



HUMAN RIGHTS COUNCIL

STUDY GUIDE



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HUMAN RIGHTS COUNCIL – STUDY GUIDE

Written by Jakob Mišič Jančar and Gal Gabrijel Vilfan

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INTRODUCTION TO THE COMMITTEE

by Jakob Mišič Jančar

“It is important that we have institutions like the Human Rights Council which can monitor the state of human rights in the world and ensure all are protected.”

Wangari Maathai, 2004 Nobel Peace Laureate – at 1st session of the Human Rights Council, June 2006

The Charter of the United Nations (1945) declared that one purpose of the United Nations is to promote and encourage respect for the human rights and fundamental freedoms of all people. As its name shows, not considered a treaty but a declaration of fundamental rights and fundamental freedoms that carries the moral power of universal consensus.

This led to extensive negotiations in the Commission on Human Rights, the political body established in 1946, composed of State representatives meeting annually in Geneva to discuss a wide variety of human rights issues. The year 1966 saw the adoption by the General Assembly of the International Covenant on Civil and Political Rights and the International Covenant on Economic, Social, and Cultural Rights. The two International Covenants on Human Rights form the cornerstone of an extensive series of internationally binding treaties covering a wide variety of issues in the field of human rights.¹

Mostly informal and political body Commission on Human Rights wasn't potent enough as it faced new challenges of modern post 9/11 world. The UN General Assembly established the Human Rights Council in 2006 to replace the human rights Commission on Human Rights since it was criticized for its inability in calling upon

¹ Monitoring civil and political rights. UNHCR. Available at: <https://www.ohchr.org/en/hrbodies/ccpr/pages/ccprindex.aspx> (4.9.2021)

human rights violations and for the number of widely recognized human rights offenders that served as its member.²

The Human Rights Council is an intergovernmental body within the United Nations system charged with strengthening the global promotion and protection of human rights, addressing human rights violations, and making recommendations. The Council comprises 47 UN member states elected by the UN General Assembly. The committee directors will lead the working procedures of the committee.³

²The United Nations Human Rights Council: Background and Policy Issues. Available at: <https://sgp.fas.org/crs/row/RL33608.pdf> (4.9.2021)

³ Welcome to the Human Rights Council. Available at: <https://www.ohchr.org/en/hrbodies/hrc/pages/aboutcouncil.aspx> (4.9.2021)

HUMAN RIGHTS SITUATION IN AFGHANISTAN

by Jakob Mišič Jančar

Introduction

»At this critical moment, the people of Afghanistan look to the Human Rights Council to defend and protect their rights. The need to prevent the commission of human rights abuses of even greater magnitude and scope make this an essential meeting. «

Statement by Michelle Bachelet, UN High Commissioner for Human Rights, 24 August 2021⁴

After the departure of the NATO coalition from Afghanistan, the world, as the inhabitants of major Afghan cities, has known for the last 20 years it, rapidly disintegrated. The Taliban, with the support of the countryside and the Pakistani and Qatari governments, successfully defied NATO for 20 years, swiftly took control over the entire territory of Afghanistan within weeks. Afghan government forces trained by NATO withdrew due to a shortage of troops and desire of crumbled Kabul government to avoid as many civilian casualties as possible. The historical memory of the tough Taliban regime between 1996 and 2003⁵ forced many of the Western Alliance's collaborators, human rights activists, women, teachers, judges, government officials, etc. to flee. The state economy came to a halt and the banking system collapsed. A peaceful transfer of power and an inclusive government is what the Taliban are announcing, but they may be all just empty words⁶, as some measures are already strongly reminiscent of the years of the strictest dictatorship of the Islamic government of the Taliban. Peace has finally reigned in the country and, at least, according to the

⁴ Statement by Michelle Bachelet, UN High Commissioner for Human Rights on 24 August 2021. Available at:

<https://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=27403&LangID=E> (4.9.2021)

⁵ U.S. Relations With Afghanistan bilateral relations fact sheet. Available at: <https://www.state.gov/u-s-relations-with-afghanistan/> (4.9.2021)

⁶ Afghanistan: The blind couple who escaped the Taliban. Available at: <https://www.youtube.com/watch?v=VhKtYjSOS54>

Taliban, there will be no more armed clashes. The council is to determine how best to protect the rights of the Afghanistan people and provide them with a safe and acceptable environment that will allow the country to recover from the crisis.

