

SEKNU XIX



HUMAN RIGHTS COUNCIL



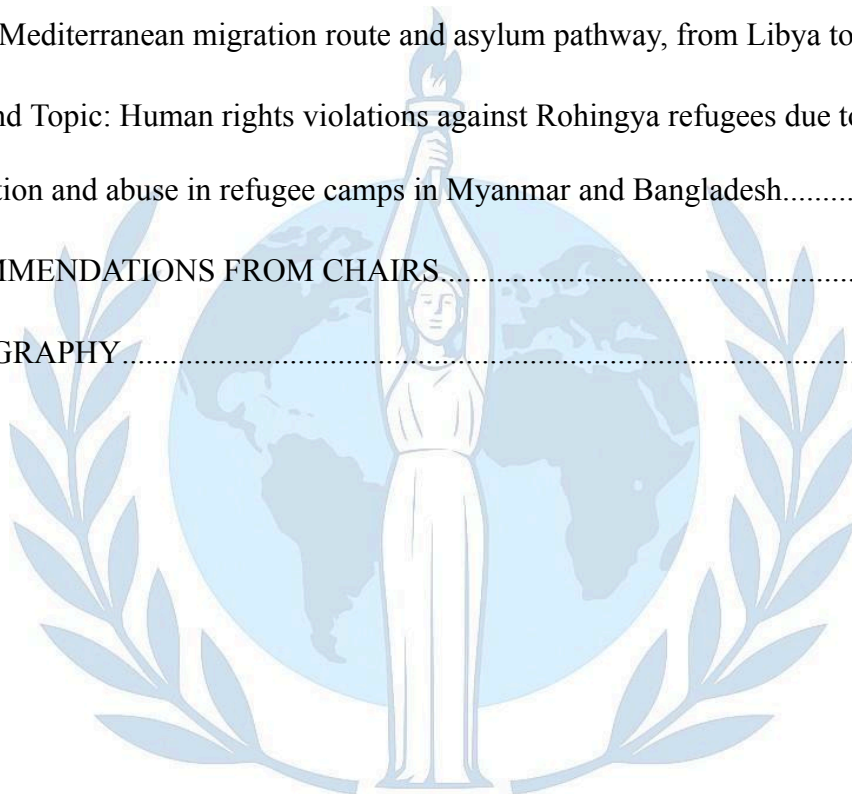
PRESIDENCIAS

EMILIO RUIZ Y NICOLÁS ESPINOSA

HANDBOOK

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I. CHAIRS PRESENTATION

Dear Delegates,

As chairs of the Human Rights Council committee, it is a pleasure to welcome you to the SEKNU. The panel will be composed by Emilio Ruiz and Nicolás Espinosa. We are both very happy and excited to share this space with you, where everyone will have the opportunity to express and hear ideas focused on resolving globally relevant issues through diplomatic means. We are confident that all your contributions will make the debate fruitful and, above all, meaningful and memorable.

We invite you to make this model a space where your voice is heard, and your ideas are captured. Always keep in mind that the success of the debate is in your hands, but don't worry, as your chairs, we will always be there to guide you. Therefore, if you have any questions, no matter what it is, don't hesitate to ask, we will always be attentive to anything you need. Finally, we both wish you the best. Please take advantage of this opportunity to explore the different topics and all the perspectives they entail. Remember that a mind that opens to a new idea never returns to its original size.

We will add our phone numbers and email addresses below so you can contact us if you have any questions. We look forward to seeing you participate in this wonderful committee!

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II. INTRODUCTION TO THE HRC

The Human Rights Council is the principal United Nations body responsible for promoting, protecting, and strengthening human rights worldwide. It was established in 2006 by General Assembly Resolution 60/251 to replace the former Commission on Human Rights and to improve effectiveness, transparency, and international responsiveness to human rights violations.

The Council is composed of 47 member states, elected by the UN General Assembly through direct and secret ballots. Its composition is based on the principle of geographical balance, ensuring representation from all regions of the world. Each member serves a three-year term and is responsible for upholding the highest human rights standards throughout their term.

