SelaQui International School
Model United Nation Conference 2018

Inclusion et Egalite

Contents

AGENDA 2: RIGHTS OF MIGRANTS AND IDP(S)

LETTER FROM THE CHAIRPERSON

Dear delegates,

Being the chairperson of United Nation Human Rights Council, it is my privilege to welcome you all to the 4th edition of QMUN. I am Dhruv Banerjee and I am in class 11th. I like to play tennis, basketball, and love to participate in MUN's and debates. I started my MUN journey from here itself when I was in class 10th. QMUN is a perfect platform for people who are doing a MUN for the first time.

This time the committee will be heralded by me and the deputy chairperson, Pragyan Rajkhowa.

I expect the delegates to be familiar with the topics given. I urge each and every delegate to at least speak once or twice in every committee session to encourage healthy discussion and reach a conclusion. It's not about winning the best delegate award or outshining others but rather gaining experience for future MUN's. Delegates, please be familiar with your foreign policies and know a bit about the rules and procedures. Keep your position papers short and effective and don't just copy and paste (that won't fetch you marks). It's going to be a really fun experience and I wish good luck to all the delegates.

The agendas that will be discussed in HRC are:

- Global LGBT Rights
- Rights of Migrants and IDP's

Looking forward to meeting you,

Regards, Dhruv Banerjee

COMMITTEE OVERVIEW

The Human Rights Council is an inter-governmental body within the United Nations, responsible for promoting and protection of human rights around the world and addressing situations of human rights violations and make recommendations on them. It has the ability to discuss all relevant human rights issues and situations that require its attention throughout the year.

From LGBT rights to the freedom of expression and the rights of racial and ethnic minorities, the UNHRC has strived year after year to improve the situation of human rights worldwide. It abides by the UN Charter and the Universal Declaration of Human Rights. Members are elected to the Council serving a term of three years, and no member is allowed to serve more than two consecutively.

The HRC's primary function is to ensure the effective implementation of human rights as put forth by universal law, by utilizing the various instruments of the UN.

In short, the UNHRC can address situations of human right violations in the world in general or with respect to a specific region, for which it may adopt a position and make recommendations for the resolvement of the issue, set international standards in the field of human rights, develop instruments which are legally binding to member nations and promote human rights through dialogue, etc.

The aim of the council is to:

a) Promote universality, interdependence, and indivisibility of human rights.

b) Inherent cooperation among member states in matters with relevance to human rights.

 c) Execute all actions and decisions through a transparent intergovernmental process.

d) Focusing not only on member states but also on non-governmental organizations and national human rights institutions.

e) Being realistic in chosen ideals and working towards the achievement of the same.

AGENDA 1: GLOBAL LGBT RIGHTS

- ## TERMINOLOGY

- Sexual orientation: A person's sexual identity in relation to the gender to which they attracted.
- LGBT or LGBTQA+: An acronym used to identify lesbian, gay, bisexual, transgender or lesbian, gay, bisexual, transgender, queer, asexual and other sexual orientations.
- Lesbian: A woman who experiences love and/or sexual attraction towards other females; a female homosexual.
- Gay: A man who experiences love and/or sexual attraction towards other males; a male homosexual.
- Bisexual: A person who is sexually attracted to both men and women.
- Transgender: A person whose personal identity, sexual identity and gender differ from their birth sex. They may use hormones, medication and/or surgery to do so.
- Hermaphrodite/Intersex (a type of hijra): A person having both male and female sex organs and/or other sexual characteristics. These terms describe people born with physical sex characteristics that do not fit typical binary notions of male or female bodies.
- Queer: A term originally used meaning "strange" to denote the unconventional sexual orientation. It can be interpreted as a slur or reclamation with respect to context.
- Asexual: A person who experiences little or no sexual attraction to others.
- Gender: A person with no or little connection to the traditional system of gender.
- Homosexuality: Love and/or sexual relationship between people of the same sex.
- Homosexual: A person who is attracted to members of their own gender.