History of Afghanistan

After becoming independent from the British in 1919 and joining the UN in 1946, Afghanistan has encountered some of the hectic moments, which include King Zahir Shah's "experiment with democracy" from 1964 to 1973; a military coup in 1973 that resulted in parliamentary democracy; and Marxist coups in 1978 and 1979, followed by an insurgency and Soviet intervention. In the beginning, the Soviet Union supplied support to the new authorities. Later, while the government refused to take Soviet advice, the USSR toppled the government, mounted a distinct leader⁷, and invaded Afghanistan⁸. An outstanding majority of Afghans opposed the communist regime, either actively or passively. Afghan freedom militants (mujahedin) made it nearly impossible for the regime to keep an authority outside major city centers. Poorly armed at first, in 1984, the mujahedin began receiving enormous help in the shape of arms and schooling from the US⁹.

In 1988, the Pakistani, American, Afghan, and Russian governments decided that the then Soviet Union and the United States would not interfere in Afghanistan's internal affairs and agreed on the complete withdrawal of the Soviets on February 15, 1989. 1 million Afghans lost their lives in the decade-long war. Four and a half million refugees have fled the country, including three million in Pakistan, according to the USA State Department. Geneva accords, which was the name of the agreement, was supposed to ensure peace in the region but was not respected by the mujahideen, and local commanders of armed militias ruled their communities next few years. The country was in disarray and the standard of living was incomparable to that before the war. The civil war did not end until 1999, when the country was taken over by the Taliban,

⁷ US Department of State, Bureau of South and Central Asian Affairs, "Background Note: Afghanistan," October 2008, available at <http://www.state.gov/r/pa/ei/bgn/5380.htm> (4.9.2021)

⁸ UN News Centre, "Afghanistan & the United Nations," available at <http://www.un.org/News/dh/latest/afghan/un-afghanhistory.shtml>. (4.9.2021)

⁹ US Department of State, "Background Note: Afghanistan."

one of the local battle groups that had been expanding from Kandahar since 1994¹⁰. Mainly from southern Pashtun home to an ethnic group to which about 40%¹¹ of all Afghans belong, including the Taliban. The Taliban established order but introduced very strict rules based on a very extreme understanding of the Islamic way of life. They violated human rights on a daily and systematic basis. Between 1996 and 2001, a strict version of Sharia law was established, which included a ban on girls over the age of 10 from attending school and women from being employed. Men had to wear beards and women had to wear a burqa. Television, music, and cinema were also banned. People were publicly stoned for adultery. In such an environment, many terrorist cells formed, most notorious being Al Qaeda. After Al Qaeda carried out bombings in Kenya and Tanzania in 1998, the Security Council imposed sanctions on the Taliban to encourage them to expel bin Laden and his group, but the Taliban refused to do so.