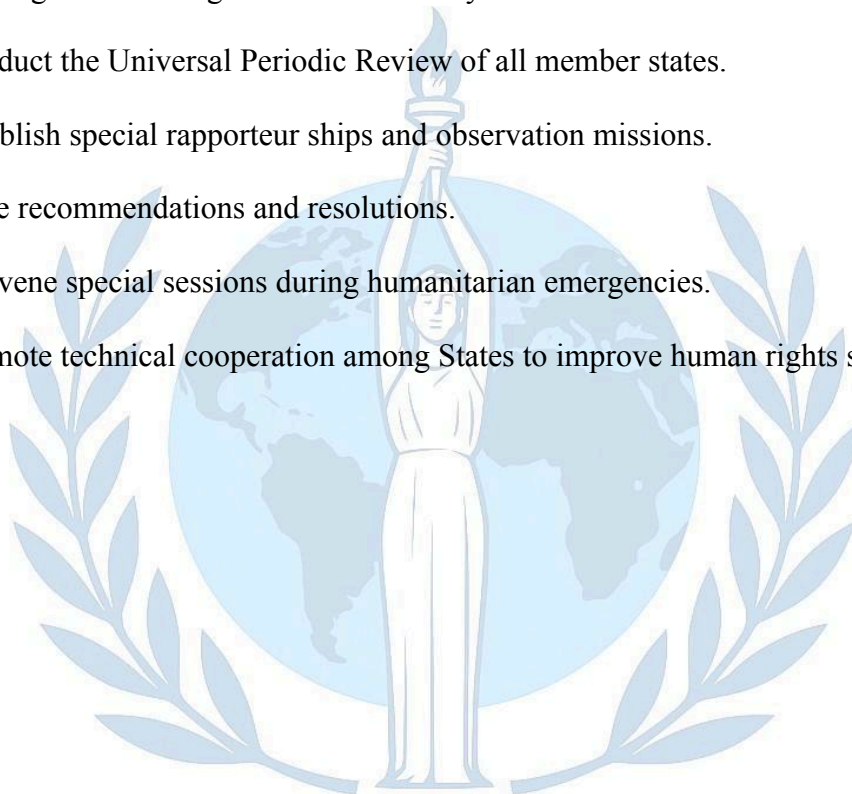
The Human Rights Council (HRC) carries out its work through regular sessions, special sessions, and the Universal Periodic Review (UPR), a unique mechanism in which all UN member states are assessed on their domestic human rights situation, without exception. In addition, the Council has special procedures, such as rapporteurs and independent experts, tasked with investigating specific situations or issues, preparing reports, and proposing solutions.

The Council's role is essential in contexts where human rights are threatened by war, political persecution, discrimination, extreme poverty, authoritarianism, or structural violence. The HRC seeks to ensure that the international community does not remain indifferent to serious abuses, and that states fulfill their obligations under international human rights law.

In this committee, delegates must debate with seriousness, moral responsibility, and diplomatic precision, recognizing that behind every resolution lies real human lives that may be affected. Therefore, it is hoped that the proposed solutions will be practical, humane, and focused on protecting human dignity as a universal principle.

HRC Powers:

- Investigate human rights violations in any State.
- Conduct the Universal Periodic Review of all member states.
- Establish special rapporteur ships and observation missions.
- Issue recommendations and resolutions.
- Convene special sessions during humanitarian emergencies.
- Promote technical cooperation among States to improve human rights systems.



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III. TOPICS OF HRC

1. First Topic: The systematic human rights violations and abuses occurring along the Central Mediterranean migration route and asylum pathway, from Libya to Europe

i. Content, Origin and Background

The Central Mediterranean migration route is one of the most severe humanitarian and human rights crises in the current international system. Migrants and asylum seekers, mainly from Sub-Saharan Africa and conflict regions of the Middle East, are forced to transit through Libya in search of protection and safety in Europe. However, this route has become a space of violence and exploitation.

