

UNITED NATIONS HUMAN RIGHTS COUNCIL



WELCOME LETTER

Hey everyone! My name is Annalise Fox and I will be your head chair for BMUN 67! I am currently a second year at UC Berkeley majoring in global studies and child development. Outside of BMUN I work for Americorps, teaching a class of preschoolers in Oakland. I love to bake, watch movies, eat food, and find good memes. I can't wait to have a super fun committee!

Sarah is a second year Environmental Economics and Policy major. She enjoys reading bad poetry, over-caffeinating, and exploring the San Francisco Bay Area. She is also committed to learning about new ideas and expanding her worldview everyday. Sarah is incredibly excited for BMUN 67.

Saran Uthayakumar is a freshman at Cal and is planning to major in Political Science and Global Studies. An avid Donald Glover fan, Saran spent much of his six years doing MUN listening to Childish Gambino ritualistically before conferences. He also has a strange affinity for quality country puns and writes about countries for the World section of the Berkeley Political Review. Saran is an Irvine native and strong mac and cheese enthusiast. While he has worked with internally displaced persons in the past, he is super excited to see the creative multifaceted solutions brought up for both topics in UNHRC (AKA the BESTEST committee ever)!

Hello delegates! My name is Patty and I am incredibly excited to be one of your Vice Chairs for UNHRC! I have been involved in MUN since high school and am bittersweet to be joining you on my very last conference. Currently, I'm a senior Individual Major: Space & Character at Cal, this means that I have created my own major, which focuses on design based research studying the relationship between spaces and the people who use them. I am also earning minors in Theater, Architecture and Sustainable Design & Urbanism in Developing Countries. I am originally from Haiti, but have also lived in Florida, Texas and now California! Outside of BMUN, I am highly active in the Bay Area theater scene and am

also President of my sorority, Alpha Chi Omega. Most importantly, I'm so eager to meet all of you and get to see what you will bring to such meaningful topics come conference!

Annalise

Annalise Fox

Head Chair, United Nations Human Rights Council

Berkeley Model United Nations, Sixty-Seventh Session

PROTECTION OF HUMANITARIAN WORKERS IN CONFLICT ZONES

TOPIC BACKGROUND

History of Humanitarian Workers in Conflict Zones

The first modern organized efforts towards humanitarian aid began with the Red Cross in the midst of World War I. As fighting heightened, small groups of medics gathered together to provide medical aid to soldiers regardless of political or national affiliation. Five different medical humanitarian groups decided to join their resources to better their ability to treat patients and combine their funds. They formed the Red Cross, a neutral medical aid provider, which at the time treated soldiers from both the Axis powers and the Allies. Despite its informal roots, in 1919, the International Red Cross was internationally recognized and it was declared that during conflict, the Red Cross or Red Crescent was a symbol of neutrality, and therefore should not be attacked. Throughout the duration of the Cold War and World War II, this declaration was upheld on a moral basis with few violations. Their symbol became internationally recognized and even those in nations of heightened conflict would refrain from harming any person or facility which held the symbol. Since the founding of the Red Cross, thousands of other aid organizations across all types of aid avenues, from providing food to education, have been formed to help those in times of both man made and natural disasters. Where there is conflict, instability, or people in need, they tend to be present.

The first spike in recorded attacks began occurring in the 1990s, when many African nations were plagued with civil wars and independence movements in countries such as Sierra Leone, the DR Congo, Somalia, and most frequently, in Rwanda ("Aid Workers Increasingly at Risk."). Despite this increase, attacks still remained relatively small in size, only killing 1-3 aid workers, and were often committed by rebel groups or militias desperate for supplies ("The Aid Worker Security Database"). The highest number of deaths in a single incident was only 10 workers, all of whom died in the crossfire ("Rwanda Aid Workers Accidentally Killed in Combat"). Even in these times, it was rare for aid organizations to be targeted and such incidents remained mostly contained to these specific geographical areas. However, when the war in Afghanistan and occupation of Palestine began, the

numbers of attacks began to increase, and although each only resulted in a few casualties, the geographic area where these attacks occurred spread wider, from only happening in a handful of African nations to spanning most developing areas of the world, such as the Middle East and South America. Since 1997, the number of attacks and kidnappings has continued to steadily increase. The violence in the early 2000s seemed limited to rebel groups and terrorist organizations but as time continued on, even government affiliated soldiers began to attack, particularly in Syria and South Sudan. In fact, 2007 is often seen as the year of the reversal from most aid workers being harmed by criminals to most aid workers being harmed in the name of politics (“Aid Workers in Danger”). In 2014, with 484 incidents, the death toll and number of attacks reached an all-time recorded high, as the chart in Figure 1 shows (“Aid Workers Under Attack”). Although in years since, there have not been as many attacks, this can be partially attributed to the new precautions taken by aid organizations to protect their workers. In a world which used to have aid organizations in nearly all places of conflict, many areas have now been declared too dangerous for aid to reach. They are much less likely to put the numbers of workers needed in zones where danger is a possibility.

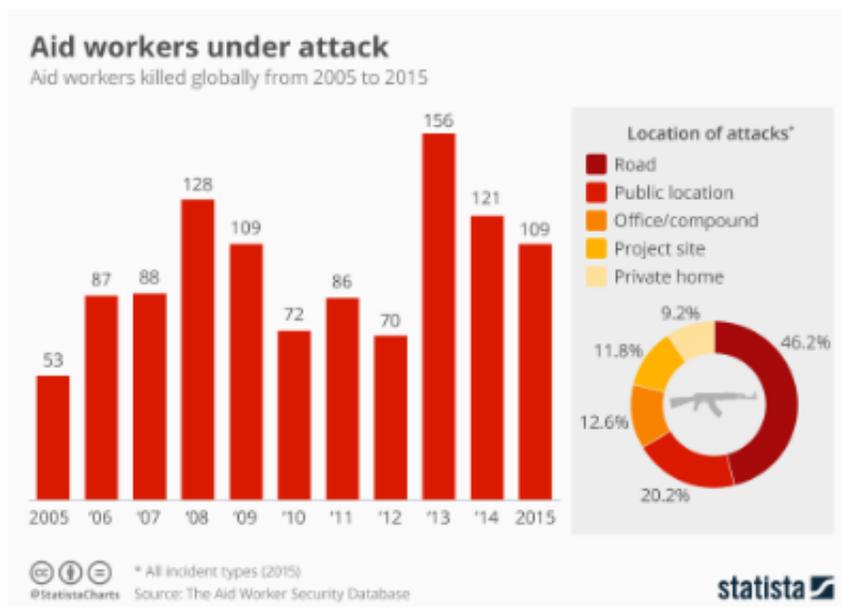


Figure 1: Aid Workers Killed Globally

Violence Against Aid Workers as a Tactic

There are two main groups which those responsible for carrying out attacks on humanitarian workers can be categorized into:

1. State actors: governments or government-sponsored militias which have some affiliations, either directly or indirectly, to national leadership
2. Non-state actors: independent from governments, tending to be rebel groups or terrorist organizations.

