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## Human Rights in Darfur

### Topic Background

Darfur is a western region of Sudan that borders the Central African Republic, Libya and Chad. It is approximately the size of the state of Texas and has a population of over 6 million (pre-conflict) made up of over thirty ethnic groups, some of which are Muslim and ethnically identify themselves as Arab or African. Conflict in Sudan is not new, as the nomadic Arab and sedentary African groups have historically competed for resources. Confrontation heightened, however, in the early 1990s when Khartoum's National Congress Party (NCP) made efforts to assert its authority by fighting a civil war against the Sudanese People's Liberation Army (SPLA). This war took 2 million lives and displaced 4.5 others. During this time the government also used Arab militias, called the "Janjaweed" in the Darfur region to defend against the SPLA and other rebel groups. Several of the African groups protested what they called government ethnic discrimination as well as negligence of African groups' needs. Thus what started as a competition over resources soon was transformed into large-scaled violence that has ethnic and racial undertones.

Since 2004 this region has been in the international spotlight when the ethnic militia practiced indiscriminate bombings against civilians and committed war crimes, crimes against humanity and taking part in "ethnic-cleansing" of civilians in Darfur. At the start of the conflict, at least 200,000 are believed to have been mass murdered as a result of these crimes against humanity and as of 2006 more than 2.5 million civilians have been forced from their homes and villages to seek refuge in Chad. A large percentage of the civilians who remain in

Darfur have been internally displaced. The United Nation has updated this figure to as many as 450,000 dead from violence and disease, showing no signs of decreasing. The central conflict is between the Sudanese government in Khartoum and the rebel insurgent groups, the Sudanese Liberation Army (SLA) and the Justice and Equality Movement (JEM) in the Western part of Darfur. As a result of this ongoing conflict and ethnic cleansing, the southern region of Darfur has been unstable and the site of numerous and horrific violations of human rights of civilians, despite a ceasefire agreement signed between the Sudanese government and the SLA and JEM in April 2004. Civilians are continuing to be targeted by Janjaweed militias. Both sides of the conflict remain largely responsible for the deaths and displacement of millions. While terms such as "ethnic cleansing" and "genocide" have been debated amongst world political leaders and media reports surrounding the situation in Darfur, it is clear that regardless of the name, the deaths and suffering of the civilians of Darfur call for an international response.

The ceasefire agreement has prevented very little fighting between the Janjaweed and the rebel groups. There is a great amount of insecurity in the area as government-backed militia, whose use of aircrafts and bombardments are their main sources weaponry, are continually targeting citizens. The rebel groups have also violated the protection of civilians in displaced persons and refugee camps. In the Western part of Darfur, in which much of the black population resides, the civilians have been at the mercy of the government control in which they are forced to live in camps that cannot support livelihood under the current



shelter, food and health conditions. Women and girls are under constant risk of rape and attack. Men in these government-controlled towns are vulnerable to beatings and death in extreme cases as well as detainment and punishment by the government who accuses them of being rebels. Looting has also become a common crime as the Janjaweed have been taking livestock from villages and has yet to be stopped by the government.

Aerial bombardment was an often-used means to target civilians as the Sudanese government used Antonove aeroplanes as well as helicopter gunships to aim directly at villages and at civilians, as findings from Amnesty International evidenced. Helicopters have also been spotted flying over villages before an attack, as well as seen delivering arms to the Janjaweed. These cases were documented during the conflicts in 2003 and 2004, and even after the ceasefire agreement had taken place. There are barrel bombs that are filled with shrapnel and dropped from the aircraft; this has resulted in a number of injury and deaths.

Rebel forces are also guilty of committing massive human rights violations. The SLA used many of the refugee camps meant to protect civilians as a means to recruit men for the rebel forces. There have been relentless direct attacks on men, women and children in the villages, refugee camps and nomadic settlements. Rapes and other violent crimes have also been committed by these rebel fighters. Abduction of people, including wealthy business men and humanitarian workers have occurred; targeted often because of their ethnic origin or affiliation with opposition groups and the government. Other victims include young boys trying to protect their livestock or

individuals that encounter SLA forces in the countryside. Of those who have been abducted, some have been returned due to intervention from humanitarian organizations; however, these are usually humanitarian workers, most are never heard from again. In one area of Darfur, the Malam, Human Rights Watch received a report of thirty-nine missing people between August 2003 and July 2004. They still have not been found.

## **Past UN Action**

The escalation of violations in 2004 was the same year as the tenth year anniversary of the Rwanda genocide, which was a reminder to the international community of the consequences of inaction while crimes against humanity are being committed. Thusly, the international community was more vocal in response to the situation in Darfur. This is especially true for the United Nations, which the last two Secretary Generals and the Security Council has made Darfur an international priority and has worked with other nations to initiate diplomatic efforts with the Sudanese government that seek commitments from the Sudanese government to disarm and to facilitate humanitarian aid delivery. The refugee camps in Darfur and surrounding countries that were initiated by the UN are the largest aid effort in the world. The Security Council imposed an arms embargo by passing Resolution 1556, which was later expanded increasing the scope of the arms embargo and other measures such as a travel ban] and a freeze on the assets of important individuals in the government.