In this sense, international reports state that the absence of a unified Libyan state authority, the current armed conflict and the presence of militias, has enabled organized networks of traffickers and armed groups to operate with impunity. Therefore, migrants suffer arbitrary detention, torture, sexual violence, forced labor, extortion, and degrading treatment. These abuses are linked to migration control policies that don't focus on border enforcement.

ii. Events and Current History

In recent years, there have been increased the interceptions at sea by the Libyan Coast Guard, which have resulted in the forced return of migrants to Libya. These interceptions are carried out even though the UN and humanitarian organizations have stated that Libya cannot be considered a “place of safety.” Then, it is unbelievable that returned individuals are transferred to detention centers with cruel, inhuman, and degrading conditions.

At the same time, the Central Mediterranean Sea is still the migration route that has caused the greatest amount of deaths globally, which has been caused by shipwrecks, delayed

rescue operations, and restrictions imposed on humanitarian search-and-rescue organizations. Besides, according to UNHCR and IOM data, other thousands die annually due to unsafe crossings and insufficient rescue capacity.

Furthermore, there exist concerns around cooperation agreements between European states and Libyan authorities regarding indirect responsibility for human rights violations, particularly in relation to the principle of non-refoulement, a main principle of international refugee and human rights law that should be analyzed.

iii. Previous Actions

The UNHRC, through the Fact-Finding Mission on Libya, has documented evidence that suggests that crimes against humanity may have been committed against migrants, which includes enslavement, imprisonment, torture, rape, and persecution. Besides, that council has repeatedly called for an end to arbitrary detention and for the evacuation of vulnerable individuals from Libya.

Furthermore, the European Union has implemented migration management strategies that have been focused on containment, which have included financial and logistical support to Libyan maritime forces. However, even though there are humanitarian evacuation and resettlement mechanisms, they still being insufficient and don't address accurately the abuses performed.

So, even though there is a great amount of documentation and international awareness, there is extremely few accountability, and perpetrators (state and non-state actors) continue to operate without consequences.

iv. Recommended Sources

[UNHCR / IOM / Mixed Migration Centre: Report on Migrant Abuse](#)

[Amnesty International: EU–Libya Migration Cooperation](#)

[European Center for Constitutional and Human Rights \(ECCHR\)](#)

[MSF press release on violence and obstruction in the Central Mediterranean](#)

v. Guiding Questions

- Should states be responsible for human rights violations provoked by indirect migration control policies?
- How can the international community accurately apply the principle of non-refoulement in maritime interception operations?
- What concrete mechanisms can be implemented to ensure accountability for crimes committed against migrants in Libya?
- How should the HRC deliberate between concerns regarding border management policies and the obligation to protect human dignity and life?



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2. Second Topic: Human rights violations against Rohingya refugees due to forced repatriation and abuse in refugee camps in Myanmar and Bangladesh

i. Context, Origin and Background

The Rohingya, a predominantly Muslim ethnic minority, original to Myanmar's state of Rakhine have unfortunately suffered through decades of systemic discrimination as well as restrictions on free mobility and travel. Along with a constant denial of citizenship and ongoing waves of violence, their quality of life has plummeted, forcing the Rohingya to flee the nation. For instance, the **1982 Myanmar Citizenship Law** prevented any Rohingya from obtaining citizenship, therefore depriving them of legal status. The existing conditions within Myanmar are the primordial causes for the mass displacement of refugees towards neighbouring countries, most notably, Bangladesh. Also, the 2017 military crisis within the nation increased and powered the mass migration, pushing it towards the hundreds of thousands, the grand majority of these refugees fled towards Bangladesh, and concentrated within the Cox's Bazar region, leading to overcrowding and growing human rights concerns. This area has now been flagged as one of the largest refugee camps in the world, with its number of inhabitants bordering on the millions.

Now, this context implicates a plethora of laws, articles and conventions built to protect or condemn the acts. Now from a legal standpoint, the centerpiece of the Rohingya crisis lies within the forced return ideals.

1) The principle of non refoulement: Where an individual cannot be returned

forcibly to a place where they face persecution, acts of torture or any serious bodily or mental harm.

