



United Nations Human Rights Council (UNHRC)

Topic 1: Responsibilities and obligations of Member States on refugees' human rights

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1. Definition of key terms

Refugee: A person forced to flee their country to escape conflict, violence, or persecution and who has sought safety in another country.

Human rights: Rights inherent to all human beings, regardless of race, sex, nationality, ethnicity, language, religion, or any other status.

Refoulement: The act of forcing an asylum-seeker or refugee to return to their home country, where they face violence, persecution, or harm.

Asylum: Protection granted by a country to an individual in need of refuge, who has fled their home country due to fear of persecution.

Asylum-seeker: A person who has fled their home country and is seeking international protection in another country but whose claim for asylum has not yet been fully processed or determined.

Convention Relating to the Status of Refugees (The 1951 Refugee Convention): A United Nations multilateral treaty that provides the internationally recognized definition of a refugee and outlines the legal protections, rights, and assistance refugees are entitled to receive.

The 1967 Protocol: It broadens the applicability of the 1951 Convention by removing the geographical and time limits initially restricting the Convention to people who became refugees due to events occurring in Europe before January 1, 1951.

Integration: The process by which refugees, asylum-seekers, or migrants become part of the social, economic, and cultural life of their host country.

2. Introduction

The protection of refugees' human rights is not only a moral imperative but also a fundamental obligation enshrined in international law. Refugees are among the most vulnerable groups in the

world, often forced to flee their countries due to war, conflict, persecution, or other forms of violence, facing multiple challenges that threaten their security, dignity, and well-being.

In this context, the role of UN Member States in safeguarding refugees' human rights becomes critical. Under international law, particularly within the framework of the United Nations Human Rights Council (UNHRC), Member States are required to uphold the rights of refugees and ensure their protection in accordance with binding treaties, customary international law, and established human rights norms.

The United Nations has played a pivotal role in developing an international legal framework to protect refugees. Central to this framework is the 1951 Convention Relating to the Status of Refugees, along with its 1967 Protocol, which together outline the key rights of refugees and the responsibilities of states in ensuring these rights are met.

One of the most important principles established by the Convention is the principle of **non-refoulement**, which prohibits the forcible return of refugees to territories where they may face persecution, torture, or other inhumane or degrading treatment. This principle is widely considered part of customary international law, meaning it is binding on all states, regardless of whether they are parties to the Refugee Convention.

Beyond the principle of non-refoulement, Member States are also obliged to provide refugees with basic rights and protections integral to their dignity and safety. These include, but are not limited to, the right to seek asylum, the right to work, the right to access healthcare, the right to education, and the right to live free from discrimination. Member States are expected to create legal frameworks, institutions, and procedures that facilitate the protection and integration of refugees, ensuring their access to essential services and resources.

However, fulfilling these obligations can be a complex task, especially in the face of ongoing global displacement crises. Political, economic, and social challenges, such as limited resources, rising nationalism, and increasing anti-refugee sentiment, can undermine states' ability or willingness to meet their obligations.

Furthermore, the large-scale movement of refugees often places significant strain on host countries, particularly those in the developing world or near conflict zones. These challenges are compounded by inconsistent national policies, lack of coordination among international actors, and inadequate international support for refugee protection efforts.

3. Background information

The issue at hand has profound implications for international relations, international law, and state sovereignty. The protection of refugees is enshrined in international legal frameworks, yet the tension between upholding refugees' human rights and safeguarding national sovereignty continues to be a complex challenge in global governance. As conflicts, persecution, and environmental disasters force increasing numbers of people to flee their home countries, the question of how Member States can balance their international obligations with their national interests remains a critical and contentious issue in international relations.

From the perspective of international law, the 1951 Refugee Convention and its 1967 Protocol constitute the cornerstone of the legal framework protecting refugees: it was already stated how these instruments codify the principle of non-refoulement, which prohibits the forcible return of