BRIEF HISTORY OF LGBT

LGBT history dates back to the first recorded instances of same-sex love and sexuality of ancient civilizations, involving the history of lesbian, gay, bisexual, transsexual, and transgender (LGBT) peoples and cultures around the world. What survives after many centuries of persecution - resulting in shame, suppression, and secrecy - has only in more recent decades been pursued and interwoven into more mainstream historical narratives.

In 1994 the annual observance of LGBT History Month began in the US, and it has since been picked up in other countries. This observance involves highlighting the history of the people, LGBT rights, and related civil rights movements. It is observed during October in the United States, to include National Coming Out Day on October 11. In the United Kingdom, it is observed during February, to coincide with a major celebration of the 2005 abolition of Section 28, which had prohibited schools from discussing LGBT issues or counseling LGBT or questioning youth.

ABOUT NATIONAL COMING OUT DAY

National Coming Out Day (NCOD) is an annual LGBTQ awareness day observed on October 11 and October 12 in some parts of the world. Founded in the United States in 1988, the initial idea was grounded in the feminist and gay liberation spirit of the personal being political, and the emphasis on the most basic form of activism being coming out to family, friends, and colleagues, and living life as an openly lesbian or gay person. They believe the foundational belief is that homophobia thrives in an atmosphere of silence and ignorance and that once people know that they have loved ones who are lesbian or gay; they are far less likely to maintain homophobic or oppressive views.

In more recent years, the idea of the "lesbian and gay community" has been largely subsumed into the idea of the LGBT community, and the idea of "coming out" expanded to not only include the voluntary self-disclosure of a lesbian, gay, or bisexual sexual orientation, but also transgender,queer, or other non-mainstream gender identity.

LGBT THROUGH THE LENSES OF THE UNITED NATIONS.

Protecting LGBT people from violence and discrimination does not require the creation of a new set of LGBT-specific rights, nor does it require the establishment of new international human rights standards. The legal obligations of States to safeguard the human rights of LGBT people are well established in international human rights law on the basis of the Universal Declaration of Human Rights and subsequently agreed international human rights treaties. All people, irrespective of sex, sexual orientation or gender identity, are entitled to enjoy the protections provided for by international human rights law, including in respect of rights to life, security of person and privacy, the right to be free from torture, arbitrary arrest and detention, the right to be free from discrimination and the right to freedom of expression, association and peaceful assembly.

The core legal obligations of States with respect to protecting the human rights of LGBT people include obligations to:

- Protect individuals from homophobic and transphobic violence.
- Prevent torture and cruel, inhuman and degrading treatment.
- Repeal laws criminalizing homosexuality and transgender people.
- Prohibit discrimination based on sexual orientation and gender identity.
- Safeguard freedom of expression, association and peaceful assembly for all LGBT people.

On 26 July 2013, former High Commissioner Navi Pillay launched a public information campaign designed to raise awareness of homophobic and Transphobic violence and discrimination and promote greater respect for the rights of LGBT people everywhere.

CHALLENGES

Despite many resolutions and statements by the UN and other human rights organizations calling for the decriminalization of homosexuality, most nations have not made any new laws or adopted any new policies in accordance. Some nations refuse to recognize LGBT rights as an issue and leave at the beginning of meetings. Other nations believe that LGBT rights lie outside the workings of the HRC, and each nation should decide their own laws. Many nations which opposed the 2014 resolution had cultural and/or religious reasons to believe that homosexuality is wrong. The most vocal nations against were Arab and Middle Eastern nations and African nations. People opening up to homosexuality is relatively new; heterosexual relationships have always been seen as the norm for as long as humanity has existed. It can be very difficult for many people to accept people who are not attracted to the opposite gender.

WHAT UN HAS DONE THROUGH YEARS

As an organization founded to keep the peace, preserve human rights and better living standards of all people, the UN does not discriminate against people on basis of their sexual orientation or preferences.

Several pro-LGBT resolutions have been passed recently by the UN:

2011 Resolution calls on states to "take steps to end acts of violence, criminal sanctions and related human rights violations committed against individuals because of their sexual orientation or gender identity". Signed by more than 80 countries.

2014 Resolution "affirms that all human beings are born free and equal in dignity and rights and that everyone is entitled to all rights and freedoms... Without distinction of any kind.