2)Protection against crimes under international law:Including political/civilian persecution and genocide(potential or existing).

3)The rights to:Life, liberty, security, dignity and freedom of movement, all rights backed under the declaration of human rights, applied to any citizen of the world, no matter their ethnicity/origin..

4)The genocide convention:Whose purpose is to protect and safeguard ethnic, racial and/or religious groups from acts intended to harm or destroy them, completely, or partially. Created both to prevent cruel acts against certain groups of society and to condemn those who violate it.

Amongst others...

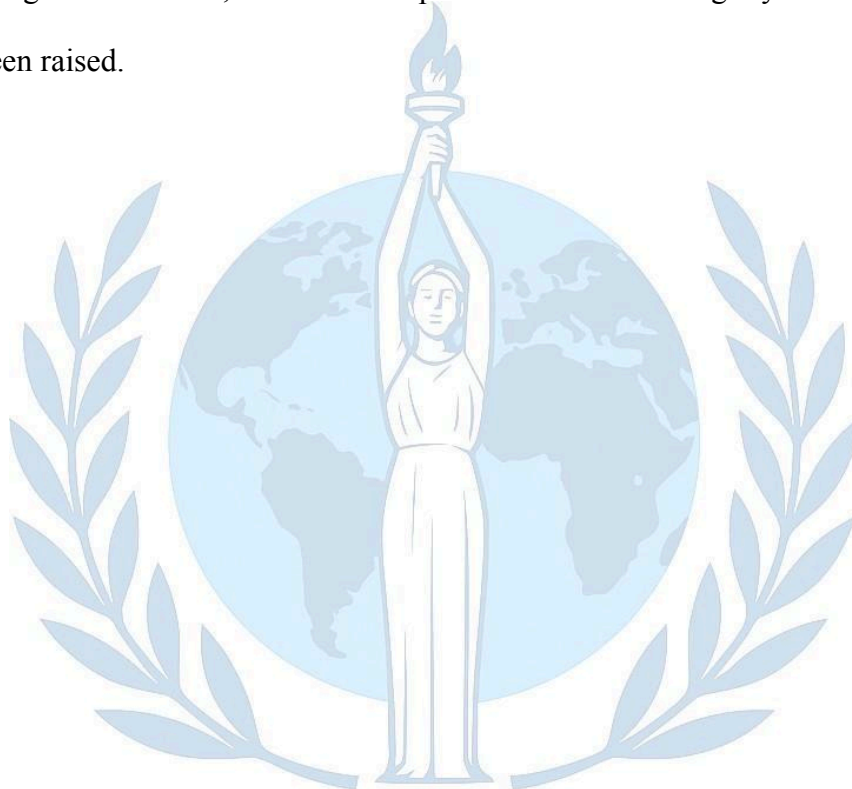
ii. Events and Current History

Within the state of Myanmar, the Rakhine State continues to face armed conflict and instability, and the ones who remain face a constant denial of liberty, segregation, denial of citizenship and restrictions on mobility. Various international reports have sustained that, in order for a voluntary, safe and dignified return, certain conditions have to be met, such as freedom of movement, legal status/support, and a guaranteed protection from persecution, conditions that haven't been met to this day.

In Bangladesh, the state that hosts the majority of the Rohingya refugees, mainly in the region of the Cox's Bazar, the camps in which the refugees reside have transcended their short term initiative into long term settlements which suffer from overcrowding and poor living conditions, as well as a dependence in humanitarian funding. In here, they face serious security risks including but not

limited to gender-based violence, human trafficking, criminal activity within the camps and, on instance, abductions.

In addition, recent reductions in humanitarian funding, more specifically food cuts and health service cuts have worsened the living conditions within the camps tenfold. These new living conditions have increased health and social hazards within such as malnutrition, insecurity, disease and vulnerability amongst refugees. Therefore, alarms on the protection of human dignity and rights have been raised.