Each group tends to have very distinct motives, with some overlap, in regard to why they would carry out such attacks. More recently, it seems that violence against aid workers has gone from acts of desperate necessity to intentional political tactics, used to further the interests of involved parties.

State Actors

Governments have more recently become involved in attacks on aid officials. When governments attack, they tend to do so in hopes of political gains such as better control of their state or leverage over their enemies. Strict regimes, such as those in Syria and South Sudan, have been known to attack humanitarian workers, with a focus on health care workers specifically, in an effort to gain control of the people by striking fear into them. Both governments have faced instability, with rebel groups threatening to take their power and thus these strikes have seemingly been done in an effort to reestablish their superiority. These governments have carried out horrific attacks. They have been known to even station government snipers outside of hospitals with instructions to kill those who enter or exit. They will drive by and shoot medical personnel driving ambulances.

In other cases, governments will kill aid workers for providing aid to those who oppose them. For example, during the Arab Spring, Ad Hoc set up hospitals with volunteer medical students working out of living rooms to heal wounded protestors. Many of these volunteers are missing, assumed to have been abducted by states or even tortured for the aid they provided.

Even though it is often stated and believed that state sponsored killing of aid workers is only carried out by dictatorial regimes, it is suspected that 4 of the 5 permanent security council members have sponsored attacks on humanitarian aid organizations, often during proxy wars, or wars in which countries choose and support sides in conflicts ("Syria's War on Doctors") without getting their armies directly involved. It is thought that more developed

nations, such as the United States and Russia, have furnished the arms which have enabled attacks on organizations to be carried out in Syria, Yemen, and Sudan.

In addition to indirectly aiding these attacks, countries such as the United States and Russia, have also been known to carry out air strikes in which medical personnel are supposedly accidental victims of attacks despite aid organizations both having demarcations of their neutrality as well as having notified armies of their location. What these governments claim as accidents seem to be more of a calculated risk in which they weigh the upside of potentially killing a wanted target with the downside of killing some aid workers in the crossfire. Unfortunately, lately it seems the benefits seem to outnumber the costs.

Overall, for a number of reasons, governments seem to have strayed from the origins of international law and placed political gains over moral grounds when it comes to conflict.

Non-State Actors

Both rebel groups and terrorist organizations unaffiliated with the state continue to perpetuate and carry out attacks on humanitarian aid groups for their own gains. Since 2011, non-state actors have killed 11 medical personnel on record and have kidnapped many more (“United States Intervention in Humanitarian Affairs”).

In certain cases, attacks on international aid organizations have been used as a way to gain supplies by rebel groups. Within many sub-saharan African nations, such as the DR Congo, rebel groups will run short on supplies, whether it be food or vehicles, and look to rob humanitarian groups to take these supplies for themselves. When attacks on humanitarian workers first began to surface in larger numbers, a need for supplies tended to be the driving force behind nearly all attacks. In addition, rebel groups have also used attacks and kidnappings, with a particular focus on humanitarian workers, as a tactic to gain recognition and leverage. By kidnapping aid workers, rebel groups have been able to ask for informal deals, in which they receive more supplies or recognition, in exchange for getting the humanitarian workers back.

More recently, attacks have been carried out both to gain attention from the Western nations and to rid countries of Western ideologies that some of these groups have been accused of spreading. In particular, Al-Qaeda was known to kill aid workers as they were

an easy way to shock the West and gain popularity for their ideologies. ISIS took up similar tactics wanting to garner headlines and spread terror. These attacks were not only used to gain attention but also to promote the extremist ideologies supporting the destruction of the West, which these terrorist organizations believe many humanitarian organizations represent. However, not just terrorist organizations have taken up arms against humanitarian organizations. Many rebel groups in Africa, particularly those in the Central African Republic, have been known to shoot people solely for their attire denoting a humanitarian organization as a way to cleanse outside influences from their society. These groups have paid particular attention to educational organizations who they have either attacked or threatened out of their areas, believing that they are providing a Western education and stripping important tribal ideas such as female circumcision.

Some terrorist groups have also targeted humanitarian groups so that they can be the sole provider of aid in the region. This trend originally started in Somalia where Al-Shabaab would push humanitarian groups out of the area so that they were the sole provider of food and other material necessities. By being the only provider of goods that the people needed to survive, Al-Shabaab has continued to gain more support than they had previously held in Somalia. Other groups have adopted similar tactics, such as Ahrar al-Sham in Syria or ISIS in certain parts of Afghanistan.

Non-state actors, looking for ways to prove credibility, gain attention, and develop grassroots movements into territorial control, often participate in violence against aid organizations to further their political agenda. Without consequences for such actions, these tactics have often proven successful by non-state actors in achieving their goals and therefore will likely continue to be used unless changes are made in which the consequences of these attacks outweigh their desired outcomes.

Reasons for Recent Increase in Attacks

With the recent spike of violence against humanitarian workers in the last few decades, experts have begun to question how the international realm has gotten to this point and why the increase has been so sharp as shown by the graph in Figure 2. Going from a time where the Red Cross was a symbol of neutrality that was never purposefully attacked to that

in which both state and non-state actors systematically use violence as a tactic to further their political agendas has been hypothesized to have been caused by three main changed factors: modern warfare, terrorism, and neutrality.

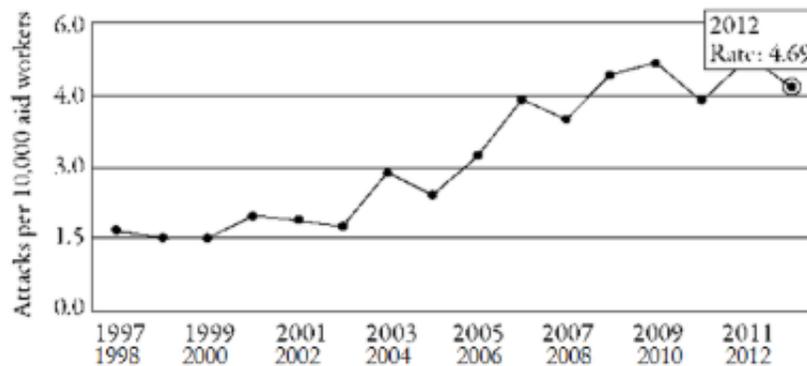


Figure 2: Attacks on per 1,000 Aid Workers

Modern Warfare

The modern day rules of warfare have greatly changed in the last three decades and alongside them have come these increased attacks. As wars have made their shift from interstate conflict to intrastate conflict, it seems the days of World Wars have, for now, been left behind for those of both civil and proxy wars. With the change in the nature of fighting have come much less organized conflicts with a much higher number of participating actors, both state and non-state.