Humanitarian efforts have also been in the central focus of UN action; more than US \$650 million in aid to Darfur is planned for 2007 and there are more than 12,000



humanitarian workers in the region from 13 UN agencies including the Red Cross and more than 80 non-governmental agencies (NGOs). Accessibility to humanitarian assistance has increased and the UN continues to work with the Sudanese government to follow the joint communiqué signed in March 2007 which has stipulated to effectively ensure and facilitate humanitarian aid. In 2004, the government also agreed to allow the deployment of human rights monitors and the predecessor to the Human Rights Council appointed a Special Rapporteur to Sudan. In February and March 2007, the Human Rights Council also deployed monitors to report on the human rights situation in Darfur. Subsequently, a human rights expert group was established to work with the Sudanese government and the AU to ensure that the resolutions and recommendations on human rights in Sudan were enforced.

On August 31, 2006, negotiations amongst the AU, the Security Council, Kofi Annan and the government of Sudan, amongst representatives from other countries and organizations that are politically influential in the region, resulted in a three-phased plan Resolution 1706 to include Darfur in its mandate of the UN Mission in Sudan (UNMIS), which expanded to include an unprecedented AU/UN Hybrid peacekeeping operation, called UNAMID. Adopted in July 2007 as Security Council Resolution 1769, this peacekeeping force was accepted by the Sudanese government in June 2007.

## Current Situation

In September 2007 Secretary-General Ban Ki-Moon visited Darfur to begin peace talks and to urge all parties involved to cease hostilities and to meet “overdue

commitments to Sudan peace agreement”. Resolution 1784, which was passed by the Security Council in the fall, extended the UNMIS mandate for six months until April 30, 2008. The opening of the Darfur Peace Talks in Sirte on October 27, 2007 has also marked the first phase of the peace process led by the UN and AU.

## Issues to Consider

1. Does protection of human rights transcend a country’s right sovereignty in its internal affairs?
2. Can the situation in Darfur be called “genocide”—and is this important in taking action?
3. What are the most important steps in stopping human rights abuses in Darfur?
4. How should the UN/AU peacekeeping mission be effectively implemented?
5. What are the ways in which the Janjaweed and other government-sponsored militia should be held responsible for human rights abuses?
6. What are the short and long-term consequences of violations of human rights?

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## Human Rights and Eradication of Poverty

### Topic Background

The signing of the Universal Declaration of Human Rights in 1948 was an important step in emphasizing human rights as the “third pillar” of the United Nations’ central role in protecting all peoples’ fundamental and inalienable rights. Article 2 states

Everyone is entitled to all the rights and freedoms set forth in this Declaration, without distinction of any kind, such as race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status.

The World Bank estimates that in 2001, 2.8 billion were living on less than \$2 billion dollars a day and 1.2 billion live on less than \$1 dollar a day. Yet poverty is not only a lack of material goods, assets and savings and employment opportunities. The Office of the High Commissioner for Human Rights has defined the definition of poverty to include deprivation of “physical and social goods, such as health, physical integrity, freedom from fear and violence, social belonging, cultural identity, capacity, the ability to exert political influence and the ability to live a life with respect and dignity”. The 2000 Millennium Development Goals were agreed upon by all signatories to cooperate in order to meet the needs of the poorest. The MDGs marked this heightened awareness between poverty and human rights as it sought to bridge the gap between concrete actions while emphasizing international humanitarian law.

While the traditional definition of poverty emphasized economics, the human-rights approach to poverty is predicated on the fact that poverty can be eradicated through

policies and institutions that are based on international human rights law. This is not to say that the allocation and control over economic resources does not play an important aspect in reducing and eradicating poverty but that it mainly serves as an objective measure of poverty and to help distinguish if there is poverty or just a general low level of livelihood. Former Secretary-General Kofi Annan noted poverty, development and human rights having a dependent relationship and that “wherever we lift one soul from a life of poverty, we are defending human rights. And whenever we fail in this mission, we are failing human rights”. Thus poverty is “not only a deprivation of economic or material resources but a violation of human dignity too”. A human rights approach has increasingly become an important lens through which to look at the eradication of poverty.