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Meanwhile, proposals for repatriation to Myanmar have been growing in strength, despite warnings from the UN , based on the fact that return would be unsafe and in most cases, involuntary at this moment. Now the Rohingya refugees have to tackle human rights risks either by staying or by being pressured to return to Myanmar.

iii. Previous Actions

The international community has taken various initiatives in response to the Rohingya situation in order to alleviate/attempt to resolve it such as:

1) Human Rights Council accountability mechanisms

The HRC established the IIMM (independent investigative mechanism for Myanmar), whose job is to collect, preserve and analyze evidence of the international crimes occurring within Myanmar, including those against the Rohingya.

2) HRC Resolutions

Time and time again this council has proved to be diligent in condemning violations against the Rohingya minorities, they've repeatedly passed, adopted and upheld resolutions that condemn violations against the Rohingya, seeking accountability, and the guarantee of human rights and dignity. However, the crisis is yet to be resolved.

3) International Court of Justice proceedings

In the case *The Gambia v. Myanmar*, the International Court of Justice (ICJ by its initials) established that Myanmar was required to uphold the Genocide Convention, its principles and guidance. To do so, the nation shall prevent any actions that violate the aforementioned convention, as well as gather and protect evidence of the violations if and when they happen to facilitate prosecution and

accountability. With these measures, the legal shield protecting the Rohingya has been reinforced tenfold, not enough, but getting there.

4) Humanitarian response frameworks

Certain UN agencies as well as their partners have taken it upon themselves to coordinate large scale humanitarian missions and operations in Bangladesh to alleviate the situation within refugee camps. Through Joint Response Plans focused at providing protection, food, healthcare and education, however, cuts and shortfalls within these projects constantly undermine their effectiveness and range. Despite these efforts, incidents within refugee camps have continued growing.

iv. Recommended Sources

OHCHR – Independent Investigative Mechanism for Myanmar (IIMM)

<https://www.ohchr.org/en/hr-bodies/hrc/iimm/index> OHCHR

International Court of Justice – Case 178 (The Gambia v. Myanmar)

<https://www.icj-cij.org/case/178> International Court of Justice

UNHCR – Myanmar Emergency

<https://www.unhcr.org/emergencies/myanmar-emergency> UNHCR

OHCHR – International Covenant on Civil and Political Rights (ICCPR)

<https://www.ohchr.org/en/instruments-mechanisms/instruments/international-covenant-civil-and-political-rights> OHCHR

OHCHR – International Convention on the Elimination of All Forms of Racial Discrimination (ICERD)

<https://www.ohchr.org/en/instruments-mechanisms/instruments/international-convention-elimination-all-forms-racial>

Guiding Questions

Guiding questions aren't necessarily a hard rule for delegates, its not an exam-type dynamic where you need to answer them. Despite that, we as chairs strongly suggest you try to answer them to the best of your ability, as they will help you strengthen your knowledge on the situation, as well as improving the focus of your efforts.

- 1) To what extent can repatriation be defined as voluntary?
- 2) In what manner does citizenship denial contribute to the vulnerability of the Rohingya, both within and outside the country?
- 3) What responsibilities do host states like Bangladesh hold to prevent abuse and human rights violations? Can they be held accountable?
- 4) How can the HCR maintain and seek accountability mechanisms if the responsible state avoids meaningful cooperation?
- 5) What alternatives do you suggest in case a safe and dignified return to Myanmar is off the table?

IV. RECOMMENDATIONS FROM CHAIRS

- Keep your speeches on topic and within the committee's mandate.
- Speak freely: making mistakes is also a way to learn.
- Strive to build alliances, not unnecessary rivalries.
- Respect all delegates, even if you disagree with their views.
- Research your country's current policies and keep them in mind throughout the debate.
- Cite treaties, resolutions, and organizations to strengthen your arguments.
- Propose clear, realistic, and applicable solutions.
- Understand the International Legal Framework
- Research Your Country's Position

- Use Reliable and Official Sources
- Remember to check really well resolutions to avoid them being illegal.
- Try to use resolutions that already exist in the committee as a reference.



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