KIIT
INTERNATIONAL
MODEL 20
UNITED
NATIONS 18
28th-30th SEPTEMBER

IOM

STUDY GUIDE

AGENDA:

1. "Examining the Threat of Cultural Colonization due to Mass Migration resulting from Refugee Flows or Otherwise, with emphasis on the European Union."

2. "Reformulation of the Model of Implementation of the Protocol and Convention on the Status of Refugees in light of the 'European Migration Crisis'."

It is indeed a pleasure to welcome you all to this simulation of the International Organisation of Migration, for it is not only the quality of the delicacies but also the cheer of the guests that make the feast. The delicacies being the discussion we shall have and the guests being you.

At the onset, we must inform you that the agenda demands a mature individual, one who does not judge merely by how things appear on the surface, or by popular opinion, but one who examines the facts of the case and makes an objective evaluation of the situation by removing him/herself from it. It will require you to be calm for the atmosphere will be charged and you must be a Cosmopolitan Personality.

In this committee, Race, Religion, Communities and Culture will feature in discussion and it will take a mature mind to know and understand that not all discussion about race is racism and not everyone who discusses race is racist. In the same vein, not all discussion about religion is bigotry and not all those who discuss religion are bigots.

We shall endeavor to discuss the matters that even world leaders have often turned away from because they felt these matters were too sensitive. We shall be asking those hard questions that nobody wants to ask, but which must be brought out, for the longer these questions dwell in the shadows, the greater the illusion of knowledge.

"The true enemy of knowledge is not ignorance, but the illusion of knowledge." – Stephen Hawking

The amount each of you will grow through this particular simulation will be exponential and we are here not as judges, but merely as evaluators, and we shall change role to be your teacher, guide, booster and friend as and when the situation demands.

This background guide will give you the tools you will need to solve the problems posed by our agenda for this meeting. Contained herein is a detailed explanation of what each agendum means, what problems they pose. Our challenge lies in finding out how to solve and in executing that which we know is to be done, to solve the problem.

Throughout this guide, there are keywords that are not explained. You ought to find them and study up on them for a more comprehensive understanding.

It is important to be thorough with this document, else you will not be able to act effectively because you need context and perspective to see the whole picture, which you will get only after reading everything, and what is more important is that if you are not thorough with it, you will possess half-knowledge, which   in itself is very dangerous.

The committee shall follow the UNA-USA Rules of Procedure.

We look forward to meeting you and are happy to clarify any doubts that you might have.

Warm regards,
Sharoni Goswami - Chairperson

Gurmehar Singh Sidhu - Substantive Director

Before you tackle the question and problem the agendum poses, you must gain clarity as to what it exactly means. For that you must have an understanding of what Cultural Colonisation is, which in turn requires you to know what colonisation is.

UNDERSTANDING CULTURE-

Culture is a way of life of a certain group of people. It may include the behaviors, beliefs, religion, practices, values, symbols etc. that they accept, generally without thinking about them much and that is passed on by communication and imitation from one generation to the next.

UNDERSTANDING COLONISATION -

Colonisation has multiple facets and its meaning and scope have evolved over the course of history. While migration and settlement were central to the objective and execution of colonisation in the Early and Middle periods of history; the intent to gain, extend, retain power and authority was central to its objective and execution in the Modern Era.

Ancient and Middle Periods

The first thing to understand about Colonisation is that, it is a general phenomenon/occurrence dating back thousands of years even when humans used to migrate to the uninhabited land which was well supplied with resources that they needed, and proceeded to settle there permanently. Therefore, colonisation is not necessarily for the purpose of extending political, economic, military or social dominance by one power over another.

So, if a group of people was to simply migrate to say, an arid piece of uninhabited land, and proceed to establish a permanent settlement over there, it would still be called Colonisation, i.e. colonisation of that arid uninhabited piece of land by that group of people. This was precisely the case in British India when the British wanted to bring the then arid regions of East Punjab under cultivation, and so they began irrigating the area and resettling Indian farmers from other parts of Punjab in that area, a process called 'Colonisation of East Punjab'.

