children's lives and defend their rights. It is a vital organization that upholds the convention



### Possible Solutions

- Encourage all countries to sign and ratify the Convention on the rights of the Child.
- Increase the powers of the committee on the rights of the child so as to ensure effective monitoring of children's rights in all member states
- Make the optional protocols mandatory for all countries to sign so as to decrease so as to protect children from various violations of their rights such as the use of children as soldiers
- Create campaigns to increase the awareness of the global community on the issue

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## Topic 2: The question of the ethnic cleansing of the Rohingya in Myanmar.

### Introduction

Described as the world's most persecuted people, 1.1 million Rohingya people live in Myanmar. They live predominately in Rakhine state, where they have co-existed uneasily alongside Buddhists for decades. For decades ethnic tensions have simmered in Rakhine state, with frequent outbreaks of violence.

Rohingya people say they are descendants of Muslims, perhaps Persian and Arab traders, who came to Myanmar generations ago. Unlike the Buddhist community, they speak a language similar to the Bengali dialect of Chittagong in Bangladesh.

Many in Myanmar revile the Rohingya as illegal immigrants and they suffer from systematic discrimination. The Myanmar government treats them as stateless people, denying them citizenship. Stringent restrictions have been placed on Rohingya people's freedom of movement, access to medical assistance, education and other basic services.

### Definition of Key Terms

**Ethnic cleansing:** the expulsion, imprisonment, or killing of an ethnic minority by a dominant majority in order to achieve ethnic homogeneity

**Rohingya:** The Rohingya people are a stateless Indo-Aryan-speaking people who reside in Rakhine State, Myanmar with currently many living in Bangladesh

**Stateless:** lacking nationality and having no state recognition.

**Refugee:** is a displaced person who has been forced to cross national boundaries and who cannot return home safely.

**Internally displaced person (IDP):** someone who is forced to flee his or her home but who remains within his or her country's borders. They are often referred to as refugees, although they do not fall within the legal definitions of a refugee.



## General Overview

- The Rohingya people have been described as "amongst the world's least wanted" and "one of the world's most persecuted minorities". The Rohingya are deprived of the right to free movement and of higher education. They have been denied Burmese citizenship since the Burmese nationality law was enacted. They are not allowed to travel without official permission and were previously required to sign a commitment not to have more than two children, though the law was not strictly enforced. They are subjected to routine forced labor where typically a Rohingya man will have to give up one day a week to work on military or government projects and one night for sentry duty. The Rohingya have also lost a lot of arable land, which has been confiscated by the military to give to Buddhist settlers from elsewhere in Myanmar.
- Myanmar, also known as *Burma*, is a country in Southeast Asia, bounded by the Bay of Bengal, Bangladesh and India to the west, and China, Laos and Thailand to the east. Democracy only recently emerged in Myanmar by arrangement with the military, who permitted a free election on 8 November 2015, which elevated Nobel Peace Prize laureate Aung San Suu Kyi to power after years of house arrest.
- Myanmar is predominantly Buddhist (88–90% of the population), with small minorities of other faiths, including a small minority of Muslims (4%).
- The western coastal province of Rakhine State, is made up of the predominantly Buddhist Rakhine (4%, about 2 million people) and the predominantly Muslim Rohingya (2%, about 1 million people). Tensions between Buddhist and Muslim communities have also led to violence in Rakhine State, with nationalist Buddhists often targeting Rohingyas. The Rohingya are a distinct ethnicity with their own language and culture, but claim a long historical connection to Rakhine State.
- In modern times, persecution of Rohingya Muslims in Myanmar dates back to the 1970s. Since then, Rohingya people have regularly been made the target of persecution by the government and nationalist Buddhists. The tension between the various religious groups in the country was often exploited by the past military rulers of Myanmar. According to Amnesty International, the Rohingya have suffered from human rights violations under past military dictatorships since 1978, and many have fled to neighboring Bangladesh as a result.



## **CRISIS AFTER 2015**

Violence broke out in northern Rakhine state when militants attacked government forces. In response, security forces supported by Buddhist militia launched a “clearance operation” that has killed at least 1,000 people and forced more than 300,000 to flee their homes.

- Refugees have spoken of massacres in villages, where they say soldiers raided and burned their homes. The government claims the Rohingya have burned their own homes and killed Buddhists and Hindus. It says that the military is targeting terrorists, including the Arakan Rohingya Salvation Army (Arsa).