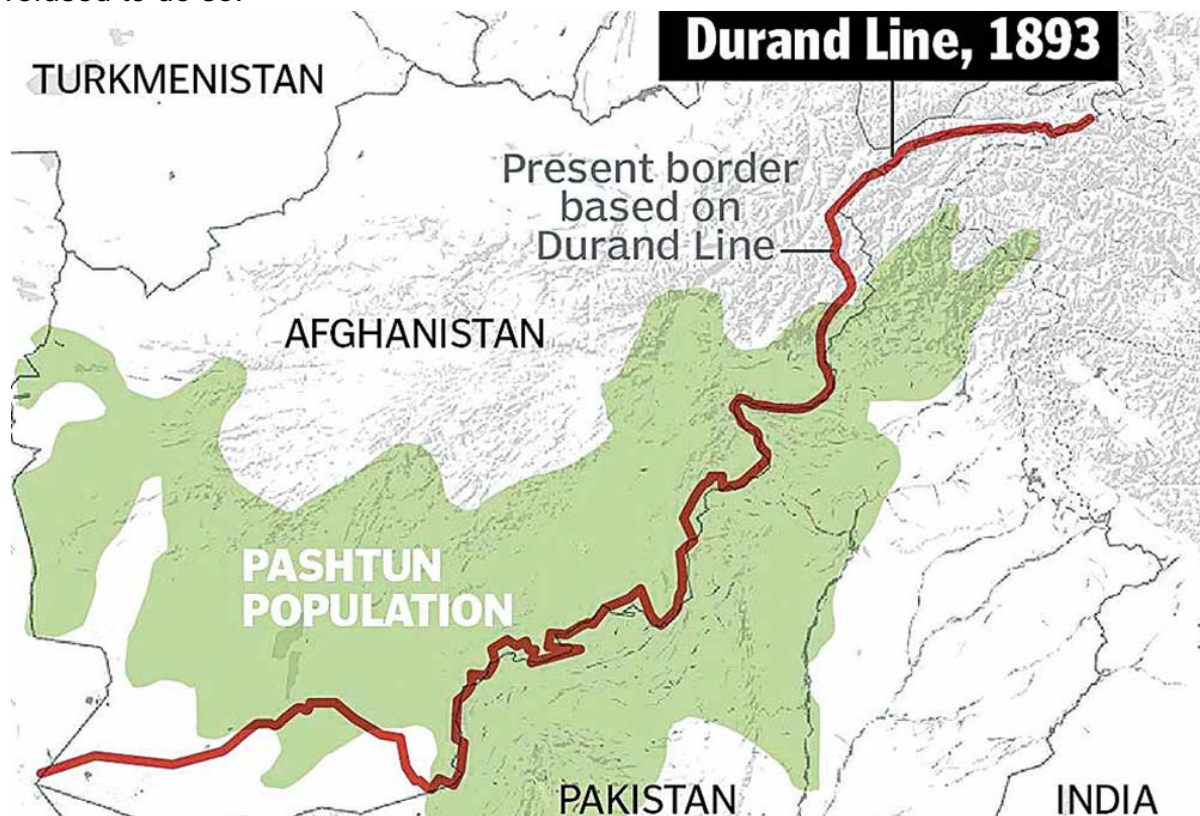


Figure 1: Where do Pashtun people live? https://images.outlookindia.com/public/uploads/articles/2017/11/4/Durand-line-Map_20171113.jpg (accessed 5.9.2021)

¹⁰ Montana Model UN The Situation in Afghanistan. Available at: https://www.google.com/url?sa=t&rct=j&q=&esrc=s&source=web&cd=&cad=rja&uact=8&ved=2ahUK Ewj5j7Oyx_zyAhVXhf0HHXNGB68QFnoECAQQAQ&url=http%3A%2F%2Fhs.umd.edu%2Fmun%2Fd ocuments%2F2017%2520Guides%2FSC-17---topic-Afghanistan-Final.pdf&usq=AOvVaw2035bzhKNz6Cco9lpww6Jm (3.9.2021)

¹¹ US Department of State, "Background Note: Afghanistan."

Following the terrorist attacks of 11 September 2001 in New York, the USA accused the Taliban¹² of harboring Osama bin Laden and an Al Qaeda group. This also led to an attack by a coalition of US-led countries in Afghanistan, where the Taliban regime soon fell. The Security Council did not approve the attack, but was probably in line with international law, as it was self-defense, which is cited as a reason for a justified unauthorized attack in the UN charter.

The Human Rights Watch evaluated the situation after the disappearance of the Taliban. It led to an immediate perspective of the personal freedoms and opportunities of the woman. Afghanistan also returned to political fragmentation that marked the country before the ascent of the Taliban.¹³

With the support of the United Nations, a conference was held in Bonn, outlining guidelines for a new government in Kabul. In 2004, they held the first general suffrage elections. But only the individuals living in the areas controlled by ISAF, the forces under control and support of NATO, enjoyed the rights guaranteed by the new constitution.

However, even the new unstable government, backed mainly by the US government, was not without its flaws. According to Transparency International, an organization that monitors government corruption around the world, Afghanistan was the eighth most corrupt country in the world¹⁴ in 2012 but in 2020 it was nineteenth. As early as 2010, the government proposed the establishment of militias to oversee the work of state bodies, which faced many allegations of violations of the International Covenant on Civil and Political Rights, but human rights organizations quickly condemned the proposal. The government has also been getting weaker in recent years under the leadership of Ashraf Ghani and the Taliban gained a lot of momentum.¹⁵

¹² US Department of State, "Background Note: Afghanistan."

¹³ Human Rights Watch, "World Report 2002: Afghanistan," available at <http://hrw.org/wr2k2/asia1.html> (accessed 5.9.2021)

¹⁴ CORRUPTION PERCEPTIONS INDEX. Transparency international. Available at: <https://www.transparency.org/en/cpi/2020/index/afg> (6.9.2021)

¹⁵ Human Rights Watch, "World Report 2002: Afghanistan,"

Current Situation

In February 2020 the Trump administration in negotiated a withdrawal agreement with the Taliban. US and NATO allies released around 5000 Taliban soldiers and set a certain date for the final withdrawal; May 1, 2021.¹⁶