Now, were there cases where migration to a new land by a

certain group of people resulted in the killing of the existing inhabitants of that land before the new group made its settlements there? The answer is yes and history is riddled with examples of the same.

What that tells us is that, Colonisation may be a peaceful and non-violent process, or a violent and bloody one and also that colonisation may or may not make use of military power.

In the same vein, even Oceans and Space can be colonized, but those are not our areas of discussion, this is merely to give you a comprehensive understanding of colonisation.

Modern Era

The Modern Era (1500 onwards) was also known as the Colonial Era. During this time, a policy called Colonialism became very popular, typically among Western European Nations. Colonialism is a policy of a polity to extend, gain and/or retain power/authority over another polity, territory or people for political, economic, social or military and strategic benefit, and this became the purpose of colonisation as well in the Modern Era.

Another change in Modern Era with regard to Colonisation was with its execution. Of course it featured the use of military power, but it also began heavily featuring surrogacy, trade and culture.

Surrogacy meant that the colonists would turn the ruler or head in power or government of a particular territory or people into a puppet of theirs, and use him/her to exercise control over that territory or people. They would do so with the promise of power, money or strong arms, since a war with the colonists (typically the Western Europeans such as Portugal, Great Britain, France, Spain and Italy) meant heavy losses and defeat due to their military technology at the time. This is how the British colony of India was governed.

Trade was one of the biggest means of colonisation, e.g. Great Britain had at one time begun exporting vast amounts of Opium to China, and the Chinese population demanded it as well. This resulted in the trade deficit of Britain to China and more importantly creating a large number of drug addicts in China, thereby subtly damaging Chinese population and making China weak. In response the Chinese Monarch began dumping Opium shipments in the sea, but the British demanded compensation for the destroyed shipments and backed by its military strength signed a deal with China where Britain got access to major Chinese ports, allowed British citizens to live in China and be governed by British and not Chinese laws and a hefty compensation in cash.

Thus, the central idea is to create dependency through trade

and then use that dependency to gain/extend/retain power and authority.

Culture is perhaps the subtlest tool in the execution of colonisation. One that we do not see overtly, especially since it takes time to manifest itself on a surface level and most importantly, it is facilitated by globalisation.

It manifests itself in the form of 'Settler Colonialism', which seeks to replace the indigenous population of the colonized territory with a new society of settlers. This particular kind of colonisation can also be called 'Cultural Colonisation',

however Cultural Colonisation is a much wider term than Settler Colonialism. Now, it is important to note that not all intermingling of culture is bad and implies the intent to colonise, the intermingling of culture is also the greatest source of diversity in the world and has lead to some of the most brilliant inventions, discoveries, solutions and has fostered unity. Yet, it is a delicate balance.

Cultural Colonisation means colonising or taking over of a state or geographical area (a Soft Invasion, if you will) from a cultural standpoint by replacing the host culture with another culture, which in time results in the loss of the Host Country's identity and causes a massive ethnicity shift. It effectively kills the host culture, practices, and image and in time eliminates its people as well. It may or may not make use of force but, at least not in the way that military does.

COLONISATION AND COLONIALISM-

Colonisation and Colonialism, while different at a fundamental level are not mutually exclusive and overlap to a certain degree. Colonisation may at times take place with the intent to gain, extend and/or retain power/authority over another Polity, Territory or People.

COMMITTEE OBJECTIVE-

Our purpose in this committee is to make a value judgment based on all the facts of the case and reasonable assumption that, whether or not the mass migration owing to Refugee Flows or Otherwise pose the threat of Cultural Colonisation, especially in the European Union.

If we conclude that there is no such threat, then we ought to inform the world of this so that we can reduce the skepticism toward offering asylum to and integrating refugees and migrants. However, if we conclude that there is a threat, then we have the responsibility to find a way to circumvent it while ensuring that the world does not close its doors to refugees and migrants out of fear of potential Cultural Colonisation.