refugees to territories where they face serious threats to their life, liberty, or safety. This principle is not only a cornerstone of refugee law but it is also considered customary international law, meaning it is binding on all states, regardless of whether they are parties to the Refugee Convention. Additionally, refugees' rights are protected under a range of other international human rights instruments, including the Universal Declaration of Human Rights (UDHR), the International Covenant on Civil and Political Rights (ICCPR), and the Convention Against Torture (CAT), all of which place obligations on states to protect individuals from mistreatment, to ensure access to asylum, and to respect the rights of all people within their jurisdiction. However, the obligations of states under international law can conflict with their sovereign rights: states are sovereign entities with the right to control their borders, determine immigration policies, and make decisions about who enters and stays in their territory. For many states, particularly those experiencing large influxes of refugees, the responsibilities arising from international law can be perceived as burdensome, and in some cases, they may be perceived as infringing on national sovereignty. The aforementioned principle of non-refoulement, for example, requires states to admit individuals who may pose a threat to national security or public order, which can create tension between international obligations and domestic concerns. Additionally, the obligation to provide asylum seekers with certain rights—such as access to healthcare, education, and employment—places financial and logistical burdens on host countries, especially those with limited resources.

The impact on international relations is another significant aspect of the refugee issue. Countries that provide asylum to refugees often face political, social, and economic challenges, and these challenges can strain relations with neighboring countries or countries further afield. For example, neighboring states may see an influx of refugees as a destabilizing force, particularly if resources are scarce or if the refugees are perceived as a burden on public services. This can lead to tension between countries, as states with fewer resources may feel that wealthier states are not doing enough to share the responsibility of hosting refugees. Conversely, countries that bear the brunt of refugee movements, such as those bordering conflict zones, often face criticism from the international community for not doing enough to provide adequate protection or for implementing policies that violate international law.

Additionally, refugee flows can complicate relations between countries with different policies toward refugees and migrants. For example, states with more restrictive immigration policies or those in politically sensitive regions may be unwilling to accept refugees, instead opting for border controls, refoulement, or pushback policies. Such actions undermine international law and may strain diplomatic relations. In some cases, states might also engage in bilateral agreements to manage refugee flows, which can lead to unequal burden-sharing and a lack of coherence in international responses. The European Union's refugee crisis is one such example, where disagreements between EU member states on refugee relocation policies have revealed significant tensions within the Union, as wealthier countries have been reluctant to take in large numbers of refugees, while countries like Greece, Italy, and Turkey have borne the brunt of arrivals.

In terms of sovereignty, the refugee issue highlights the challenge of balancing national interests with international responsibilities. Sovereignty is often invoked by states to justify restrictive refugee policies, such as building walls, refusing asylum seekers, or detaining refugees for prolonged periods. These actions are frequently motivated by concerns about national security, social stability, and economic pressure. However, this nationalistic approach can erode trust and undermine the global norms that have been built over decades of international cooperation on refugee protection. The tension between state sovereignty and international legal obligations can also fuel rising nationalism and xenophobia, which further exacerbate divisions between states and

within societies. At the same time, the international community's collective responsibility to address the refugee crisis has led to calls for more equitable burden-sharing. The principle of shared responsibility suggests that countries with greater resources should contribute more to the protection and care of refugees, and that states should not be left to bear the weight of refugee movements alone. Despite these international efforts, the issue of refugees' human rights remains a persistent challenge, as states continue to prioritize sovereignty and security over humanitarian concerns in certain cases. This conflict reflects a broader debate in international relations: to what extent should states be willing to cede authority to international bodies or adhere to global norms in the face of national interests? While the refugee crisis emphasizes the need for greater international solidarity and cooperation, it also underscores the difficulty of reconciling state sovereignty with the responsibility to protect those fleeing persecution and violence. As global conflicts continue to produce large-scale displacements, the international community will need to find new ways to navigate these competing demands, ensuring that human rights protections are upheld while respecting the principle of state sovereignty. Ultimately, the challenge lies in fostering a more cooperative, fair, and effective system of refugee protection, where states meet their obligations under international law while also ensuring their own security and maintaining diplomatic relations with other nations.

4. Major countries involved

Iran

According to data from UNHCR, Iran hosts 3.8 million refugees. The majority of these refugees fled Afghanistan due to recurrent political instability and natural disasters. It is estimated that refugees in Iran are provided with adequate access to education, healthcare, and livelihood opportunities. Approximately 97% of refugees live in urban areas, while only 3% reside outside cities.

Türkiye

According to data from UNHCR, Türkiye hosts 3.1 million refugees.

Colombia

According to data from UNHCR, Colombia hosts 2.8 million refugees.

Germany

According to data from UNHCR, Germany hosts 2.7 million refugees.

Uganda

According to data from UNHCR, Uganda hosts 1.7 million refugees.

Refugees resulting from recent conflicts, such as the Russian invasion of Ukraine (2022) and the Israel-Palestine crisis (2021), must also be considered.