Newly elected president Biden has set a new withdrawal date. His administration worked towards retreating before Aug. 31, and that despite obvious signs that the Taliban wasn't complying with the agreement and had stated multiple times that they will form an "Islamic government" as soon as they get in power.¹⁷

On August 16, despair replaced uncertainty — President Ashraf Ghani fled the country, and the Taliban, triumphantly entered Kabul, the capital, and the country was in their hands.¹⁸

Despite promises like one from a spokesman for the Taliban Yalda Hakim "there will be no revenge"¹⁹ on the people of Afghanistan the Taliban have not changed very much since the last time they were in power. Almost immediately they started targeting²⁰ "collaborators,"²¹ says the confidential document by the RHIPTO Norwegian Center for Global Analyses, which provides intelligence to the UN.

How much the Afghanistan people are afraid of the new regime and how much they wish someone would establish order because so many years of war in people evoke an immense desire for peacetime when there are no casualties, mutilations, broken families only they know. But something is obvious. The price for peace was high. The economy is shattered and without foreign help, it will not be long until completely collapses. The financial crisis will be one of the first hard tasks of the Taliban regime.

¹⁶ Timeline of U.S. Withdrawal from Afghanistan. Available at:

<https://www.factcheck.org/2021/08/timeline-of-u-s-withdrawal-from-afghanistan/> (5.9.2021)

¹⁷ Timeline of U.S. Withdrawal from Afghanistan.

¹⁸ The Fragility of Women's Rights in Afghanistan. Heather Barr. Available at:

<https://www.hrw.org/news/2021/08/17/fragility-womens-rights-afghanistan> (accessed 6.9.2021)

¹⁹ Taliban spokesman tells BBC they are 'awaiting a peaceful transfer of power'. Available at:

<https://www.bbc.com/news/av/world-asia-58220305> (6.9.2021)

²⁰ Afghanistan: The blind couple who escaped the Taliban.

²¹ Afghanistan: Taliban carrying out door-to-door manhunt, report says. Available at:

<https://www.bbc.com/news/world-asia-58271797> (5.9.2021)

Refugee Crisis

NATO allies evacuated more than 123000²² civilians after falling of Kabul on 14 August 2021. They were evacuated for different reasons. Some were human rights defenders others partners of the ISAF coalition (soldiers, interpreters, doctors...), and some just feared deeply of Taliban rising to power again. Many more left their homes and not just via Kabul airport. Large crowds of people have been seen on Afghanistan's border with Pakistan. According to UNHCR, more than 550.000²³ people left their homes in the first half of 2021, and 2.2 million refugees are already registered in Iran and Pakistan. In 2020 more than 400000 Afghans reached member states of the European Union with just Germany accepting around 180000 refugees.

Countries have tackled this problem in different ways. Afghanistan and Iran both said that all refugees will have to wait in camps near the border until they can safely return to Afghanistan²⁴. This is probably a violation of freedom of movement found in article 12 of the International Covenant on Civil and Political Rights but is quite common for refugees all around the globe. According to the International Justice Resource Center: "The rights to seek asylum and freedom of movement are closely related since the inability to return to one's country is the basis of an asylum claim while the ability to leave one's country is a prerequisite for claiming a refugee status under the 1951 Convention relating to the Status of Refugees²⁵".²⁶ Uzbekistan also agreed to host refugees temporarily.

Tajikistan pledged to accept 100000 refugees and Turkmenistan offered only their airspace for evacuation. China is still relatively silent despite being one of Afghanistan's neighbors.

²² Afghanistan: How many refugees are there and where will they go? The Visual Journalism Team BBC News. Available at: <https://www.bbc.com/news/world-asia-58283177> (14.9.2021)

²³ Afghanistan humanitarian emergency. UNCHR. Available at: <https://www.unhcr.org/afghanistan-emergency.html> (14.9.2021)

²⁴ Afghanistan: How many refugees are there and where will they go? The Visual Journalism Team BBC News

²⁵ Convention relating to the Status of Refugees. Available at: <https://www.ohchr.org/EN/ProfessionalInterest/Pages/StatusOfRefugees.aspx> (14.9.2021)

²⁶ Asylum & the rights of refugees. Unknown author. International Justice Research Center. Available at: <https://ijrcenter.org/refugee-law/> (14.9.2021)

Europe does not have a unified response. Austria, Poland, Slovenia, and Switzerland have stated that they are not ready to accept any Afghans. Germany has many as 40,000 people still in the country and they have a right to be evacuated to Germany if they feel they are endangered. France still didn't specify the numbers but is open to hosting some of the refugees. Similar is also the approach of the USA (that also created 500.000\$ fund for the needs of Afghan refugees)²⁷, Canada, Australia, and the UK.