Note- While the agendum is laying emphasis on the European Union; you are most welcome to discuss the phenomenon of Cultural Colonisation in the context of any country, state, territory or people at any point of time in history in order to build perspective and context in the committee.

MANDATE OF THE INTERNATIONAL ORGANISATION OF MIGRATION:

The mandate of a committee refers to its jurisdiction; it lays down the scope and limitations of that committee's powers and role.

As far as Mandate of the International Organisation for Migration (IOM) is concerned, the aforementioned agendum fits into Points 3,4,5,6,7 and 8 (particularly point 7, which lays emphasis on the dialogue and research functions of the IOM) of the Strategic Focus of the IOM given on the IOM website alongside its Mission Statement.

WHY EUROPE IS UNDER THREAT:

The unique situation that Europe currently finds itself in exacerbates the problem enough to make the phenomenon of Cultural Colonisation or Settler Colonialism starkly visible.

Europe lacks the biggest defences against cultural colonisation, i.e. a large population of its own with high fertility rates to cushion the spread of foreign culture brought about by mass migration (in this case, refugees). But much of the European population is ageing, with fertility rates being low.

At the same time, the bulk of the refugees it has had to take in or has chosen to take in are practitioners of Islam. Not that there is anything inherently wrong with or bad about Islam, but birth rates are much higher in Islam and the bulk of the population being young, while Europe's indigenous population is old and their fertility rates low.

The European Union comprises of welfare states (they give social security) and has Open Internal Borders as well. This welfare allowance in and of itself is several times higher than wages received by unskilled labour in the states from where these refugees fled.

Essentially, they get paid more to do nothing in the EU than to work as unskilled labour in their countries of origin and the EU and everyone else may expect them to voluntarily integrate themselves into European society (with state help of course), but the welfare scheme itself deters the refugees from integrating into society because that would imply foregoing the welfare allowance and earning lesser at the same time.

Add this to the fact that, fertility rates are often higher and having more children is one way of increasing the welfare allowance from the state (a common form of social security fraud), the refugees get an incentive to multiply.

Given the age demographic of the refugees, most are already adults and are firm in their religious beliefs and practices (there may be exceptions) and objectively speaking there are genuinely certain aspects and concepts where Islam and Christianity greatly differ, most notably in the rights of women.

On their own, each aforementioned point may not pose as a great cause of worry, but what really ties it all together and turns this situation into a threat of Cultural Colonisation is the fact that the Refugees are arriving too many too fast (or migrants in any other case of mass migration) and will far exceed the Europeans in terms of population size, which combined with everything else creates the possibility of the culture and beliefs of the refugees (in this case predominantly Islam, could be different in another case) to turn the host culture into a marginalised one and Europeans may become a minority in Europe itself with the risk of an eventual loss of European identity and culture to the point of extinction and Europe may turn into a Muslim state.

Also, let us assume the refugees are not assimilated into Europe as citizens in various European states, the result is that you have a large part of the population (larger in some states and smaller in others) that doesn't get political representation and it is this part of your population that serves as the driving force of your industry and forms the bulk of the young population.

Thereby fostering two or more mutually exclusive bubbles of communities.