5. UN involvement

The United Nations has made significant efforts toward protecting refugees' human rights.

Key milestones include the 1951 Refugee Convention, which established the rights of refugees and the obligations of host countries, and its 1967 Protocol, which extended these protections globally, removing geographic and temporal limitations.

Agencies such as the **United Nations High Commissioner for Refugees (UNHCR)** and the **Office of the United Nations High Commissioner for Human Rights (OHCHR)** play leading roles in coordinating international efforts to protect refugees' rights.

A notable example of the UN's multilateral engagement is the **Global Refugee Forum**, held every four years since 2019. This forum is the world's largest international conference on refugees. It brings together UN Member States, non-governmental organizations, the private sector, academia, refugee-led organizations, displaced individuals, and stateless people to discuss and find solutions to the challenges faced by refugees and their host communities. This initiative reflects the belief that lasting solutions for refugees must involve all sectors of society and be guided by those directly affected.

The UN also raises awareness through global campaigns and initiatives like **World Refugee Day**, an international day designated by the United Nations to honor refugees worldwide. World Refugee Day is observed annually on June 20 and was celebrated globally for the first time in 2001 to commemorate the 50th anniversary of the 1951 Refugee Convention.

6. Useful links

- **The Universal Declaration of Human Rights (UDHR)**, ratified on December 10, 1948, by the United Nations General Assembly, laid the foundation of international human rights law. In particular, Article 14 recognizes the right to seek and enjoy asylum from persecution:

<https://www.un.org/en/about-us/universal-declaration-of-human-rights>

- **The Convention Against Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment (UNCAT)**, adopted on December 10, 1984, by the United Nations General Assembly. Article 3 recognizes the right of refugees not to be returned to a place where they fear being subjected to torture:

<https://www.ohchr.org/en/instruments-mechanisms/instruments/convention-against-torture-and-other-cruel-inhuman-or-degrading>

- **The Convention Relating to the Status of Refugees**, adopted on July 28, 1951, by the United Nations Conference of Plenipotentiaries on the Status of Refugees and Stateless Persons. It was the first international treaty covering the most fundamental aspects of a refugee's life:

<https://www.ohchr.org/en/instruments-mechanisms/instruments/convention-relating-status-refugees>

- **The United Nations Convention on the Rights of the Child (CRC)**, adopted on November 20, 1989, by the United Nations General Assembly, is an international human rights treaty that defines the civil, political, economic, social, health, and cultural rights of children. Article 22 stipulates that States must ensure refugee children receive protection, assistance, and family reunification efforts, or equivalent care if their family is absent:

https://www.ohchr.org/en/instruments-mechanisms/instruments/convention-rig_bhts-child

- **General Assembly A/RES/71/1**, adopted on September 19, 2016. This resolution reaffirms the importance of protecting the human rights of all refugees and migrants, regardless of status:

<https://documents.un.org/doc/undoc/gen/n16/291/97/pdf/n1629197.pdf>

7. Useful links

- <https://www.hrw.org/topic/refugees-and-migrants>
- <https://www.unhcr.org/about-unhcr/overview/1951-refugee-convention#:~:text=The%201951%20Convention%20provides%20the,'guardian'%20of%20these%20documents.>
- <https://indicators.ohchr.org/>
- <https://www.ohchr.org/en/migration>
- <https://help.unhcr.org/faq/how-can-we-help-you/rights-and-duties/>
- <https://www.unhcr.org/>
- <https://globalcompactrefugees.org/>

8. Bibliography

- <https://www.unhcr.org/about-unhcr/overview/1951-refugee-convention>
- <https://www.unhcr.org/about-unhcr/overview/1951-refugee-convention>
- https://www.ohchr.org/en/ohchr_homepage
- <https://www.ohchr.org/en/instruments-mechanisms/instruments/protocol-relating-status-refugees>
- <https://www.unicef.org/child-protection/migrant-displaced-children>
- <https://www.amnesty.org/en/what-we-do/refugees-asylum-seekers-and-migrants/>
- <https://www.unhcr.org/about-unhcr/overview/global-compact-refugees/global-refugee-forum>
- <https://www.unhcr.org/world-refugee-day>
- <https://www.unhcr.org/refugee-statistics>
- <https://www.unhcr.org/ir/refugees-iran>
- <https://globalcompactrefugees.org/gcr-action/countries/iran>