If the world (especially Europe) wants to avoid another refugee/migration crisis the actions to prevent a humanitarian crisis in Iran and Pakistan as much as possible should be agreed upon shortly.

Satellite image shows Spin Boldak crossing

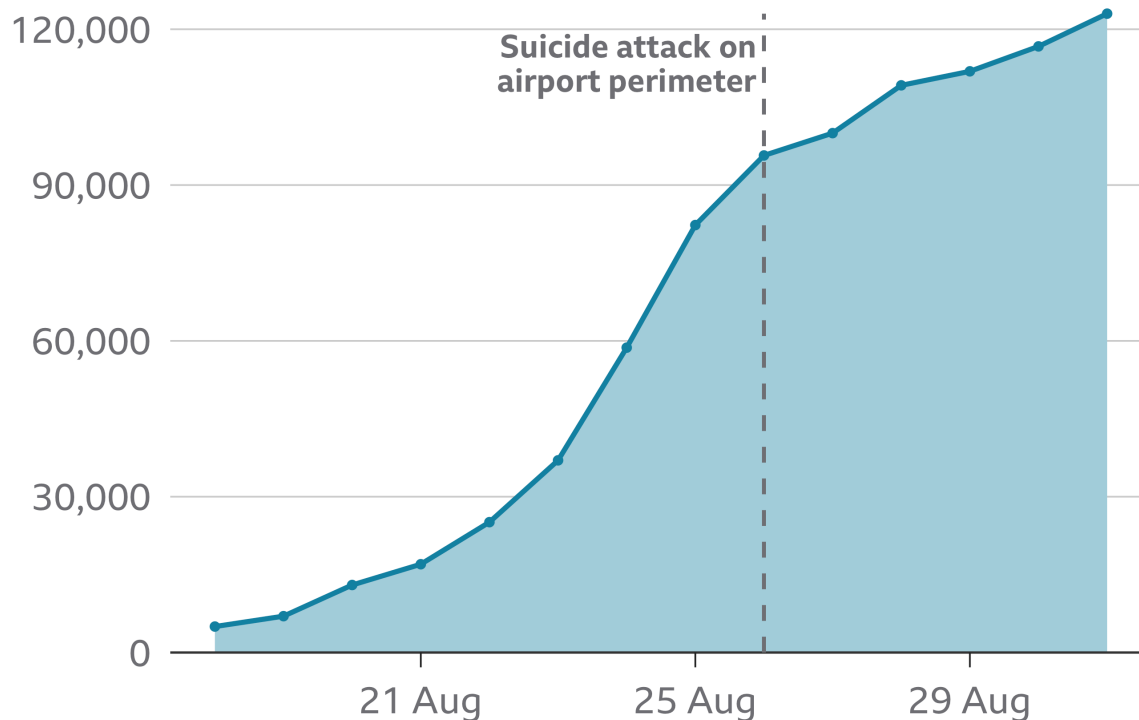


Figure 2: Border crossing refugees. Available at: <https://www.bbc.com/news/world-asia-58283177> (accessed 14.9.2021)

²⁷ Afghanistan: How many refugees are there and where will they go? The Visual Journalism Team BBC News

More than 120,000 people were airlifted out of Kabul airport after Taliban took control

Total number of people evacuated by US and coalition planes



Source: Briefings from US Defense Department and the White House



Figure 3: : Number of evacuated people from Kabul with NATO forces. Available at: <https://www.bbc.com/news/world-asia-58283177> (accessed 14.9.2021)

Human Rights Violations

Based on the newly announced government which will be led by Mule Hasan Akunda, who is on the United Nations terrorist list, the times for human rights of the Afghan people are not bright. These are rights of international law that are being violated right now and these are the right to education, right to freedom of expression, freedom of movement, association, and assembly, the right to work, and the right to health care.²⁸ From the report of human rights watch we can clearly see how Taliban regime oppressed people: “Women living in Afghanistan have suffered massive and systematic violations of their human rights under the Taliban. The Taliban have issued numerous edicts that control literally every aspect of women's behavior in both the