One of the most notable shifts in the 21st century has been the move of warfare to urban environments. This has placed war much closer to civilians and aid organizations than in previous times. During the World Wars and the Cold War, battles were often fought on large fronts in rural zones. It was very clear who the enemy was, who was an ally, and who was providing aid. Now, fighting for control over densely populated areas, often all groups involved, including militias, civilians and humanitarian organizations, are located very close together, making it difficult to tell the difference between them or hurt one without hurting the other. It is these zones, combined with the nature of air strikes, that make the distances between the enemy and the aid rather small, and therefore in which to target one is to target the other. Furthermore, because of the warfare being fought so close to the general population, it has become more necessary for groups to gain their support. This has lead

them to go to extreme measures, as seen with both Al-Shabaab and the Syrian government's efforts to have singular control over parts of the aid system.

Another shift has come with increases in intrastate conflict. Although intrastate conflict has always outnumbered interstate conflict, as shown by Figure 3, the amount by which intrastate conflict has done so has greatly increased, with barely any interstate conflicts. Instead of governments with systematic drafts, the shift of conflict to intrastate has created a number of groups struggling for control of a country. Many of these groups are smaller non-state actors, and as seen in the section on the motives of non-state actors, they attack to gain popularity and tactical ground in ways which their size would not normally allow for. In addition, intrastate conflict does not fall under the international rules of war as set up by the Geneva Convention, written in 1949 when such civil wars were not nearly as common. Many of the laws only apply well to the more systematic interstate warfare that was found in the two World Wars ("International Relations Council Panel").

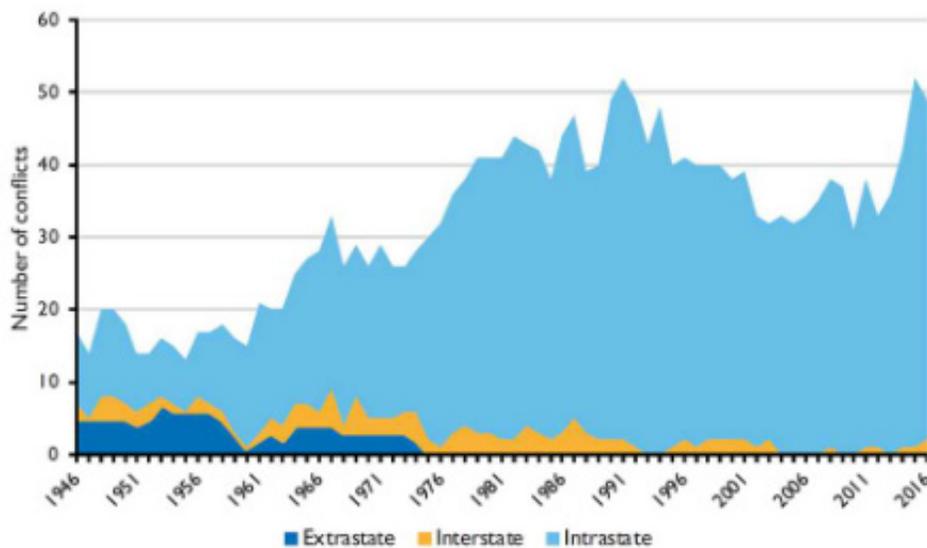


Figure 3: Present Conflict Types Over Time

Overall, the biggest change that has come with modern warfare, as outlined by the Director General of the International Committee of the Red Cross Yves Daccord, has been the "change in behavior" which has degraded the "respect to basic elements of humanity" ("International Relations Council Panel"). The root of the problem stems from the fact that in modern conflicts, it seems that enemies are barely seen as humans who deserve rights such

as the treatment of their wounded.

Terrorism

After the September 11th attacks on the twin towers, the view of basic rights was greatly altered, allowing moral values to be forgotten when it comes to fighting against terrorism and for national security. The United States and other Western nations have put into effect international laws which criminalize the act of providing aid to terrorists wounded in battles. In addition, on multiple occasions, European and American forces have carried out strikes whilst knowing either civilians or aid groups were in the area with hopes of catching a terrorist target. Also, terrorist organizations have carried out many attacks against humanitarian organizations, seeing them as Western entities. The reason these organizations are seen as so are because they have lost the third important factor: their neutrality.

Neutrality

The third and most important factor is neutrality. An increasing number of attacks have been perpetrated not just by terrorists but also by rebel groups because aid groups are seemingly moving more and more in a western direction. To many actors, humanitarian aid organizations have come to represent Western involvement, which many oppose. This argument that aid organizations are westernized remains well-grounded. Throughout current times, Western nations have been the highest donors to these organizations, both in money and volunteers. Although these groups are supposed to remain neutral, there has been a number of times in which preference towards one side of the conflict has been shown. For example, the World Food Program (WFP) was attempting to get a shipment of food to starving Somali citizens, but being worried about the possibility of the ship being attacked by Al Shabaab, they enlisted the protection of NATO, a heavily political entity. Furthermore, humanitarian aid other than medical aid to terrorists has become illegal, forcing aid agencies to refuse aid to suspected terrorists to keep their funding and avoid serving jail time, taking away their complete neutrality. Some organizations have even released statements themselves which others have perceived to be part of the "Western agenda" of changing traditional ways. In many places, with humanitarian actions becoming less neutral, instead of

the shield from harm it was meant to be, the Red Cross symbol has become a target.

Effects of Violence Against Aid Workers

The most important and heartbreaking loss from these attacks has not been the loss of aid workers but rather the cost of what losing those aid workers has meant for the humanitarian aid community as a whole. The more attacks carried out on humanitarian organizations, the further they have to move from the epicenter of a conflict and more importantly, from those who need them the most. As the Overseas Development Index has found, both the amount of care available and the quality of that care is jeopardized when the safety of humanitarian workers is endangered. For instance, in 2008, after attacks in Somalia, 12 established NGOs in Somalia removed their aid ("Humanitarian Crisis Looms in Somalia"). The aid agency was estimated to have been serving over 280 citizens each, many of whom were severely malnourished and likely died without the humanitarian support (Humanitarian Challenges and Intervention). The most important aspect of the topic is that those who need aid can no longer receive it because there is too much risk involved for aid workers. If action is not taken regarding this violence, more civilians will be relegated further from the aid they need to survive.

PAST UN ACTIONS/INTERGOVERNMENTAL ORGANIZATION RESPONSE

International Documents

Safety of humanitarian workers was one of the founding principles of the United Nations. As one of its first resolutions, the United Nations passed A/RES/55 in 1947 claiming the Red Cross and the Red Crescent societies as international entities. It not only gave them this title but also expressed the necessity of countries to create environments in which they could best carry out their work. Although this document was an important recognition of the humanitarian community, it was not until 2 years later that the UN established their first legally binding document regarding medical workers in conflict zones. One of the major founding documents, the Geneva Convention, tackles this issue in its first section, providing protection to medics assisting the wounded in times of conflict. Placing the safety of medical

personnel at the forefront of the international laws of war, the unspoken neutrality of the Red Cross symbol became legally binding.

Although the founding principles of the United Nations provided protection for humanitarian workers in the medical field, it was not until 1999 that such a legally binding document came into existence for other humanitarian avenues, such as education and nutrition. With the implementation of the Convention on the Safety of United Nations and Associated Personnel, international law expanded the protection of aid workers to all UN personnel and other associated organization, giving protection to workers of the FAO, UNICEF, and Teachers Without Borders, who up until this point only received protection from moral value alone.