• 2016 Resolution offering "protection against violence and discrimination based on sexual orientation and gender identity.

In the 2016 Resolution (which made the most change), this is how the member states voted:

- **For:**
  Albania, Belgium, Bolivia, Cuba, Ecuador, El Salvador, France, Georgia, Germany, Latvia, Macedonia, Mexico, Mongolia, Netherlands, Panama, Paraguay, Portugal, Republic of Korea, Slovenia, Switzerland, United Kingdom, Venezuela, Vietnam.

- **Against:**
  Algeria, Bangladesh, Burundi, China, Congo, Cote d'Ivoire, Ethiopia, Indonesia, Kenya, Kyrgyzstan, Maldives, Morocco, Nigeria, Qatar, Russia, Saudi Arabia, Togo, United Arab Emirates (UAE).

- **Abstained:**
  Botswana, Ghana, India, Namibia, Philippines, South Africa.

AGENDA 2: RIGHTS OF MIGRANTS AND IDP(S).

INTRODUCTION

An estimated 244 million people currently live outside their country of origin, many having moved for a variety of reasons in which the search for protection and the search for opportunity are inextricably entwined.

While for some migration is a positive and empowering experience, it is increasingly clear that a lack of human rights-based systems of migration governance at the global, regional and national level is creating a human rights crisis for migrants at borders and in the territory of countries of transit and destination.

Migrants, notably those in an irregular situation, tend to live and work in the shadows, afraid to complain, denied rights and freedoms, and disproportionately vulnerable to discrimination, exploitation, and marginalization.

Human rights violations against migrants, including denial of access to fundamental rights such as the right to education or the right to health, are often closely linked to discriminatory laws and practice, and to deep-seated attitudes of prejudice and xenophobia against migrants.

The term "refugee," like the people it describes, can cover a lot of ground. Politicians, aid workers, academics, and the press often approach the word from different angles, and with varying ideas of the rights, roles, and responsibilities the term implies. Such divergent views fuel the global debate about how best to manage and protect refugees, who by some counts number over 13 million.

The complexity of the problem, as well as the many and vocal interest groups concerned, makes it difficult to sort out global refugee issues without answering two main questions. First, who qualifies as a refugee? Second, what are the most pressing issues facing them and the many institutions with which they interact? The most accurate answers can be had by zeroing in on the legal definition of "refugee," then backing away for a broader look at those whom the definition encompasses, and the issues connected to their situation.

Defining Post Conflict Regions

The "post-conflict" situation is not as easy to define as it sounds. In big international wars, a formal surrender, a negotiated cessation of hostilities, and/or peace talks followed by a peace treaty mark possible " end" to conflicts. But in the sort of intra-state wars that we are chiefly concerned with it is not so simple. Hostilities do not normally end abruptly, after which there is complete peace. Moreover, there is often no clean divide between a "conflict State," meaning a State experiencing conflict, and a "post-conflict State." While a conflict may have officially ceased, small-scale conflict may still be ongoing.

In post-conflict regions there may be an agreed "peace" but fighting often continues at a low level or sporadically and frequently resumes after a short period. Genuine attempts at reaching peace can frequently be derailed by "spoilers" – that often turn out to be breakaway insurgent groups that are not yet ready or willing to give up armed conflict.

Issues and Challenges and opportunities in Post Conflict regions with respect to Human Rights

Who is vulnerable?

Persons affected by and victims of conflicts include internally displaced 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, and who have not crossed an internationally recognized State border, refugees, and stateless persons.

There are other groups of people who are particularly vulnerable in post-conflict and post-emergency situations. "Vulnerable groups" refers to all those persons that can be at risk and affected by the negative effects of conflicts. Their vulnerability will depend on their social, economic, political, cultural and ethnic position. Humanitarian action in all post-conflict settings should pay particular attention to women, children, and older persons, persons with disabilities, indigenous peoples, minorities and LGBTI persons. It is also essential that affected populations are sensitized to the fact that they are rights-holders, not mere beneficiaries of the charitable action

Weak Justice System

Ensuring access to remedy for victims is most challenging in post-conflict areas, as weak rule of law and failing justice systems make it difficult for victims of corporate misconduct to seek justice and hold human rights violators to account.