### **How many have been killed, injured or forced to flee?**

- About 700,000 Rohingya have fled over the border to Bangladesh since the violence erupted in August 2017, bringing with them consistent testimony of murder, rape and arson by soldiers and vigilante mobs.
- Aid agencies have warned of a growing humanitarian crisis in overstretched border camps, where water, food rations and medical supplies are running out of stock. Most refugees are now living in established camps, makeshift settlements or sheltering in host communities.
- Nearly 50,000 are in new spontaneous settlements that have sprung up along the border, where access to services is especially limited. There are also fears for Rohingya people trapped in conflict zones. On 4 September 2017, the UN said its aid agencies had been blocked from supplying life-saving supplies such as food, water and medicine to thousands of civilians in northern Rakhine state. The death toll is varied, as the Myanmar government does not have full records of the Rohingya people.

### **What is the Myanmar government**

#### **saying?**

- The government has claimed that it is targeting militants responsible for attacks on the security forces, and that the majority of those killed are terrorists. It also says that Rohingya are burning their own villages – a claim questioned by journalists who reported seeing new fires burning in villages that had been abandoned by Rohingya people.
- The government has also accused international aid workers of helping “terrorists” besiege a village in Rakhine state. The claim was condemned as dangerously irresponsible by aid workers, who fear for their safety.



## Major Parties Involved

**United Nations High Commission for Refugees:** the United Nations program with the mandate to protect refugees, forcibly displaced communities and stateless people, and assist in their voluntary repatriation, local integration or resettlement to a third country.

**Bangladesh:** the neighboring country to the Rakhine state with an estimated 1.1 million Rohingya refugees (as of September 2018) residing there.

**USA:** The State Department expressed its intent to take in Rohingya refugees as part of its international humanitarian efforts

**Aung San Suu Kyi:** The state counsellor of Myanmar which has been heavily criticized by the internationally community for her in-actions in dealing with the problem.

**Arakan Rohingya Salvation Army (ARSA):** a Rohingya insurgent group active in Rakhine state, Myanmar's Anti-Terrorism Central Committee declared ARSA a terrorist group

## Previous Attempts to Resolve the Issue

- Attempts to solve this issue have been few and they only came after heavy criticism from the international community and pressures from the United Nations:
- Neighboring countries such as Bangladesh, Malaysia, India, Thailand and Indonesia have accepted more than one million refugees which however live in camps close to the border with many lacking some basic provisions
- In January 2018 Myanmar and Bangladesh announced a repatriation deal, but rights groups and Rohingya have raised concerns about the agreement, saying it does not guarantee full citizenship, or safety, for those who return.

## Possible Solutions

1. **Aid provision** for the Rohingya population both within Myanmar and outside
2. **Military intervention** in the Rakhine state to control both fronts
3. Request that the Myanmar government recognises the Rohingya people as an official minority providing them with **citizenship**
4. Request that the Myanmar government pays **reparations** to the displaced Rohingya people
5. Official recognition of the Rohingya land areas and recognition of their **property rights**

6. Return of **Rohingya land** that was taken from them and given to Myanmar's recognised citizens

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## Topic 3: The question of Ukraine.

### Introduction

Ever since Ukraine gained its independence from the Soviet Union in the 1990's the country has been plagued by corruption, slow economic growth and currency devaluation. Throughout the 2000's the country attempted to move closer the European Union while trying to maintain good relations with its largest neighbour: Russia.

On the 21<sup>st</sup> of November 2013 then President Viktor Yanukovich refused to sign an Association Agreement with the European Union, which would have granted Ukraine free trade and grants in return for reforms. This sparked outrage with the Ukrainian public and a wave of mass protest began in the country's capital of Kiev.

During the protests Yanukovich signed a 15 Billion-Dollar deal with Russia where it agreed to buy a part of Ukrainian debt and reduce the price of natural gas, which was mainly provided to Ukraine by Russia. The protests became even larger and the government tried to suppress them often leading to violent clashes between the protestors and the police.

In February of 2014 the protestors managed to overthrow the government and Yanukovich fled the country to Russia.



Feeling that its influence in Ukraine was being undermined Russia began to place its troops in the mainly Russophone region of Ukraine, Crimea. Then, 2 days after an independence referendum Russia formally annexed Crimea and incorporated it as 2 of its federal subject. This move was largely recognised as illegal both by the United Nations and the International Community.



