



Research Report

General Assembly 3

Issue 2: Ensuring the protection and rights of
refugees and asylum seekers within host states

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Introduction

One of the most pressing issues in the 21st century is the protection of refugees and asylum seekers. The international community faces an almost impossible (hopefully possible with your ideas :)) task of balancing their duty to humanity and international responsibility while also following their own political agenda. UNHCR's most recent global displacement rates reported that there were 114 million people forcibly displaced due to famine, war, persecution or economic instability in their country of origin, and these numbers continue to rise due to escalating internal conflict in countries such as Sudan, Myanmar, and Ukraine. This doesn't even include migration by choice to boost the economy, all which a host state has to take into account while deciding the maximum capacity. Furthermore host states face increasing pressure to uphold existing human rights obligations while not possessing sufficient resources to account for this increase in residents. This results in lousy living conditions such as overcrowded camps with little access to basic needs such as education and healthcare.

The danger that refugees and asylum seekers face does not cease in the host state. Being one of the most vulnerable groups, they continue to be exploited for economic purposes such as being forced into unsafe work environments while being paid extremely low wages and working long hours with no legal protection and their lack of proper documentation makes abuse harder to report. Refugees and asylum seekers are also at higher risk of being trafficked. Often they face discrimination and social marginalization which bars them from quality education, healthcare and employment and the host states political rhetoric may increase hostility towards the community.

Definition of Key Terms

The European Convention on Human Rights:

States that no one may be subjected to torture or to inhuman or degrading treatment or punishment.

The 1951 Refugee Convention:

An international treaty that outlines who qualifies as a refugee and lists the rights they are entitled to.

1967 Protocol :

A legal instrument to the 1951 refugee convention, which eliminates the geographic and time limitations, it ensured that the convention stayed relevant.

Non-refoulement:

Established in the 1951 convention, it means that a refugee or asylum seeker should not be returned to the state they fled from if they would be endangered.

Internally Displaced Person (IDP):

Individuals displaced within their own country, who's not protected under refugee law.

Stateless Person:

Individuals not recognized as a legal citizen by any state.

UNHCR:

UN agency that is responsible for refugee protection, asylum processes, and humanitarian coordination.

Burden-Sharing / Responsibility-Sharing:

The concept that the responsibility of hosting and supporting refugees should be equally divided by all states.

Resettlement:

Transfer of refugees from one asylum country to another that agrees to admit them and promises protection.

2018 Global Compact on Refugees

Aims to reduce pressure on host countries and strengthen international burden-sharing.

Background

The current existing framework for protecting refugees and asylum seekers was established after the devastation of World War II, during which millions of people were displaced all across Europe, who needed immediate legal status and support. The solution offered by the international community was the creation of the 1951 Refugee Convention. Its purpose was to define who qualifies as a refugee and to institutionalize asylum procedures and protection from discrimination, and it established the clause of non-refoulement, which protected refugees from being forced back to a state where they were endangered. Originally this was created to apply to Europeans forcibly displaced before 1951 but due to the new refugee crisis that emerged in Africa, and Asia, the 1967 protocol was implemented, which removed all the geographical barriers and removed the time restrictions, which made refugee and asylum seeker protection a global duty.

In 1950, before the convention, the United Nations created the agency UNHCR, which was originally responsible for combating the displacement caused by World War II, it was intended to operate for 3 years, but as global conflicts increased, it expanded and is today the largest global organization for refugee aid, asylum procedures as well as monitoring human rights conditions. After the increase of the refugee crisis due to political conflicts in Syria, Afghanistan, Sudan and Myanmar, UNHCR became central in organizing refugee camps and providing food and medical care. The agency was also instrumental in the creation of the 2018 Global Compact on Refugees, yet to this day it remains severely underfunded and faces political resistance from certain states.

Major Countries and Organizations Involved

Turkey

Turkey is responsible for hosting one of the largest refugee populations that mostly consists of Syrians, it also encourages international burden sharing, cooperation and funding and supports permanent solutions such as resettlements and voluntary returns, Turkey's compliance with the non-refoulement clause is questionable due to its safe-zone policies.

Germany

Germany is a strong supporter of the international refugee framework, and it has accepted a large number of refugees and asylum seekers since 2015, and it encourages EU wide burden sharing and usually supports the UNHCR in legal and political matters. It supports the immediate return of refugees or asylum seekers whose claims have been rejected.

Lebanon

Lebanon hosts one of the highest numbers of refugees and asylum seekers relative to their landmass, which mostly consists of Syrians and Palestinians. But it has yet to ratify the 1951 Refugee Convention and refugees and asylum seekers and usually treated as guests, it also limits long-term integration and focuses mainly on returns.

USA

The USA is historically a major resettlement country, but its current administration strongly restricts refugee admission due to concerns about national security. The US Refugee Admissions Program has also been suspended due to recent policies implemented by the Trump administration.

African Union

It is a complementary regional addition to the 1951 Refugee Convention in Africa and has individual legal instruments such as the Kampala Convention and the OAU Refugee Convention, both of which expand protection procedures and are responsible for internally displaced persons. Furthermore, it supports regional cooperation, peace processes and post-conflict reconstruction.

UNHCR

A UN agency that coordinates international attempts to combat the refugee crisis and it is the largest organization for refugee aid and provides shelter, food, and medical care and is central in the implementation of the 2018 Global Compact on Refugees. It also focuses on burden sharing.

Possible Solutions

Possible solutions that a delegate should keep in mind while writing their resolutions include:

- Strengthening already existing global and internal procedures such as the 1951 Refugee Convention, the 1967 Protocol, and the Kampala Convention and encouraging the ratification of these by all member states.
- Promoting and insuring fair asylum procedures by limiting discrimination
- Expanding resettlements by supporting humanitarian visas
- Minimizing the use of illegal dangerous travel routes for refugees by providing safer alternatives
- Protecting vulnerable groups such as women and children in camps

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