Despite occasional documents reaffirming the Geneva convention, it has not been until recently that the United Nations has started to create more resolutions for the protection of aid workers, especially in the face of the increasing number of attacks. One of the most recent and impactful documents, A/72/L.22, passed in December of 2017. Although the substance of the document contains more reaffirming of established international laws, the debate that it sparked is one still taking place on the international stage. In the face of attacks against humanitarian workers, many European nations and other Western powers advocated for an international court system to try those carrying out these attacks and hold them accountable. However, the completed document did not end up creating such a system as many developing nations, led by the president of Sudan, Omar al-Bashir, warned that such a system would politicize international aid. Because international courts have received much backlash recently due to the overwhelming majority of cases from African nations, al-Bashir claimed that such a system would only heighten violence and that it should be up to the countries themselves to create punishments for these crimes.

Law in Practice

Even with multiple legally binding international documents, with a shift to more guerilla and unorganized warfare, these attacks are still on the rise with little to no action against those who commit such illegal attacks. Leaders of humanitarian aid organizations such as Jason Cone, the executive director of Doctors Without Borders, have accused these

documents of being "empty rhetoric," meaning despite the continued passing of resolutions, very little is actually done about the issue. The most disturbing violations of these rules have come from governments who sponsor these resolutions. Syria's President Assad has been known to target medical personnel and hospitals in an effort to gain complete control over the healthcare system, despite Syria having ratified the Geneva Convention in 1953. In some cases, Russia has been known to be associated with providing the weapons for airstrikes on hospitals. Despite the continued use of these Russian affiliated weapons to attack hospitals, Vladimir Putin denies any connection. Russia continues to provide the technology which allows the government to attack hospitals on such a wide scale. Russia was also suspected to have provided weapons used by the government in Yemen to carry out attacks against aid workers. Even nations such as the United States have been known to carry out drone strikes in areas where they know medical personnel are present. For example, in Kunduz, Afghanistan, a medical organization called the MSF was bombed despite having both markings on the room identifying it as a healthcare providing facility and after notifying the armed services in the area of their location. The US government claimed that after having done a "thorough investigation," they determined it was an "accident," and no person was ever held accountable ("Council on Foreign Relations Panel"). Kunduz is just one example of these "accidents" which seem to be the United States willing to make sacrifices when it comes to humanitarian workers if it means attacking terrorists. These are only a few examples of governments openly attacking aid workers without consequences despite having signed the documents of international law which prohibit them from doing so. Other sponsoring governments such as Egypt, South Sudan, and Afghanistan, have been suspected of carrying out attacks in the past with no repercussions.

In addition to governments disobeying such laws, other governments have had a difficult time enforcing the laws when they are not breaking them. The three main areas who have reported the most attacks on humanitarian aid workers are Central Africa, West Africa, and the Middle East, where instability has been the main cause for concern. In many places, both terrorist groups and local militias have been known to kill humanitarian workers for their supplies or even kidnap them for leverage. Because there are many different groups struggling for power, it becomes difficult for the officially recognized government to

hold them accountable or stop them from carrying out such attacks. In the Central African Republic, the Popular Front, an anti-government group, has even been known to attack people just for wearing NGO associated clothing, as by their philosophy, people providing humanitarian aid are foreign invaders spreading Western influence. Despite these attacks having gone on for over a decade, with national instability, the government has been unable to stop such violence from occurring or hold anyone from the Popular Front accountable for their actions. Similar situations seem to be occurring in the DR Congo by rebel groups, in Somalia caused by Al-Shabaab, and in Afghanistan by terrorist affiliated organizations. Even with such strong legal protection of aid workers, it seems that in the last few decades there has been a great struggle for these documents to be upheld both by governments in following the laws and enforcing them. It is clear that more needs to be done by the United Nations to ensure safety and make these documents into more than the "empty rhetoric" they seem to have morphed into. Although the United Nations response to increasing attacks has always been another strongly worded resolution condemning attacks, it is clear that these documents are not nearly enough to put a clear end to violations against humanitarian workers.

Non-Governmental Organization Response

NGOs and United Nations organs have played a pivotal role in the United Nations involvement in this topic. Not only are they the ones being targeted in these situations but they have also been the biggest advocates of necessary changes to encourage their protection. The three organizations statistically most affected by these attacks have been the Red Cross, OXFAM, and CARE, both because of their scale and wide geographic spread making them particularly vulnerable to attacks. With each attack on these organizations has followed outcry by both their leaders and workers for a better system. Often times their lobbying single-handedly leads to the discussion and passing of resolutions such as A/RES/71/129 and A/RES/2175, both which continued the encouragement of enforcement and strengthened existing laws. Although they have not had a great impact on the number of attacks, their call for action and response is still a recognizable acknowledgement by the United Nations and a step in the right direction.

In addition to starting conversations in the General Assembly, many leaders of these organizations have been very outspoken with solutions they believe would be helpful to solving this crisis. Many organizations, including Human Rights Watch, Friends of the Global Fund Africa, and Save the Children, have even joined together to form a coalition called Safeguarding Health in Conflict, which advocates for and proposes solutions for the rights of humanitarian workers. It has run a number of awareness campaigns as well as proposed ways accountability can be upheld for actions against the Geneva Convention and ways states can work to make the job of said organizations easier for those volunteering. Currently, they are working on methods which can better quantify the attacks. One of the leaders of the coalition, Leonard Rubenstein, has stated that it is important to quantify the attacks to better understand the issue as well as to provide more concrete evidence of attack numbers getting worse to motivate the Security Council and world leaders to take the issue seriously (Refugee Camps, Civil War, and the Dilemmas of Humanitarian Aid).

Overall, NGOs have been some of the main motivators for action by the United Nations and they continue to propose innovative and useful solutions to the problem. They should be looked at by the international community as the leaders in this issue and have continued to keep the rights of humanitarian workers relevant in the eyes of international officials.

CASE STUDY: SYRIA

70% of all attacks on healthcare workers worldwide in the past year have occurred within Syria. Many international humanitarian organizations as well as national healthcare volunteers have died, not in crossfire, but due to strategic military attacks carried out by the Syrian government. Although since the beginning of the conflict attacks on healthcare volunteers has been a problem with 112 attacks last year, killing 73 workers and injuring many more, in 2018, the attacks have reached a new peak. Just within the first 5 months of this year 92 attacks were carried out, already killing 16 more workers than the entirety of last year's attacks (2018 Worst year in Syria's Humanitarian Crisis: U.N. Official). Most of these attacks persisted in previously rebel controlled areas such as Idlib and Damascus, as part of intensive efforts by Assad's regime to regain control. The attacks in 2018 have come in many forms, including snipers stationed outside of hospitals shooting all those attempting to come

in or out, of barrel bombs dropped on facilities, which although have been denied by the government are fairly certainly tied to Assad's regime.