Meanwhile, in the wake of Euromaidan, large riots began to occur in the major cities of the Southern and Eastern parts of Ukraine particularly in Donetsk, Luhansk and Mauripol, which were opposed, to closer integration with EU and preferred closer ties with Russia. The situation quickly escalated into an armed insurgency between the Russian-backed separatists and the Security Forces of Ukraine. Things further spiralled out of control in the Donetsk and Luhansk regions leading to the conflict being dubbed as the War in Donbass becoming the deadliest conflict in Europe since the breakup of Yugoslavia.

## Definition of Key Terms

**European Union association agreement (EUAA):** An agreement between the European Union (EU) and Ukraine, which created a free trade area between the two. It also allows Ukraine partial access to the European Union single market as well as grants from the European Investment Bank. President Yanukovich refused to sign the agreement originally, however in the wake of Euromaidan the new government signed the agreement in 2014.

**Euromaidan:** A wave of protest that occurred in the country following President Yanukovich's decision not to sign the EUAA with the European Union. Eventually, the protestors were able to capture several government buildings in Kiev and topple the government.

**Donbass:** The word refers to a historical and cultural region of Eastern Ukraine that was traditionally the coal-mining and industrial heartland of the country. This is where the majority of the fighting between the separatists and government forces occurred. The area is predominantly populated by Russian-speaking Ukrainians (75% of the population).



**DPR/LPR:** The Donetsk and Luhansk People's Republics are the unrecognized separatist republics, which control large parts of the Donetsk and Luhansk regions and are heavily backed by Russia.

**Normandy format/ Normandy four:** A diplomatic group of 4 countries (Germany, France, Russia and Ukraine) created with the aim of finding a peaceful solution to the war in Donbass.

**Contact Line:** The line between the area of the Donbass controlled by the Ukrainian government and the separatists, most of the current fighting between the two occurs here.

## General Overview



Currently the war in Donbass reached a stalemate with frequent fighting regularly occurring between the separatists and the government forces, while Russia continues to occupy Crimea. Most ceasefire agreements including the Minsk protocols have failed. Approximately 1.8 million people have been displaced and over 10,000 have been killed including 298 foreign nationals after the downing of Malaysian Airlines flight 17 on the 17<sup>th</sup> of July 2014. Additionally, 100,000 people live with the direct line of fire close to the Contact Line.

## Major Parties Involved

**Russia:** The country has been actively involved in the crisis since the very beginning. Its forces have occupied and annexed Crimea and have actively supported the separatists. This support ranges from supplying military equipment and providing intelligence to moving private mercenaries into the region. The country is also a member of the Normandy Format and is frequently involved in the UN attempts to resolve the issue. For its involvement in the conflict Western Nations i.e. the EU, United States and Canada have applied economic and political sanctions leading to a deterioration of relations between Russia and the West.

**European Union:** The organization was also actively involved in the conflict since the beginning. During Euromaidan the foreign ministers of Germany, France and Poland met with President Yanukovich to push for a compromise with the opposition. Since the beginning of the war in Donbass, Germany and France were involved in the Normandy Format. The organization also applied sanctions on Russia for its involvement in the conflict.

**United States:** Another country involved in the conflict, the US firmly supports the Ukrainian government in the face of the War in Donbass and Russian involvement in the conflict. The country has given aid to the government and provided military backing in the form of army training and by selling equipment. In addition the country applied numerous sanctions for Russia's involvement in the conflict.

## Previous Attempts to Resolve the Issue

Many agreements proposing de-escalation have been signed between Russia, Ukraine and the DPR/LPR, the most prominent ones being Minsk I and Minsk II which included terms such as pulling out heavy artillery from the contact line, exchanging prisoners and the withdrawal of all foreign forces. Unfortunately, both of the agreements have failed and up to date more than twenty ceasefire agreements failed.

## Possible Solutions

The first and most obvious possible solution is the strengthening and implementing the Minsk agreement and ensuring that all of the involved parties agree to the terms of the agreement. A system that will monitor the implementation of the agreement should be created in order to prevent any violations of the agreement.

Another possible measure is to deploy UN peacekeepers into the region with some US officials have supporting the proposal, however the proposal is unlikely to receive support from Russia without major concessions.

Self-determination and the will of the people of Donbass should also be taken into consideration by the United Nations and thus representatives of the people should be guaranteed a seat at the table during the negotiations and a vote on the future status the region should probably have to take place.



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