Access to justice in most post-conflict settings is extremely limited due to poor management and little capacity of the justice sector as well as corruption. Victims of human rights violations also find it difficult to seek justice in the countries where multinational corporations operating in Liberia have their headquarters, due to the many obstacles to justice there. This effectively means that the human rights regime, which places the primary duty for the protection of human rights on states, does not function properly in the context of conflict-affected areas and that there exists a 'governance gap' in holding the various actors to account.

DIFFERENT STATE AND NON-STATE ACTORS

Ensuring that human rights are well integrated into peace processes from the early stages is a crucial challenge. This has a lot of to do with addressing the root causes of conflict, bringing actors who can represent victims and civil society to the negotiation table, settling past human rights grievances, accountability, and strengthening human rights protection for the future. The biggest problem in this regard includes identifying various actors in the post-conflict setting.

Presence of different "state" and "non-state" actors (NSA) is another characteristic of post-conflict societies. These may include government armed forces, national police forces operating under military rule, rebel groups and "freedom fighters" with different levels of popular support, militias, mercenaries, private security and military companies, elements belonging to foreign armies, and others.

Some of the actors, like mercenaries, rebel factions, and military private companies, may operate on the edge of international law and claim not to be bound by legal obligations, since many have not signed peace settlements. Meanwhile, groups belonging to national regular forces can change uniform and become dissident forces or join militias, and vice versa.

The threat to human rights posed by both state and non-state actors is of increasing concern. It is then very important to identify legal grounds to hold all combatants, independent of their belonging and cause, accountable for actions that trespass on international law principles and responsibilities.

Women and Gender

Post-conflict societies also experience practices of Gender-Based Violence. Indeed, rape and other forms of sexual violence have been cited as major factors in undermining post-conflict peace processes. It is relatively common for a society to experience an increase in trafficking, forced prostitution, domestic violence, and rape following a major conflict. Some of these issues, particularly domestic violence, and trafficking, may reach higher levels after the conclusion of a conflict than were experienced by the society during the conflict. The post-conflict rise in incidents of domestic violence, for example, has led to speculation of a relationship between

these forms of GBV and the availability of small arms, an increased tolerance of violence within society, and the head of households having been engaged in military violence during the conflict.

The situation of conflict often impacts negatively on gender roles and relations. In many cases, conflict disrupts traditional gender roles, contributes to the break-up of families and the social fabric of the community, increases vulnerability, particularly for those men and women that are victims of war, leads to the perpetration of violence and abuse against children, including young boys, who are subject to forced recruitment into armies or militia forces, labor, trafficking and sexual violence. It also increases the number of women-headed households and leads to militarized societies. All of these circumstances require that PCRD activities be gender sensitive and based on informed gender analysis as well as provide for the needs of vulnerable groups.

Furthermore, special attention should be focused on women who, in addition to suffering from existing and underlying inequalities suffer disproportionately from the effects of violent conflict. Many are victims of gender-based violence, which includes rape, forced pregnancies, abduction into sexual slavery and trafficking. As armed combatants, women in fighting forces face a different set of challenges. Yet, despite their victimization women sometimes seize new economic and political opportunities that emerge from the challenges of conflicts, breaking traditional gender stereotypes.

Unfortunately, most reconstruction interventions have tended to ignore or marginalize women's issues. In post-conflict contexts 30 – 40 percent of households are female-headed. One review of post-conflict countries found that "in Angola, Kosovo, Mozambique, and Somalia, due to the great number of men who were killed, widows now make up more than half of the population of all adult women.

Female-headed households are associated with poverty and substantial time-burdens on the female household head, limiting the time for engagement in public decision-making and governance reforms. In addition to the increased care burdens in post-conflict situations, women often suffer from weak fundamental citizenship rights, which can compound their difficulties, especially for female-headed households. Women may not, for example, be able to (de facto or de jure) access family land or property from a husband that is missing or was killed during the conflict, which puts women heads of households at a significant disadvantage when seeking to rebuild livelihood security in the aftermath of conflict.