After an attack earlier this year on a truck of Red Cross healthcare supplies being transported into the country, the president of the ICRC stated that such attacks "might have serious repercussions on ongoing humanitarian operations in the country, hence depriving millions of people from aid essential to their survival" and in fact, the attacks already have had detrimental effects (Syria: Attack on humanitarian convoy is an attack on humanity). With the government only approving 7% of all humanitarian aid the United Nations has proposed, aid is already scarce within the nation; however, with such attacks continuing to occur even with aid approved by the government, many aid organizations have decided extending help to Syria is no longer worth the risk with about 75% of health workers having fled this year (Syria's Humanitarian Crisis).

Even more problematic is that the Syrian government has not been the only governmental entity responsible for ongoing humanitarian attacks in Syria. In 2016, an attack on a UN humanitarian convoy was confirmed to have been committed by a Russian aircraft. Although the Russian government has claimed they were not responsible for the attacks and that the aircraft was not acting under government commands, this is likely not the case. The attack, which destroyed 18 of 31 trucks filled with nine tons medical supplies and food for 78,000 people, halted aid to a rebel controlled area (Russia Attacked U.N. Humanitarian Convoy). Because of Russia's known opposition to aid given to rebels, it is not surprising that they would use the attack as a strategic move to weaken the rebels, as Assad's regime has continuously done throughout the conflict. Other attacks in the past have been suspected to have been carried out by Russia, but none have been as strongly confirmed. Both the Russian and Syrian governments have not been punished for these attacks and have continually denied them despite photo evidence and eyewitness accounts.

Syria is a perfect example not only of how attacks against aid workers are being carried out but also of why attacks against aid workers are being carried out. Despite these continuing attacks, not only have the Assad's government and allies not faced repercussions, they have actually gained much from this illegal strategy. By blocking and destroying aid in rebel controlled areas, the government has monopolized the aid system, giving them more

leverage over the people. For basic rights of food and healthcare, citizens have no choice but to be in a government controlled area. Aid in rebel controlled areas either has or will likely be destroyed, or is non-existent because it has been blocked. The Syrian government's success with this strategy is not only upsetting because of its atrocity but by its benefits it has set a precedent that has been, and likely will continue to be, followed by other entities.

QUESTIONS TO CONSIDER

Question 1:

Providing aid to terrorists can be considered illegal by nations such as the United States. Do these laws need to be amended for true neutrality to be reached or should these laws stay in place? Why does your country believe they should be kept or changed? Use evidence to support your case.

Question 2:

Does your country believe the ICC take on cases where aid workers have been attacked? What are the positives of having a system of accountability? What are the negatives of making aid political?

Question 3:

What shortcomings have past UN resolutions regarding the topic had which lead to the continuation of these attacks? Name and analyze a specific operative that has been successful and one that has failed.

Question 4:

What is the biggest cause of the sudden increase of attacks in the 21st century? Why is this cause the most important?

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RIGHTS OF INTERNALLY DISPLACED PERSONS

TOPIC BACKGROUND

According to international law, Internally Displaced Persons (IDPs) are those forced to move from their homes, due to conflict-related issues, such as violence by rebel groups, human rights abuses, or non-conflict related issues, such as development or natural disasters. The technical definition found in the United Nations Guidelines of Internal Displacement names them as “persons or groups of persons who have been forced or obliged to flee or to leave their homes or places of habitual residence, in particular as a result of or in order to avoid the effects of armed conflict, situations of generalized violence, violations of human rights or natural or human-made disasters, and who have not crossed an internationally recognized border” (“UN Guiding Principles of Internal Displacement”).

Currently, estimates range anywhere from 30 to 60 million internally displaced persons across the globe (Integrating Internal Displacement in Peace Processes and Agreements). Being so spread out, often it is difficult to maintain a concrete number, hence the wide range of estimates researchers have displayed. However, there is one fact of internal displacement which all agree upon: it continues to grow at an alarming rate. Even the most modest estimates of the amount of IDPs present today still place the number at nearly 5 times as many as there were in the 1970s (The Forsaken People).

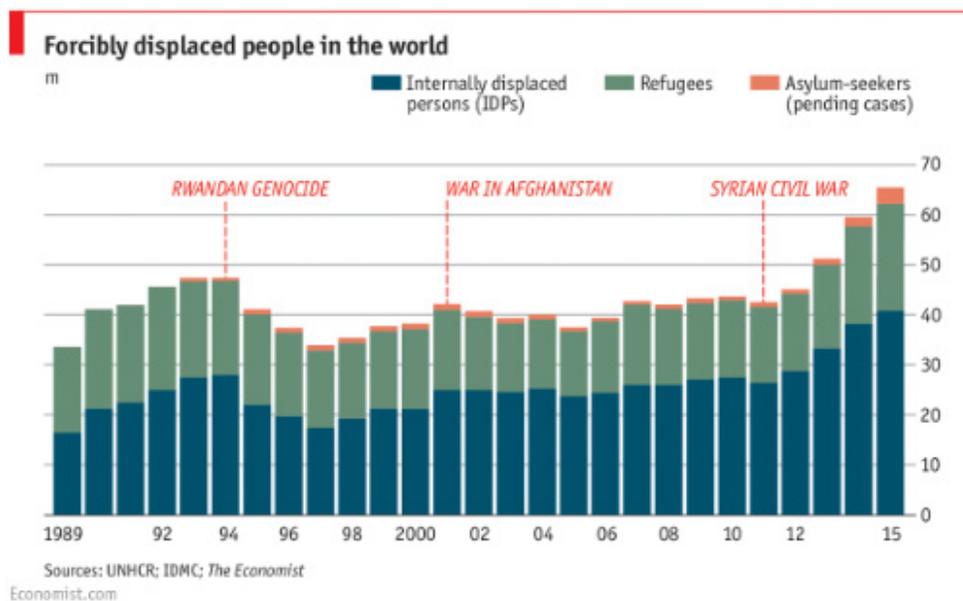


Figure 1: Forcibly Displaced People in the World

As exemplified by Figure 1, IDPs are not the only forcibly displaced group that has seen a rise in numbers. The two other groups, refugees and asylum seekers, have continued to grow as well, especially when faced with mass scale conflicts. Their numbers tend to parallel each other, and many consider them useful tools as marking to presence of global instability, meaning that the higher the levels of forcibly displaced people, the more unstable the world. However, unlike other forcibly displaced people, IDPs do not nearly receive as much help as they need. Although IDPs are very similar to refugees, only differing in the fact that they have not crossed an international border in the duration of their flee, they receive much less benefits, both legally and physically. Often times, IDPs, unable to leave their country, remain in violent, dangerous, or unstable areas, which not only makes it difficult for aid to reach them, but also continually puts them in harm's way. Despite some camps for the internally displaced where they can receive benefits such as healthcare, education, and nourishment, many continue to reside in their countries, unable to receive the aid they need. With global warming, development, and conflict on the rise, the problem of internal displacement is unlikely to fade away any time in the near future. It remains important to both the people displaced and the future of unstable regions that more concrete solutions are put forth to enable their protection.

IDPs can be categorized into two main types, conflict and non-conflict. Although both face similar struggles such as loss of livelihood, shelter, and basic necessities, the approach to providing these services as well as the procedure after displacement remains very different.