### Case Study – The Dalit of Nepal

A Dalit is the name for the “untouchable” in the Indian caste system. In eastern Nepal, the Dalit community has lived in poverty for centuries, due to discrimination and social exclusion that restricts their participation politically, socially and economically. Freed from the government’s practice of slavery in 2000, they lack integration with the rest of the Nepalese community. There is a lack of job opportunities and the Dalit are forced to seek other means to achieve livelihood; one example is clearing away carcasses of dead animals. In addition, there are miserable conditions in the villages; many are forced to live without food, clothes and shelter, according to the World Federation and National Dalit Welfare Society of Nepal. The government is not meeting the



community's demands and any compensation they seek has been ignored.

Janaki Devi Ram is a human rights activist and Dalit who led a protest that would later serve as inspiration for other strikes across Nepal. Over 150 workers protested the poor conditions and low salary. In response the high-caste farmers further made the Dalits outcasts by forbidding them to use public services, water supplies and limiting their access to shops to buy food. A sit-in was staged in protest at the office of the Chief District Officer and the ban was lifted. The Dalit community wrote a letter of grievances to the Prime Minister but discrimination still persisted and the low wages were still a main source of protest.

As a result of social exclusion and discrimination based on caste, tribe, and ethnicity, the Dalit have suffered. A telling statistic is the life expectancy of a Dalit member in Nepal, 40 years instead of the national average of 60 years. Other ways one can see the violation of human rights is the segregation of schools and the occurrences of abuse of children. Economically, the Dalit suffer because they cannot sell their goods. An OHCHR officer in Nepal noted that "crimes against this group and their poverty are the result of the discrimination" and thus health concerns, economic conditions and social stability are in jeopardy. This example combines several aspects of human rights that all contribute to violations of human rights, which may lead to poverty.

## **Past UN Action**

Linking human rights with poverty necessitates that we look at the most vulnerable, marginalized, and socially excluded peoples. Thus the Human Rights

Council, the successor to the Commission of Human Rights, has upheld the principles of non-discrimination and equality, which are the foundation of international human rights law. United Nations bodies such as the Economic and Social Council, General Assembly, Office of the United Nations High Commissioner for Human Rights and World Health Organization have worked on different aspects of human rights and ensuring humanitarian law in order to alleviate poverty. The central document is the Universal Declaration of Human Rights. Others include the International Covenant on Civil and Political Rights (ICCPR); 150 countries have ratified these; Convention on the Rights of the Child (CRC) International Convention on the Elimination of All Forms of Racial Discrimination (ICERD) and the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW). All member states of the UN have also ratified at least one human rights treaty, which means that there is a universal precedent in which they are legally obligated to.

In Resolution 2/2, which was adopted in November 2006, the Human Rights Council discussed the relationship between human rights and extreme poverty. The resolution urges the international community to make the fight against extreme poverty a high priority and reaffirms the commitments made at the 1995 World Summit in Copenhagen, which was important in that it put people at the center of development and vowed to put the eradication of poverty as one of the main means to develop. Another important step was UN member states' signing to the Millennium Development Goals which put eradication of poverty and the other needs of the poor as targets to achieve by 2015.



In 2001, guidelines were also developed by ECOSOC and the OHCHR that articulate how a human-rights approach will lead to poverty reduction. The guidelines represent a holistic approach that takes into account the social, physical and economic needs of the poor, such as Right to Education, Right to Personal freedom, Political Rights and Freedoms and Participation and Empowerment.

The World Health Organization has also begun to take a human rights approach to health and poverty and focuses on a “pro-poor health” strategy based on human rights principles that will *respect, protect* and *fulfill* the impoverished peoples’ right to health as well as access to healthcare. The OHCHR has also worked with the WHO to make a comprehensive set of guidelines in response to the realization that health enforces human rights and vice versa. Because a human rights approach to the eradication of poverty transcends political, health, cultural issues, the Human Rights Council has focused on discussion of poverty reduction strategies (PRS) in various UN and non-UN bodies and organizations.

## Current Situation

Eradication of poverty in relation to the protection of human rights has only recently been a focus for UN committees and bodies and the Human Rights Council. As a result, there has been little concrete action taken, as the targets of the UN Millennium Development Goals will be the most important indicator of progress in eradicating poverty. ECOSOC put forth a statement that represents a growing view of the international community: “Anti-poverty of policies is more likely to be effective, sustainable, inclusive, equitable and

meaningful to those living in poverty if they are based upon international human rights”. In order to achieve this, empowerment of the poor has been a central aspect that differentiates human rights-led approach to alleviate poverty. Also, as the year for the MDGs approaches, many countries are reviewing their commitments discussed in world conferences such as the World Summit, Rome Declaration on World Food Security of 1996 and the World Education Forum of 2000; of which topics also reinforce human rights.

## Issues to Consider

1. Is human rights an effective way in which to find strategies to reduce poverty and encourage development? If so, what are the most important aspects of human rights in which to focus on?
2. What concrete action can be taken that would both uphold human rights of the peoples and also help reduce poverty?
3. As a country’s poverty reduces, how should the HRC ensure that protection of human rights is central to a country’s development?

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