The other side of that coin is that if they do get assimilated and gain political representation and voting rights, there again lies a chance where voting takes place on religious, ethnic and cultural grounds (which it is likely given that both cultures would have remained more or less exclusive for reasons explained above reading: lack of incentives to integrate).
NOTE- Cultural Colonisation may take place in the context of any 2 or more cultures, not necessarily Christianity and Islam, it is merely the current European situation that puts the two in the limelight and raises concerns of a 'Clash of Civilizations' It is a general phenomenon and may very well take place if there were a sudden and massive influx of Indians into Japan. Japan wouldn't exactly remain Japan anymore; it would experience a massive shift in every province of experience. Cultural Colonisation is not always through the population, in fact it has been happening for years now without migration of people from one place to another and this is where globalisation comes to the fore. India for instance, has been getting colonised from a cultural standpoint by America for years now yet we haven't even noticed. You see, when America or any other country for that matter exports its goods to India, sends its media to India (media refers to music, movies, news telecasts etc.), its clothing to India, its food to India they are not only exporting the aforementioned items but are exporting a way of life, they are exporting a culture, their culture to India and all these things have now become a part of Indian Culture and has shaped modern Indian Culture as well. Of course a certain amount of intermingling of culture is inevitable under Globalisation, but you ought to know that this facet of Cultural Colonisation also exists and while this facet is not directly a part of our discussion, whether or not it poses a threat is undecided.
In furtherance of the aforementioned, Cultural Colonisation may also be used for the purpose of mitigating threats from other powers and not only for gaining or extending power.

Perhaps the final question is that if things continue the way they are going, will Europeans become a minority in Europe, and will Europe turn into a Muslim State?
And it must be noted here that a large population is not always a necessity to the spread of a foreign culture, for instance the Sikh population in Canada is merely 1.4%, yet the impact that Sikh culture has had on the Canadian way of life, on its govt., its regional and geopolitical policy and image is

profound.   So it doesn't take a large population for culture to change, only a few people n the right platforms and the right forums.

The aforementioned points clearly lay out the reason for examining whether or not Cultural Colonisation looms over Europe. But in our discussion, everything we say has to be backed by sound research; population statistics, trends, patterns, historic occurrences as well as analysis and inference.

AGENDUM 2: "Reformulation of the Model of
Implementation of the Protocol and Convention
on the Status of Refugees in light of the
'European Migration Crisis'."
NOTE: This does not mean reforming the Refugee Convention itself. That, under no circumstance is what the agenda implies, nor should that be the subject of the discussion. The Refugee Convention is very articulate and comprehensive enough to cater to the needs even today.
It is essential that you all well versed with the Refugee Convention for this particular agendum, as well as European Union Refugee Law.
WHAT THE AGENDUM MEANS:

The Refugee Convention in and of itself is very articulate and comprehensive enough to cater to needs even today (for reasons explained below).
Yet due to common misconception, certain structural shortages and paltry implementation mechanisms, it fails to fulfill its purpose and ease the burden of refugees for both countries and the refugees themselves. The Implementation System needs to be overhauled (as you shall see explained below) and that is what this agendum will discuss.

CERTAIN MISCONCEPTIONS AND HURDLES:

1. Implementation-

It is widely held that the country where the Refugees first arrive is where they have to be resettled and integrated and that is the state that has to take responsibility for those refugees (this is a general phenomenon, not exclusive to the EU as per the Dublin Rule).

This is precisely what deters countries from acceding to the Refugee Convention e.g. India hasn't acceded to the convention primarily because it feels that it is discriminatory as states tend to bear independent responsibility for helping refugees at the cost of their own citizens and the burden of refugees isn't shared to alleviate the pressure.

Also as a result, countries in general avoid accepting refugees and those that are geographically more accessible to refugees tend to be overloaded unfairly which prompts them to erect entry barriers or turn back boats of refugees (which they have no right to even if the boats are those of illegal smugglers carrying refugees; we'll come to this later).

But the Refugee Convention clearly states that all parties must bear Shared Responsibility so as to not unfairly put pressure on a particular state simply because of their geographical position and the 'Dublin Regulation' exists nowhere in the Refugee Convention, but is a part of European Union Refugee Law.

The problem is that there is no widely agreed Model to implement this Sharing of Responsibilities (note that 84% of the global refugee population lives in developing countries and some of the poorest countries host 28% of the global refugees as per UNHCR's Global Trends Report 2017). If there was such an agreed model that laid out in advance how the Financial Burdens and Human Responsibilities have to be shared (which the parties to the convention create together themselves by the way), then countries would first be assured that there is an exact and globally agreed plan that not only guarantees limits on their individual liability or

burdens but there is also a degree of predictability into how refugees will be accommodated, which serves as incentive for countries that have not yet acceded to the convention to do so.