Conflict Related IDPs

Internally Displaced due to conflict related issues remain both the largest group and the group with the least amount of aid concentrated on them. The Internal Displacement Monitoring Center places their estimate of conflict-related IDPs at nearly 70% of the internally displaced population ("Internal Displacement in Armed Conflict"). The three most common reasons for conflict related displacement include: armed conflicts, internal strife, and systematic violations of human rights. As exemplified by Figure 2, conflict driven displacement reaches nearly every corner of the globe in large numbers, with anywhere from 900 to 6 million people estimated to be internally displaced (Internally Displaced People: a

Global Survey).

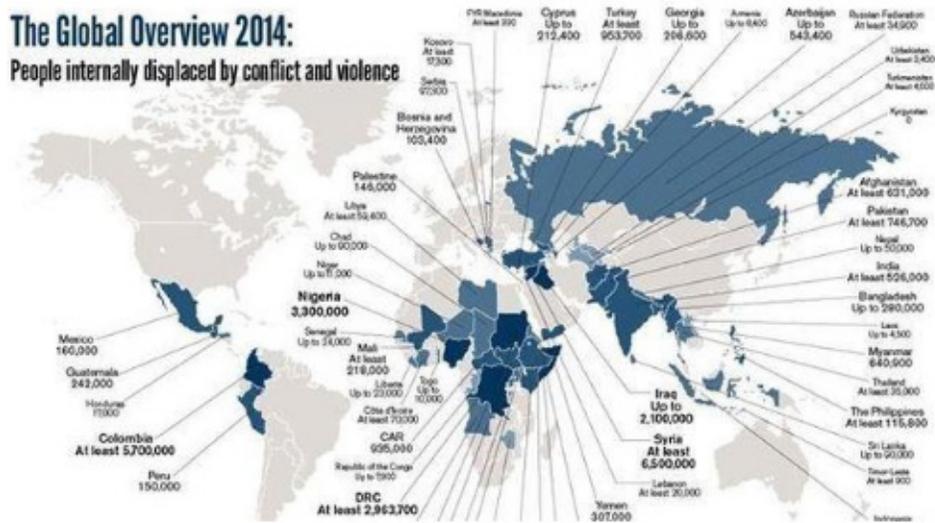


Figure 2: Global Internally Displaced Populations

Although armed conflict is not the most common cause for displacement in terms of geographic regions, it does produce the most numbers of IDPs in short periods of time. In Figure 1, as the graph pictures, with major conflicts come major spout of displacement. Armed conflict can include a variety of situations, including civil war, international war, or smaller scale conflicts involving deadly weapons. Often times people flee these conflicts due to violations of their basic human rights.

In a world where urban warfare is becoming more and more common, the likelihood that civilian cities will become sites of crossfire has increased. Many areas of residency have had to be abandoned due to violence between groups fighting for control of unstable regions. Sometimes, in the case of Syria or Iraq, this crossfire has taken the form of destruction of shelter or areas via airstrike. Not only can these strikes destroy the homes of civilians but repeated airstrikes in areas often lead to the flight of individuals from their neighborhood, fearing for their own lives. With a recent shift in war to more urban environments, cities such as Baghdad and Aleppo have faced mass civilian casualties and destruction as a result of airstrikes in armed conflicts.

Furthermore, armed conflict can also lead to flight due to human rights violations being committed by rebel or terrorist groups. In regions where armed conflict is prevalent, often times the government is ill equipped to protect rights of its citizens, hence why other violent groups are able to compete for control. These groups have often been the culprits

of intense human rights violations. They have been known to kill those who refuse to submit to them, as seen when ISIS took control of territories. Groups such as the Taliban and Lord's Resistance Army have kidnapped children to be used as child soldiers. In the Congo, rebels have even been known to rape entire villages, as exemplified by the 200 women raped in North Kivu ("Rape: A Weapon of War"). With all these atrocities, it is no wonder that these regions have some of the largest internally displaced populations in the world. When such atrocious violations of rights occur often times citizens have no choice but to flee their homes and seek protection elsewhere. In particular, these situations have occurred in countries that have different groups in control depending on the region. This prompts the moving of citizens to separate regions of the country in which their rights are preserved more so.

Unfortunately, not all countries in conflict have areas where human rights are protected. Often, in cases such as Sudan, one group can be just as bad as the next. In cases like Syria, which Assad now has the majority of control of, it becomes difficult to escape violence or systematic abuses of human rights. In a world that seems to be experiencing a period of isolationist policies, with the withdrawal of Britain from the European Union, travel bans, and deportations, the transition from IDP to refugee is becoming more difficult for those in zones of danger. Not only is leaving now physically difficult, it also takes an emotional toll for citizens to leave their home country. Many do not want to leave their friends, family, and culture behind. All of these factors often keep people in countries of conflict, even when their homes are gone or left in an effort to avoid immediate harm, continuing the increase in IDPs globally and putting them in harm's way.

.Non-Conflict Related IDPs

Non- conflict related IDPs consist of those citizens displaced due to reasons other than violence. Although this category can encompass many different causes of displacement the two major contributors are natural disasters and development.

Natural Disasters

With natural disasters becoming more and more common due to global warming, each year more citizens become forcibly displaced. It is estimated that in 2017 alone 24.2 million people were displaced by natural disasters ("2017 Global Report on Internal Displacement").

The most impactful disasters have occurred in south and east Asia as well as the Caribbean nations. Particularly vulnerable to storms and floods due to the proximity to water, these regions have been devastated and year by year continue to face more turmoil as climate shifts. Although those displaced by natural disasters tend to receive more aid from non-governmental organizations, with their homes, hospitals, and schools entirely destroyed, the quality of these basic human rights can greatly lower and the livelihoods of these citizens get often completely swept away.

One of the most detrimental natural disasters comes in the forms of storms. Whether a tropical storm or a hurricane, high winds and heavy rains can do incredible damage to communities. As shown by Figure 3, in recent times the amount of people displaced by storms has seen a sharp increase. This can be explained through a phenomenon known as thermodynamic disequilibrium. There is a specific balance between moisture in the sky and water in the sea which disables storms from reaching such detrimental sizes, considered an equilibrium. However, with temperatures rising more and more water has continued to evaporate, creating disequilibrium. More water vapor in the sky gives way for more humid, moist environments. The more moisture in the air the more likely a hurricane is to occur. Not only does this increase the frequency, but hurricanes and tropical storms also tend to thrive in humid conditions, which has enabled them to reach unprecedented sizes more frequently than ever before. In fact since the 1980s, frequency and intensity of hurricanes have reached a steep uphill slope, thought to be paired similarly with temperatures rising ("Climate change makes Hurricanes more Threatening"). These storms have recently caused much damage to the North Atlantic, particularly middle to low income countries, such as Cuba and Puerto Rico, who do not have the infrastructure or coping capacity to deal with high intensity storms. Even with plenty of aid from NGOs such as UNICEF and Habitat for Humanity, these governments lack the funds, organization, or motivation necessary to rebuild infrastructure, continuing the struggles of those displaced. With the continuation of global warming it is thought that this trend of increase will continue displacing more vulnerable populations.