Violation of Children's Rights

Children have special short and long-term post-conflict needs, such as for tracing of family members, redress and social reintegration, psycho-social rehabilitation programs, participation in disarmament, demobilization and reintegration programs as well as within transitional justice frameworks.

Most post-conflict societies across the world have found the reintegration of children to be the most serious challenge, and the methods adopted have varied from one country to another. While some restricted the process to keeping children in school or in vocation, others have gone a step further to provide psychological support to those traumatized by years of involvement in heinous crimes. Consequently, there is no clear-cut standard employed in the implementation of the process so far.

INTERNALLY DISPLACED PEOPLE

According to the official definition, "Internally Displaced Persons are persons or groups who have been forced or obliged to flee or 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 human-made made disasters, and who have not crossed an internationally recognized State border" (UN Guiding Principles on Internal Displacement, 1998)20 . However, as increasingly acknowledged, the dividing line between forced and voluntary migration is blurred.

This is especially the case for Afghanistan, where conflict and insecurity, worsening rural livelihoods and rapid population growth "force" people to leave in search of both safety and economic opportunities. Security conditions in Afghanistan continue to force people to leave their communities of origin. At the same time, as in other developing countries, there is a growing trend of rural-urban migration whereby households and individual migrants settle in urban centers in search of better opportunities. Given such migration patterns, economic ("voluntary" migration) and displacement-induced (forced migration) motives often mix or overlap making it difficult to target assistance interventions. The situation is further complicated by the fact that IDPs, once arrived at their destination in urban areas, tend to set up home in informal settlements thereby blending

with the mass of urban poor and competing with them for access to assistance, shelter, land, water and sanitation, food and livelihood opportunities

Human Security

Human security is a multi-dimensional notion of security that goes beyond the traditional notion of state security. It encompasses the right to participate fully in the process of governance, the right to equal development as well as the right to have access to resources and the basic necessities of life, the right to protection against poverty, the right to access basic social services such as education and health, the right to protection against marginalization on the basis of gender, protection against natural disasters, as well as ecological and environmental degradation. The aim of a human security framework should be to safeguard the security of individuals, families, communities, and the state/national life, in the economic, political and social dimensions.

Socio-economic development

Socio-economic development is a multidimensional process that contributes to improved living conditions, improved ability to meet basic needs (such as health, education, and food), the reduction of poverty and inequality, and enhanced capacity of human beings to realize their potential.

Humanitarian/Emergency Assistance

Humanitarian/Emergency assistance is a set of integrated and coordinated measures that seek to save and sustain lives, maintain basic human dignity, ensure the protection of civilians, support the return and reintegration of displaced populations and help resuscitate socio-economic activity, particularly in the immediate post-war situation when state capacity is most limited. Activities under this element stabilize and rehabilitate the society including the return, reintegration and rehabilitation of refugees, internally displaced persons (IDPs), ex-combatants and other war-affected populations. Furthermore, the commencement of recovery creates huge expectations for peace dividends, which, if not met, could seriously jeopardize the chances of progress towards peace and stability. These activities can also provide unique platforms to link the emergency/recovery, reconstruction, and development phases. Thus, while focusing on urgent life-saving and life-sustaining assistance, humanitarian assistance must link with the subsequent phases of the post-conflict reconstruction and development process. This link is enhanced by the fast-tracking of key development measures during the recovery phase.

The end state of an emergency phase is marked by the following conditions: a significant improvement in the overall humanitarian situation as determined by various regional and international standards; prevalence of general safety and security; protection and assistance to groups with special needs; improved access to basic needs among vulnerable groups; the return and reintegration of refugees, IDPs and other displaced populations; as well as resumption of normal livelihood and socio-economic activities.

Socio-Economic Reconstruction and Development

Socio-economic development is a multidimensional process that contributes to improved living conditions, improved ability to meet basic needs, such as health, education, and food, and the reduction of poverty and inequality. The long-term goal of PCRD is to place the affected country on the path of sustainable socio-economic development and to improve human development indicators. The immediate objective is to accelerate socio-economic recovery by 'jumpstarting' livelihoods, creating enabling conditions for rehabilitation and development, and delivering peace dividends. To avoid stalled peace, the wide range of socio-economic activities should be pursued in an integrated approach that links relief, transition, and development. Key to the pursuit of socioeconomic reconstruction and development is the balance between growth and the provision of social goods/services, and the development of an appropriate technological base for sustainable recovery and reconstruction in the country emerging from conflict.