States would then have common but differentiated responsibility, i.e., while everyone does something, they do that which they are better suited to do or specialize in. This would also make clear that the country of First Arrival doesn't bear the entirety of the responsibility to resettle/integrate/accommodate the refugees that show up. As a result, countries would also have less incentive to erect entry barriers, preclude the arrival or turn back would-be refugees, thereby ensuring Accessibility.

2. Accessibility-

While smuggling and trafficking should be stopped, the moot point is that unless and until the people on those boats have been processed, the state can never be sure of whether they are refugees or illegal immigrants.

If they are found to be illegal immigrants upon arrival and processing then they may be deported, but if they are found to be refugees then turning the boats back without having ever processed the person would amount to a denial of accessibility.

Why this matters is because the Refugee Convention confers certain rights on refugees, but only after a would-be refugee completes his/her obligation under the Convention and that obligation is to Arrive at the Borders of a Foreign State (other than the country of origin, or normal residence if one cannot go back to the country of origin either) and it is necessary that a would be refugee leaves the state in which he/she is threatened with persecution and reach foreign borders because the Principle of Sovereignty is to be upheld, and in that vein foreign countries cannot help victims of persecution by directly interfering in the affairs of the victim's country. Simply put, if a would-be a refugee is to be helped, he/she must arrive at foreign borders, and for that to happen there mustn't be entry barriers to foreign borders. For if there are accessibility barriers then it doesn't let that would be refugee fulfill his/her obligation and in return the rights of the convention are never conferred unto him/her. Thereby, effectively negating the existence of any International Legislation that gives rights to Refugees.

Now, the Convention explicitly prevents Refugees from being penalised for using illegal means to arrive at foreign borders and the reason for that is that typically no country would

knowingly give visas to refugees (general practice but subject to exceptions nonetheless). Also, if countries don't grant visas to refugees, there are no legal channels left to reach foreign land. There is no alternative to smuggling and trafficking for refugees to do that which the Refugee Convention allows them to do in order to gain the rights contained in the Convention. Since few states legally help with regard to visas1, that would be refugees are forced to either:

(a) Live in Shoddy encampments in poor and developing countries   (typically countries like Kenya, Jordan, Lebanon, South Sudan, Chad, and Uganda etc. This is in conjunction with the UNHCR's Global Trends Report.), where there are few prospects, poor education and poor hygiene.

(b) Live in Urban Destitution, or

(c) Use of illegal means to reach more prosperous foreign lands (case in point- crossing the Mediterranean to reach Europe).

Hence, there is an alarming need to think of new legal and safe channels which would be refugees could use to access foreign borders and if this is done in conjunction with the improvements to be made in Point 1 above, then the world would have an effective and efficient system to share the responsibility of refugees as well as easier access for refugees, alleviating the pressure from these developing and poorer countries and deterring smugglers and traffickers at the same time.

3. Enforceability-

It must be noted that the Refugee Convention doesn't have any sort of Expert Supervisory body that can uniformly and definitively draw conclusions or interpret the Refugee Convention. The UNHCR (United Nations High Commissioner for Refugees) is an agency assigned to the convention but by no means possesses any quasi-judicial powers to uniformly lay down practices, frameworks, interpretations and so on (e.g. the International Criminal Court performs this function with regard to the Genocide Convention).

So what typically happens is that the world at best has 'Transnational Judicial Dialogue'. What that means is that the Top and Higher Courts of different countries take cognizance of judgments and interpretations given by their counterparts in and build upon them, but this system is informal at best and not binding on any country.