Global displacement by type of hazard

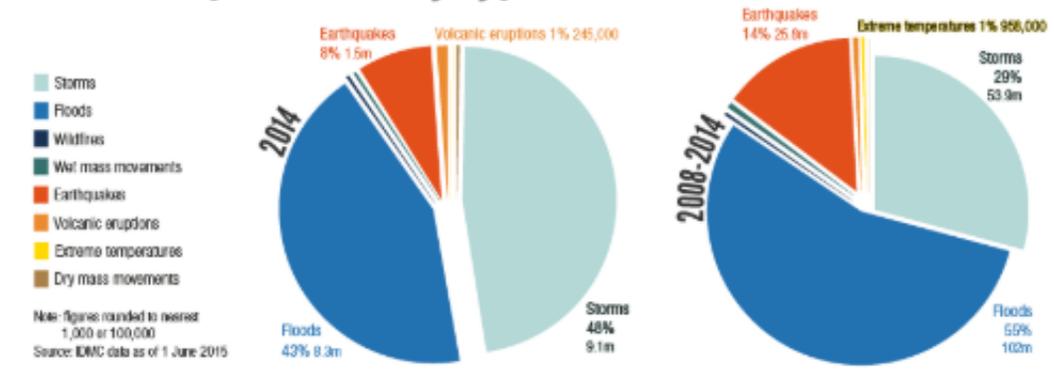


Figure 3: Global Displacement by Type of Hazard

The second highest displacement natural disaster continues to be flooding. With the melting of the polar ice caps and thermal expansion of oceans, the amount of water present in the world is quickly increasing. This phenomenon has led to rising sea levels, greatly impacting small island nations such as the Maldives or even large cities, such as Manila, the capital of the Philippines. Because of weather patterns such as El Niño Southern Oscillation and Pacific Decadal Oscillation, regions in southeast Asia are experiencing sea level rise nearly twice as the international average (“Projections of Mean Sea Level Change”). However, it is not only coastal areas that global warming is affecting. Both China and Russia have experienced major flooding as melting ice has even led to a rise in river levels so much that entire villages have been destroyed. In many of these regions, particularly the Maldives, the UN and other NGOs have set up displacement camps which provide shelter to those affected for the time being. However, these camps often do not come close to good standards of living, as they are often overcrowded and understaffed.

Development

In addition to conflict and natural disaster, an often left out and increasingly growing population of IDPs are development-induced. Despite the often positive connotation of development, sometimes it can act as a harm to citizens. Larger companies can come making it more difficult for local businesses to compete because these companies often have better and expensive technology that allows for mass production and lowers prices of goods. With

such development, growing numbers of citizens have had to flee their homes in an attempt to make a livelihood elsewhere. This form of displacement has been the most difficult to track and measure, however some estimates put the number displaced as high as 10 million ("Development-Induced Displacement and Resettlement"). Some citizens, particularly farmers in regions such as West Africa or India, have been unable to be successful even in businesses which they have had for years, as they cannot produce fast enough to provide competitive prices with more efficient companies.

In other cases, as an area becomes developed, companies move in and build infrastructure for resource extraction or dams to power facilities or irrigation. These projects often require much land forcing people to move. Often times these companies offer no alternatives to those who have to leave their homes and jobs for their projects. This can lead to them no longer being able to afford a livelihood, forcing them to move to cities for work, in which they often live in horrible conditions. Projects like China's Danjiangkou Dam used for irrigation and power, have displaced around 400,000 people. Other projects building infrastructure like Indonesia's Jabotabek Urban Development Project, making nicer roads and infrastructure, have displaced 50,000 ("Indonesia - Jabotabek Urban Development Project"). Because of the many benefits it provides nations, the push for development continues. If these large scale projects are to continue, it remains important to provide citizens relatively close alternative forms of shelter, so that citizens do not have to become forcibly displaced for the sake of infrastructure.

PAST UN ACTIONS/INTERGOVERNMENTAL ORGANIZATION RESPONSE

It was not until the 1990s, that internal displacement truly started getting attention from the international community. In 1993, at the World Conference on Human Rights, the Vienna Declaration and Programme for Action set to put refugees and internally displaced people into more of a spotlight when making resolutions and acknowledged the dire need to help them. In 1995, this Program was followed through with the adoption of A/RES/48/135, with the appointment and extension of duties of Francis M. Deng, named a representative under the Secretary General on Internal Displacement. Throughout the late 1990s, more resolutions were passed specifying the representatives responsibilities, expanding Deng's

authority from just reporting to the secretary general to starting dialogues with nations about legislation frameworks to be passed to help the internally displaced. In 1998, the progress made by representative Deng in forming legislation with the five permanent Security Council members, lead to the passing of A/RES/52/130, which put his frameworks for internally displaced legislation into a resolution and encouraged countries to establish frameworks of their own.

Since then 142 resolutions have been passed mentioning displacement, the most important being the UN Guiding Principles on Displacement. The UN Guiding Principles on Displacement outlines the definition of IDPs and the responsibility the UN has in keeping them safe. It provides them the same rights as other citizens “to be upheld without discrimination” and states that it is the responsibility of national authorities to provide “protection and humanitarian assistance” (“UN Guiding Principles of Internal Displacement”). Its second section discusses the important duty countries have in preventing displacement from occurring in their nation and its third guides countries to what should be done during displacement. Although extremely beneficial and generous in giving rights to IDPs, because the document is not legally binding, no nation is required to follow it, rather it is just encouraged. Furthermore, the principles put internal displacement as a responsibility of the UNHCR (United Nations High Commissioner on Refugees) to protect them and provide them aid.

SHORTCOMINGS OF UNITED NATIONS LEGISLATION

Resolutions Unproductive

Despite 142 resolutions being passed in regards to IDPs, they still face enormous struggles today, proving that the current documents are not as effective as they could be. Over 100 of these resolutions mention some type of concrete solution; however, the majority of these resolutions tend to focus on the return of IDPs to their original home, ignoring other important aspects of displacement, local integration and resettlement elsewhere. In fact, only 6 resolutions mention resettlement and only 2 mention local integration (“The UN Security Council and Prevention of Displacement”). Because return to the original place of residence is often impossible until the conditions which caused the move in the first place, these resolutions tend to miss providing aid during the times in which IDPs are in the most

vulnerable, amidst the instability of their home.

The Protection Gap

Although these resolutions and dozens more have passed, the internally displaced still face many troubles in the legally binding rights they are given. Despite the minor differences between refugees and IDPs, refugees and IDPs receive tremendously different protections, both legally and physically. Refugees are given explicit legal protection, binding under international law. Although IDPs are granted these similar protections they are not legally binding. Many call this lack of legally binding ideals a “protection gap,” as IDPs are considered different from refugees but there has failed to be a special body of legislation addressing their needs. This means that no country is forced to provide protections outlined in the United Nations Guidelines of Internal Displacement. Although many more developed nations have laws in place to protect IDPs, as shown by Figure 4, which has distorted the sizes of nations to be in proportion to the amount of internally displaced people in the region, it is not the developed nations which need these laws in place. IDPs still are granted rights under the Human Rights Law, which applies to all civilians residing in their country. However, because of their situation often these protections are not enough or the government is unable or refuses to acknowledge these rights in the first place, hence their fleeing.