Political Governance and Transition: Political governance in post-conflict situations needs to promote inclusive politics and pluralism in a manner that contributes positively to nation building. Therefore, the focus of activities in this indicative element is on the transformation of leadership and society, through processes of developing a collective national vision that delivers cohesive and responsive systems of governance from the national to the grassroots levels. In so doing, the role and participation of women, including their access to power and decision making, needs to be particularly emphasized and encouraged.

HUMAN RIGHTS, JUSTICE, AND RECONCILIATION

The pursuance of human rights, justice and reconciliation are critical because abuse of human and peoples' rights resulting from policies of marginalization, identity-based discrimination, and perceptions of injustice can trigger or perpetuate conflicts. Furthermore, most conflicts are characterized by serious human rights abuses resulting in physical and psychological trauma, distrust of government authorities and inter-communal mistrust - all of which require focused attention as part of the reconstitution of society. In addition, the post-war environment is usually fluid and marked by lawlessness and power imbalances that can perpetuate insecurity

and impoverishment for some sections of the society. Such an environment can also encourage human rights abuses particularly in cases where ex-combatants, perpetrators of abuse and victims live together in a fragile and fearful situation. Finally, post-war situations are characterized by institutional breakdown and collapse of law and order and normative frameworks, which leave people without any structures to mediate, resolve conflicts or deliver justice.

Each country and society emerging from conflict has to make critical decisions about the use of restorative and/or retributive justice. This choice has implications for the nature of the human rights, justice and reconciliation model a country adopts. This requires the determination of a context-based approach to issues 25 of human rights, justice and reconciliation, and the mobilization of society's support for the model adopted.

Key Elements and Challenges of Developing Post-conflict Governance Structures

Post-conflict recovery and state reconstruction are complex challenges for the state and the society. They constitute, in fact, the major goals to be reached when a series of specific challenges have been met. The most critical key challenges in post-conflict realities are enumerated below:

Legitimacy Trust and Authority of the State

When the authority of the state has collapsed, and the remaining structures of government often lose their legitimacy in post-conflict settings, thus leading to political, societal and economic disintegration on a national and even regional level, the main task of governments in post-conflict situations is to rebuild economic and political governance and regain legitimacy and the trust of their populace. It is generally acknowledged that the critical determinant of sustainable recovery, peace and development is a committed leadership aimed at protecting human rights; ensuring rule of law and security; reestablishing and strengthening credible, transparent and accountable public administration institutions; reconstructing an efficient, representative public service that achieves equitable service delivery and re-generates an equitable post-conflict economy. These key areas of concern constitute the basic prerequisites of peace-sensitive reconstruction and reconciliation. Demonstrated action toward accomplishing them can transform the mindset of people to trust in their government's ability to deliver lasting peace and progress and to be patient through the hardships that will prevail. At their inception, post-conflict governments, especially transitional authorities, often lack legitimacy and have not yet earned trust, as they were formed as a result of negotiations between warring parties without the involvement of the majority of the population or they include former combatants perceived by the population to be responsible for crimes. They also exercise limited control over the country's assets. The development of public policy often has to be negotiated with other actors (sectarian groups or former parties to the armed conflict) who may control parts of the territory and/or national resources.

Political Will for Transparency and Accountability

The fragility of post-conflict situations creates multiple openings for corruption and the lack of a common ethos of governance undermines the political will for transparency and accountability, thus impeding the creation of robust mechanisms to deal with it. The absence of a shared vision and ethos of governance within the new, constituted a governing group, especially when its members are drawn from former warring parties, often induces factionalism that makes different groups in government work at cross-purposes rather than for the national good.