²⁸ INTERNATIONAL LAW violations in Afghanistan. Human rights watch. Available at: <https://www.hrw.org/reports/2001/afghan3/afgwr1001-04.htm> (5.9.2021)

public and private spheres. These edicts are officially issued by the Ministry for the Promotion of Virtue and the Prevention of Vice, and announced to the general public through the Taliban radio station, the Voice of *Shariat* (Islamic law). With a few exceptions, the Taliban have banned women from participating in the public sphere. Women are forbidden to take employment, to appear in public without a male relative, to participate in government or other public debate, and to receive secondary or higher education. The impact of this discrimination has been to silence women and strip them of all control over their lives. Afghan women do not experience these violations as separate and discrete incidents; rather, the discrimination is cumulative and so overwhelming that it is literally life threatening for many Afghan women. Women are deprived of the means to support themselves and their children.”²⁹

Where you can find the rights:

- The right to freedom of expression: Article 19 of the ICCPR
- The rights to freedom of association, peaceful assembly, and freedom of movement: Articles 22 and 21 ICCPR
- The right to work: Article 23(1) UDHR, Article 6 International Covenant on Economic, Social and Cultural Rights (ICESCR)³⁰, Article 11 and the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW)³¹
- The right to education: Article 26 UDHR, Articles 13 and 14 ICESCR, Article 28 the Convention on the Rights of the Child (CRC)³² and Articles 10 and 14(2)(d) CEDAW.
- Fair trial: Article 10 UDHR and Article 14 ICCPR

²⁹ INTERNATIONAL LAW violations in Afghanistan. Human rights watch. Available at: <https://www.hrw.org/reports/2001/afghan3/afgwrdr1001-04.htm> (14.9.2021)

³⁰ Afghanistan became a party to the ICESCR on January 24, 1983.

³¹ Afghanistan signed CEDAW on August 14

³² Afghanistan signed the CRC on September 27, 1990 and ratified it on March 28, 1994.

Questions to Consider

“The problem with specific rules is that they may not fit all situations well. The fit of specific rules can vary across time, place, culture, even stage of the family life cycle, or type of family. Sometimes specific rules can be implemented in ways that become counterproductive to the original intent of the more abstract rule” (AL-HAMDI, SCHUMM; 2016)

What is freedom? Is it possible to have different understandings of freedom? Are the Taliban and the Afghans who support them hating our western freedom or is their freedom to set new very strict rules? Can one be free and happy to follow the law of his or her choice? Whose authority is to set these new rules? How can the Human rights council help those who do not wish to follow new rules or will be oppressed by them?

These are the questions that should be addressed in the resolution while keeping in mind the promotion and protection of human rights around the globe.

Also consider:

1. How can your country help the Afghans? How it will be affected in the very likely event of the humanitarian and refugee crisis?
2. How did your country react in similar cases like when the Muslim Brotherhood took control over Egypt?
3. How has your country been affected by the war in Afghanistan? Consider terrorism, refugee movements, drug trafficking, and consumption, etc.
4. To what extent is your country involved in the war? Has it contributed troops to the ISAF operation? Has it contributed to humanitarian aid? How has it voted on past UNHCR resolutions? What more could it do?

Further Reading Recommendations

- What are the consequences of a 20-year long war and COVID-19 on Afghanistan healthcare and civil society:
<https://www.amnesty.org/en/location/asia-and-the-pacific/south-asia/afghanistan/report-afghanistan/>
- How the Taliban violate human rights rights:
<https://www.hrw.org/report/2020/06/30/you-have-no-right-complain/education-social-restrictions-and-justice-taliban-held>
- Blacklisted “collaborators”: <https://www.bbc.com/news/uk-england-hampshire-58269289>
- Who are the Taliban? Deep on extensive profile on the group:
<https://www.bbc.com/news/world-south-asia-11451718>
- The Implementation of Constitutional Human Rights in Afghanistan in 2004. Many dilemmas are still very relevant today:
<https://digitalcommons.wcl.american.edu/cgi/viewcontent.cgi?referer=&httpsredir=1&article=1379&context=hrbrief>
- Sharia Law. The article represents how sharia law could be understood and used in 21. century: <https://scihub.se/https://onlinelibrary.wiley.com/doi/10.1002/9781119085621.wbefs522>
- Afghanistan history profile – Timeline: <https://www.bbc.com/news/world-south-asia-12024253>
- Human Rights Watch is a non-governmental organization that tracks human rights in various countries and here you can find their reports on Afghanistan:
<https://www.hrw.org/asia/afghanistan>
- Past work of Human rights council on Afghanistan:
https://www.securitycouncilreport.org/un_documents_type/human-rights-council-documents/?ctype=Afghanistan&cbtype=afghanistan and last resolution of HRC adapted on 24 August 2021 <https://undocs.org/A/HRC/RES/S-31/1>
- Legal overview of the right to asylum and case law about returning refugees (Exclusion Clauses): <https://ijrcenter.org/refugee-law/>

HUMAN RIGHTS SITUATION IN THE REGION OF XINJIANG

by Gal Gabrijel Vilfan

Historic Overview

Uyghurs² (Encyclopedia Britannica, 6 Jul. 2021), the Turkic-speaking, Sunni Muslim ethnic group living for the most part in northwestern China in the Uygur Autonomous Region of Xinjiang, have been residing there from about the 3rd century up until the present.