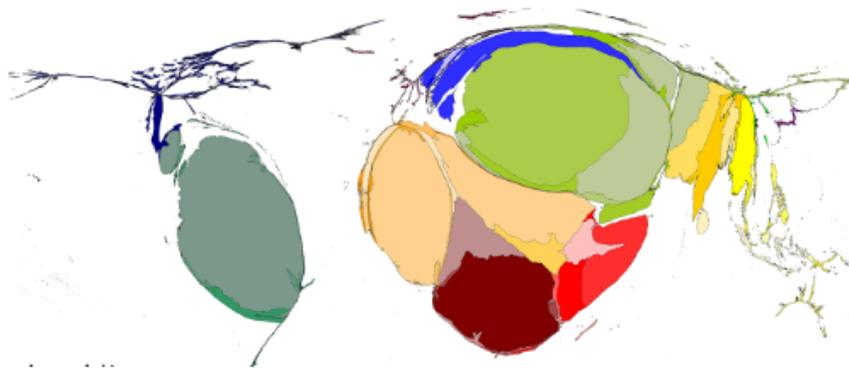


Figure 4: Proportion Map of Internally Displaced

Figure 4: Proportion Map of Internally Displaced

Location

Overall, despite such a sizeable population experiencing displacement, the UN is currently only able to provide aid to just over 5 million out of the 40 million displaced (“The UN Security Council and Prevention of Displacement”). Camps tend to be set up in rural areas, and humanitarian aid rarely reaches IDPs in cities, who are often homeless and have a hard time finding work. Even the UNHCR has stated that “[IDPs] often move to areas where it is difficult for us to deliver humanitarian assistance and as a result, these people are among the most vulnerable in the world” (Internally Displaced People”). Unfortunately, these problems are not limited to organizations within the UN. Even other NGOs who attempt to help the internally displaced such as the World Food Program, Red Cross, and Operation Provide Comfort, have faced similar issues in reaching IDPs, especially those displaced by conflict-related or development-related issues. In conflict areas, it can be too dangerous for humanitarian workers to proceed to help IDPs without risking their lives. As far as development-related displacement, it is often difficult to locate those displaced and attention is not focused on them because they are not in the most dire of situations. Overall, continuing to be in unreachable areas, solutions such as displacement camps or aid, have been unable to reach the most vulnerable of IDPs.

CASE STUDY: THE PHILIPPINES

In the Philippines, internal displacement is driven by both natural disasters and armed conflict. The Internal Displacement Monitoring Centre (iDMC) reported in 2017, that the Philippines had 2,529 newly displaced people due to natural disasters and 645,000 newly displaced people due to conflicts (Internal Displacement Monitoring Centre).

Most displacements in the Philippines due to conflict occur in the Mindanao region. According to the UNHCR, the total displaced population in Mindanao alone was 419,266 in 2017. The main drivers of conflict in the Mindanao region were the Muslim separatist groups there: the Moro National Liberation Front (MNLF), Abu Sayyaf, and the Moro Islamic Liberation Front (MILF). These groups sought the ability of self rule for the Muslim

populations in the area which created conflict with the non-Muslim indigenous residents. The periods of mass displacement of the Mindanao region was worst during the height of the conflicts in 2008 and 2009 ("The Philippines: Conflict and Internal Displacement in Mindanao and the Sulu Archipelago"). Conflicts with these groups have generally subsided due to multilateral agreements that these groups have signed with the Philippine government ("History: Mindanao Conflict and the Moro Islamic Liberation Front"). However, new displacements still occurs. Furthermore, there has been little sustained investigations into the current situations of IDPs in the area. Many IDPs lack birth certificates which bars them from receiving government support. The lack of proper identification is also a barrier to IDPs' claims to property, slowing their return. Furthermore, the children displaced in Mindanao are particularly at risk due to the recruitment, abuse, and exploitation of children in the region due to the lack of infrastructure to support people ("Protection Cluster - UNHCR Philippines"). Being an IDP disrupts the culture and the traditional family structures, causing forced cultural shifts ("Gender and Livelihoods among Internally Displaced Persons in Mindanao, Philippines"). Despite the intervention of the Philippine government and UNHCR protection clusters, the majority of IDPs remain vulnerable and unable to return home ("Mindanao Displacement Dashboards - UNHCR Philippines").

In addition to conflicts, displacement in the Philippines is also driven by natural disasters. The Philippines is especially vulnerable to natural disasters due to its location in the "Typhoon Belt," an area that receives seasonal typhoons, and on the "Ring of Fire," the area around the Pacific Ocean prone to seismic activity. Typhoons are a routine aspect of the Typhoon Belt but in recent years the strength of typhoons have increased. While, the Philippines has built up some resiliency, approximately one-fifth of the storms each typhoon season are destructive to the coastlines. The single largest displacement event in the Philippines was Typhoon Haiyan in 2013 which displaced approximately 4,000,000 people and killed over 2,000 ("Worse than Hell"). The Filipino government did not provide adequate assistance to the region, pushing many people to travel and relocate to urban areas for basic necessities like food and water ("Tacloban: a Year after Typhoon Haiyan"). Many local activists groups rose out of Haiyan's wake as a people led response to rebuild and return to their homes. However, community groups like "People Surge" have been targeted by the

Filipino Government as extremist or separatist groups (Storming the Wall Climate Change, Migration, and Homeland Security). The lack of aid by the Filipino government and the suppression of basic human rights of the Filipino people have been shocking in the aftermath of Typhoon Haiyan.

The internal displacement in the Philippines is an ongoing issue. While the Filipino government has made strides to reduce the overall violence and conflict in the Mindanao region, there has been little done to help support IDPs in returning home. IDPs of natural disasters face infrastructural hurdles in times of crisis and are persecuted by the Philippine government in their attempts to voice their concerns. In the Philippines, many of the issues still stem from the lack of empirical investigations on the drivers of displacement and the lack of documentation of displaced peoples ("The Philippines: UN Expert Urges No Let-up in Attention to Internally Displaced Persons"). Like refugees, IDPs struggle to access basic services. With new Filipino IDPs every year caused by both natural disasters and conflicts, the approach to secure these disenfranchised people with their rights will need a careful consideration of both drivers.

QUESTIONS TO CONSIDER

Question 1:

Should people have to face internal displacement for the sake of development?
Should companies wishing to develop be required to ensure displacement does not occur? Explain why development or citizens are more important and back up your argument with evidence.

Question 2:

What steps can be taken to ensure what happened with the UNDP program in Kenya does not occur again?

Question 3:

Will a change in the legal binding of protection of IDPs make a difference in how they are treated? Why or why not?

Question 4:

Why have past UN resolutions failed to make a true difference in the number of IDPs? Give a specific example.

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