Simply put, while we try and create a sound and stable implementation mechanism, we must also explore the
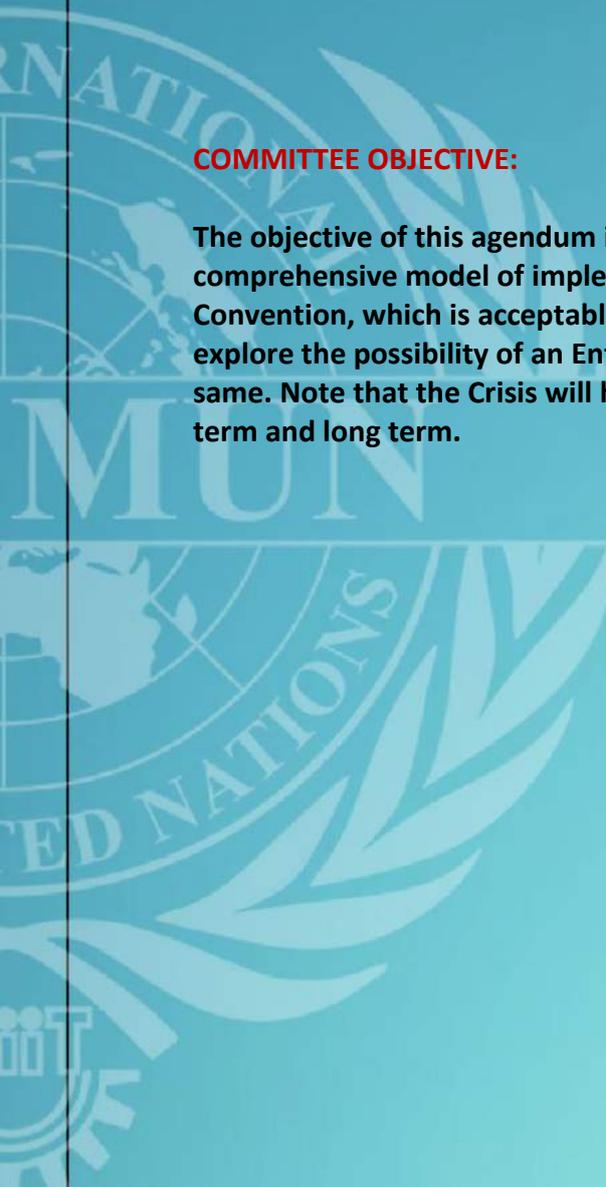
creation of an expert supervisory body that has limited quasi-judicial powers only as far as Enforceability of the Reformulated Implementation Process of the Refugee Convention is concerned.

It is here that the big question of Upholding Sovereignty presents itself, because typically no country would like its sovereignty bypassed. But here is also where the reforms in

implementation suggested under Points 1 & 2 come to the fore and create a limited liability, shared responsibility framework that lends structure and predictability to the management, distribution, resettlement, integration and repatriation of refugees, and I feel that as predictable, secure and guaranteed the Refugee System becomes, the greater the comfort and confidence that each State would have in submitting to this Expert Supervisory Body with Quasi-Judicial Powers of Enforceability that is mentioned under Point 3.

It is also here where the question of 'How do we not turn the Refugee System into an Immigration System?' must be answered.

I would like to add here that despite the most stable, secure and predictable Refugee System (which will be created and agreed upon by the countries themselves), if countries still choose not to submit to its Enforceability by the Body talked of above, then that implies that countries choose not to commit their help on this matter, and we may choose to not push for such a body but even if it is not created, the elephant in the room doesn't change or move, it still remains and we simply turn our gaze from it. No less is implied (that countries do not commit their help on this matter) even if such Enforce-ability excluded from the reformed Refugee System.

COMMITTEE OBJECTIVE:

The objective of this agendum is to collectively prepare a comprehensive model of implementation for the Refugee Convention, which is acceptable to all parties involved and explore the possibility of an Enforcement Mandate for the same. Note that the Crisis will have to be handled both short term and long term.