Despite historical circumstances, they had remained a predominant ethnic population in the region well into the 20th century. It was not until China calculatingly began dispersing them and settling new people onto the previously homogenous Uyghur territory, that they became a minority in the land of their ancestors.

However, the aforementioned region was not brought under Beijing's control in its entirety until the 19th-century reign of the Qing dynasty. This leaves us with a roughly two-hundred-year struggle for dominance in Xinjiang, previously known as East Turkestan. Ultimately resulting in deeply rooted mutual hatred of the two ethnicities.

Even though the struggle began as a fight for dominance, centuries of war, oppression, revolution, and revenge created an ever-deeper divide between two peoples. The line was crossed sometime during China's civil wars.

In the 1950s, the Uyghurs fought for and achieved independence twice, forming the First and later the Second Republic of East Turkestan³ (Time Magazine July 9. 2009). But as independence did not last long, in 1949, the ultimately victorious communists took full and rigid control over the region, knocking out the bottom of the power struggle, replacing it with an issue of ethnicity. One that ends in domination of one at the peril of another.

In the last seventy years, the Chinese Communist Party (from here on further “CCP”) succeeded in settling hundreds of thousands of Han Chinese there to dilute the percentage of the once predominantly Muslim population in the region. By making the Uyghurs a minority, the goal was a complete cultural conversion towards the Han majority. Their methods might not have been effective but were nonetheless remarkable.

Today the Region is home to more than twenty million people, Uyghurs comprising less than 48 percent. But since recently, the Communist Party has engaged in a more ominous and less subtle course of action. As the said divide now grows by the day due to the forced relocation of millions of Uyghurs into “reeducation” camps.

As the latter being one of the highly controversial disputed subjects of this year’s UNHRC’s mission to address human rights abuses, it would be ignorant not to consider the other side of the story. Which is as of yet backed by a number of countries with People’s Republic of China in the definite forefront.

The already mentioned human rights infringements and other more gruesome and inexcusable actions taken by the CCP, came as a response to several terrorist attacks following the Arab Awakening. The latter were perpetrated by Uyghur extremist individuals, and included a mass knife attack in Kunming train station, a few violent incidents in Xinjiang and most notably, the suicide bombing under Mao's portrait in Tiananmen Square⁴ Beijing (United States Institute of Peace Brief September 2017).

The Chinese defend their actions defining them as necessary in order of bringing peace to a troublesome region with a decades long history of sporadic separatist violence.

Current Situation

The information coming out of the country and through the satellites, tells a different story. Since 2017, there had not been any terrorist attacks in China connected to the Uyghurs, and yet the CCP's militant grip over the Region of Xinjiang has hardly loosened. Rather the opposite, the situation has gotten out of bounds.

Despite the best efforts of CCP's censure, numerous reports from journalists and independent sources coming from the Uyghur Autonomous Region of Xinjiang are painting a grim picture of the Human Rights Situation in China.

The Uyghur people are being extra judiciary sent into the camps, where they receive so called "vocational education and training" and where in reality, their basic human rights are being further violated. Reports range from forced indoctrination, beatings and humiliation, imprisonment and in some cases all the way to sterilisation and sexual abuse.

Young children whose parents were brought to internment camps get relocated to all four corners of the country and adopted by the CPP's orphanages. There, severed from the ties to their language, religion, and heritage, they are brought up by the standards of and as the ethnic majority⁵ (Encyclopedia Britannica).

Reports⁶ (Council on Foreign Relations March 1. 2021) estimate the detention of anywhere from eight hundred thousand up to two million Muslims⁷, including Kazakhs and Uzbeks. Moreover, in the last four years, there had been documented instances of inhumane physical and sexual abuse of Muslim women.

Such blatant disregard for Human Rights, which has been by the media described as "the Uyghur Genocide," serves the purpose of integrating the unwanted Muslim minority into the general Han-Chinese secular society. In practice, the ideology of unity fueled by the Chinese Communist Party amounts up to ethnocide and cultural genocide.