Rule of Law

The absence of rule of law, accompanied by a culture of impunity, especially affects many post-conflict situations and severely undermines the legitimacy of the State. It is likely that weak rule of law existed prior to violent conflict and was characterized by ineffective or corrupt institutions. The fall out from this circumstance is especially evident in the judiciary and police, where dysfunctional institutions have over time eroded confidence in the formal mechanisms for dispute resolution and grievance management and induce citizens to resort to illicit means. There is a need to re-build the judicial infrastructure from the highest to the lowest levels, with the most severe challenges being to rebuild the physical infrastructure and capacities of the staff, and to establish and promulgate an enforceable legal and regulatory framework that will be accepted by the populace.

Social Capital and Social Cohesion

Post-conflict public policies are particularly vulnerable to distortion by sectarian behavior towards particular groups, sectors or communities overriding national interests. The loss of human and social capital, a dearth of social cohesion, continued exclusion of targeted groups in society, and absent participatory mechanisms in public policy formulation, all perpetuate a lack of trust in government

And challenge the revival of legitimate local and national governance structures. Internally displaced people (IDPs), returning refugees, and unsupported youth and (former) child soldiers/ex-combatants and others are particularly vulnerable to being co-opted into unproductive or illicit activities that are counterproductive to the effective functioning of the state. The State must organize specific, demonstrable initiatives to regenerate social cohesion through policies and programmes that promote participation, equity and inclusion. Reconciliation processes which are ignored, overlooked or delayed in the press of urgent humanitarian or political and economic conditions can create longer-term problems and aggravate unresolved issues that make people resistant to overt attempts at enforcing social cohesion. In many post-conflict societies, peace accords and truth and reconciliation commissions are being set up, but are ineffective and sometimes counterproductive as they

lack adequate implementation, follow-up or sincere commitment. The lack of coherence between the peace consolidation process as a medium-term action, on the one hand, short-term peacekeeping actions and long-term development efforts on the other, may further destabilize efforts to achieve sustainable peace and development.

Economic Reconstruction and Service Delivery Structures

Another major challenge is the need to simultaneously sustain ongoing governance reform and economic restructuring programmes at the same time securing visible achievements in poverty alleviation efforts as dividends of peace and stability. With regards to economic reconstruction, the short-term economic orientation of local actors which is focused mostly on the private immediate gain often prevails in post-conflict settings. This situation exacerbates a credibility and legitimacy deficit for the new political actors and limits the citizens' compliance with their obligations. War economies and parallel economies continue to thrive particularly during situations of the ceasefire. Unless a concerted action to retake regulatory control of the State accompanies the cessation of violence, these parallel economies deny the state access to substantial revenues and the beneficiaries undermine and destabilize attempts to rectify the situation. Within this arena, the exploitation and abuse of mineral and natural resources by illicit national and/or foreign actors, coupled with worsening terms of economic exchange, are other crucial challenges that need to be addressed to ensure a sustainable economic reconstruction.

Security and Cross-border Movements

Continuing insecurity and violence affect the provision of basic services and reestablishment of government authority and administration at local levels. A lack of institutional authorities and failure in the security sector, in particular, the police forces, lead to continuing mistrust of the population in public authorities and, at best, a State lacking legitimacy, and at worst, a breeding ground for the re-eruption of unresolved conflicts and violence. Conflicts spilling across borders represent an additional source of continued post-conflict disintegration, on both a national and regional level. Such cross-border conflict issues include the illegal traffic of small arms, light weapons, and antipersonnel mines. The fundamental question here is how to regulate movements across borders in order to discourage illicit traffic while promoting legal and safe movements and advancing more cohesion and integration among countries.

The Role of Regional Actors and the International Community in the campaign for Human Rights in Post Conflict Societies

The international community as well as regional actors play a crucial role in the immediate aftermath of a conflict but are often challenged by a lack of coordination and unclear leadership role on security issues.

External funding and technical assistance must be sequenced and provided on a long-term basis. It should also focus on developing national capacity from the outset so that governments are prompted to mobilize resources domestically. Paradoxically, the most aid is available early on when a crisis or post-conflict governments' absorptive capacity is weakest. When governments actually develop capacity, aid often dries up. External donors also need to strike a balance between the need for ensuring accountability and the necessity of collaborating effectively with national actors. International actors may be needed to deliver emergency and relief aid in humanitarian operations during and in the immediate aftermath of the crisis and to provide the foundation for long-term development. To prevent a further destabilization of post-conflict societies, rapid responses and a quick transition from planning to implementation are needed. However, the international presence often overwhelms vulnerable countries emerging from the conflict with imposed priorities or inadequate responses. Hence, it is important to ensure that first phase support measures are also a product of joint consultation and are as flexible and un-bureaucratic as possible. One big challenge for the international community is the initial dilemma to cooperate with government institutions that are not fully democratically legitimized and at the same time help them strengthen and transform and become accountable and legitimate.

It is indisputable that continuing significant external technical and financial assistance is critical to sustainable post-conflict recovery. International support can play a particularly valuable role in creating national capacity for the implementation of post-conflict strategies and programs. In addition to short-term relief and recovery needs, post-conflict assistance should also target the large-scale development of leadership skills and capabilities within the civil service to work inclusively in making and implementing policies and decisions. Additionally, the sequencing of reconstruction measures at all levels and across all sectors (security, political-administrative, socio-economic) in post-conflict settings is decisive for a sustainable long-term development.

International Actors

The international community needs local knowledge, networks, and support which are ultimately the only sustainable foundation for reconstruction. It is crucial for the international community to identify, cooperate, and support from the very beginning with main drivers of change – individuals and key institutional partners - for post-conflict reconstruction. However, relying too strongly on civil society actors creates the potential danger of substituting state organizations and thus potentially undermining long-term efforts to strengthen them.

Local, National and Regional Actors

Local, national and regional institutions, structures and processes are the key dynamic and sustainable factor that can provide internal, culturally-appropriate guidance and eventually take over and implement emergency as well as longer-term reconstruction activities within all sectors of society. Relying on local knowledge and networks, and then building the capacities of public officials in policy design and implementation are crucial steps in the aftermath of a crisis or conflict. This cannot be compensated by handing over decision-making on domestic economic issues to international organizations.

Adequate training measures, establishing appropriate incentives and reviewing all external strategies with national/regional/local necessities are key elements to make external interventions a success and support for long-term development. Regional organizations can have an important role to play in post-conflict environments and can be a useful adjunct to the work of inter-governmental or bi-lateral partners. Regional counterparts can provide more acceptable support that is seen as neutral (in everything from brokers of peace agreements to peacekeeping troops to election monitors.) Their in-depth knowledge of the sub-region and political influence on governments and their opposition can often produce agreements or effect difficult decisions that other external actors have difficulty achieving.

Conflict Prevention and Peace building Infrastructure

Sources of useful information on conflict prevention and reconstruction efforts are accessible through the: o United Nations Development Program, Bureau for Crisis Prevention and Recovery (BCPR), which helps countries prevent and recover from armed conflicts and natural disasters through advocacy, capacity building, conflict sensitive development, development of tools and methodologies, gender equality, knowledge networking, strategic planning and programming, and policy and standard setting o UN Peace building Portal, an interactive website of 2,000+ peace building and conflict prevention NGOs in sub-Saharan Africa, making it easy to identify and collaborate with organizations in the public, private and civil society sectors who are engaged in mitigating and managing conflict in Africa.

Education and conflict

Attacks on education occur around the world, both inside and outside of situations of armed conflict. In many regions, armed groups intentionally target schools, teachers, and students. These attacks violate the rights of the child: in addition to putting children at risk of injury or death, they can thwart students' chance to get an education. Attacks on schools, teachers, and students can cause children to drop out or go to school less often, force schools to cut their hours, and destroy school buildings and materials. In environments of violence and fear, the quality of children's education is severely diminished. Human Rights Watch defines "attacks on education" as encompassing the full range of violations that place children at risk and deny them access to education. This includes attacks on school infrastructure and on teachers and students; the occupation of schools by the police and military; harassment and threats against teachers, parents, and students; and the recruitment of children from schools to become soldiers. Human Rights Watch calls on states to endorse the Safe Schools Declaration, an international commitment to protect schools and universities from being attacked or used for military purposes in times of armed conflict.