A British scholar in Chinese studies monitoring the situation in China has even called the CCP out on conducting the largest-scale detention of ethnic and religious minorities since World War II⁸ (Dr. Joanne Smith Finnley December 28, 2018). And since the UN had been effectively formed in the aftermath of the said war, condoning it, setting up an international system of shared values under the principles laid out in Article 1 of the founding document, the United Nations Charter⁹, the situation in China should be very much the subject of international scrutiny in the necessity of resolving the said infringements of Human Rights.

Such acts alongside others are protected against by Human Rights, guarded by the Human Rights Conventions¹⁰ and other international treaties¹¹. This calls for the immediate attention of the UNHRC.

The Perspective of Human Rights

As China is both a member state of the UN and a nation that ratified The United Nations Charter, and multiple subsidiary conventions¹² passed by the legislative bodies of the UN, it is by the international law bound to abide by these documents.

The situation has been brought to the UN's attention, yet nothing has been resolved yet. In support of Britain's condemnation of Beijing in the UN General Assembly's subcommittee on Human Rights, twenty-three countries already expressed criticism of China's mass detention and surveillance centres. The group of nations has urged Beijing to implement recommendations by independent UN human rights experts and to refrain from holding Uyghurs in arbitrary detention.

However, more than 54 countries stood in defense of China's effective anti-terror and deradicalisation methods, commending the safety and security achieved by the People's Republic of China.

As for the defense of the People's Republic of China, it did not address the accusations. Instead, it chose to criticize the accusers, condemning the USA on the institutionalised racism and violent treatment of protestors, in short, their own unlawful and discriminatory practices

¹³ (Deutsche Welle 30.10.2019).

A year later, in 2020, in light of new information, the argument in support of condemning the Uyghur situation gathered almost half as many more votes as the previous. With 39 countries calling on China to respect Human Rights, particularly of persons belonging to ethnic minorities in Xinjiang and Tibet.

Germany's Ambassador Christoph Heusgen called on Beijing to close the detention camps. Heusgen was joined by British envoy Jonathan Allen, who said that China must grant UN High Commissioner for Human Rights Michelle Bachelet's long-standing request to visit Xinjiang to see the situation of the Uighurs.

Jonathan Allan added to the argument by condemning China's imposition on June 30 of a controversial security law that he said: "violates Hong Kong's autonomy, and threatens rights and freedoms"¹⁴(VOA News October 6. 2020)."

The Role of the Human Rights Council

"The Council works to prevent human rights abuses, addresses violations as well as responds to emergencies, promotes human rights assistance and education, reviews States' human rights records, works to prevent human rights abuses, responds to emergencies, and serves as an international forum for

It provides a forum for identifying, highlighting and developing responses to today's human rights challenges, and acts as the principal focal point of human rights research, education, public information, and human rights advocacy activities in the United Nations system"¹⁵(The Human Rights Council and the role of the Office of the High Commissioner for Human Rights).

The role of the Human Rights Council is not executive, which means its decisions cannot impose sanctions on countries and are exclusively political in their nature. Yet that does not mean that the United Nations Human Rights Council lacks authority.

Its authority comes from the fact that it is the world's leading human rights forum for human rights dialogue. It, alongside the OHCHR (Office of the High Commissioner for Human Rights) offers, *inter alia*, leadership, empowerment, and assistance with upholding human rights, guiding the Governments in the areas of administration of justice and legislative reforms.

In the broader sense, the role of the Human Rights Council alongside the OHCHR (Office of the High Commissioner for Human Rights) is to provide logistical, substantive, and administrative support to the work of the UN human rights mechanism.

Issues to Address

There are many issues surrounding the human rights crisis in Xinjiang, and the delegates' task will be to familiarise themselves with the nature of the UN's treaties and conventions, their applicability, and ways of finding democratic solutions to complex problems and questions that the topic consists of and those which it poses.

Your task will be to find best ways to condemn (or not) human rights abuses from the perspective of international law, using the treaties and conventions, to find solutions to the problems which can be realised through the democratic process.

Examine your countries' positions on said issues and or act on own moral principles, but keep in mind that getting yourself familiarized with others' perspectives and standpoints will both empower your arguments as well as create some reservations that were before not as apparent.

To what degree you will have to compromise within the decision process is up to many factors, remember that the democratic process in reality rarely comes down to sound arguments, so prepare for anything.

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