



COMMITTEE UNGA

STUDY GUIDE



AGENDA

Assessing the Global Refugee Crisis
and the Safety of Refugees

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Letter from the Executive Board

Dear Delegates and Students

We welcome you to the committee simulation of the United Nations General Assembly at the Mayo College Girls' School Model United Nations Conference 2024. The world, as it stands today, is divided, conflicted, confused, and insensitive to the misery, pain, violence, separation, and killing happening worldwide. In the name of God, religion, nations, and ideas, human beings are being killed. Thoughts and ideas have become more important than human lives, leading to division. The mass killings in Palestine, which have escalated into genocide, as well as the atrocities in DRC, Sudan, and Ukraine, call not only for global action from the United Nations and member states but also for a fundamental inquiry within each of us. We must understand why we are divided, why we identify with sides, why ideas are so crucial, whether ideas and identities divide us, and why our response is violent.

We are all human beings, but our minds have created a society where we view others as insiders, nationals, citizens, outsiders, refugees, and foreigners. This worldview is utterly destructive. While the preamble of the United Nations Charter and Articles 1 and 2 call for peace, the United Nations Charter, Universal Declaration of Human Rights, ICJ, ICC, and other legal instruments and organisations haven't done much to stop wars. Despite having enough for ourselves, nations lack the political will to accept those seeking refuge.

As students attending Model United Nations Conferences to negotiate, debate, and represent ourselves, our schools, and our portfolios, it is crucial to understand the divisive structures created by our minds through observing the system of Nations, States, the United Nations, and attachment to foreign policy. Attachment to ourselves, our past, and our policies leads to conflict and divisions in our own lives and society. The Model United Nations can serve as a wonderful mirror through which we can see exactly what we are and what our consciousness is made of by observing our ambitions to win, our attachment to our interests and desires, and how these create limitations in uniting with other delegates and solving problems together.

We hope that this Model UN process serves as a means to help you understand yourselves and your consciousness, which is the true purpose of education. We hope that all of you come together with compassion for each other and the people suffering in the world and create solutions with compassion and love in your hearts. The quality of love missing in the world needs to accompany intellect. It is intellect that has created weapons and divisions in the world. We hope that you understand the rightful place of knowledge and ideas through this Model UN process and bring compassion into your lives, making compassion the guiding light for knowledge.

Looking forward to learning from you.

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Mandate of the Committee

About The Committee - UNGA

Workings of the General Assembly

The UN General Assembly (UNGA) is the main policy-making organ of the Organization. Comprising all Member States, it provides a unique forum for multilateral discussion of the full spectrum of international issues covered by the Charter of the United Nations. Each of the 193 Member States of the United Nations has an equal vote.

The UNGA also makes key decisions for the UN, including:

- appointing the Secretary-General on the recommendation of the Security Council
- electing the non-permanent members of the Security Council
- approving the UN budget

The Assembly meets regularly from September to December yearly and thereafter as required. It discusses specific issues through dedicated agenda items or sub-items, which lead to the adoption of resolutions.

In the wake of the COVID-19 pandemic, the UN General Assembly has been working since 2020 via novel means to guarantee business continuity and mitigate the spread of the disease. Specific examples include using virtual platforms to conduct meetings and the adoption of e-voting through procedures for decision-making when an in-person meeting is not possible. The pandemic is not the only issue the world faces. Racism, intolerance, inequality, climate change, poverty, hunger, armed conflict, and other ills remain global challenges. These challenges call for global action, and the General Assembly is a critical opportunity for all to come together and chart a course for the future.

Forum for Multilateral Negotiation

Established in 1945 under the Charter of the United Nations, the General Assembly occupies a central position as the chief deliberative, policymaking and representative organ of the United Nations. Composed of all 193 Members of the United Nations, it provides a unique forum for multilateral discussion of the full spectrum of international issues covered by the Charter. It also plays a significant role in the process of standard-setting and the codification of international law.

The Assembly meets from September to December each year (main part), and thereafter, from January to September (resumed part), as required to take up outstanding reports from the Fourth and Fifth Committees. Also, during the resumed part of the session, the Assembly considers current issues of critical importance to the international community in the form of high-level thematic debates organised by the President of the General Assembly in consultation with the membership. During this period, the Assembly also conducts informal consultations on a wide range of substantive topics as mandated by its resolutions.

Functions and powers of the General Assembly

The Assembly is empowered to make recommendations to States on international issues within its competence. It has also initiated actions — political, economic, humanitarian, social, and legal — which have benefited the lives of millions of people throughout the world. The landmark Millennium Declaration, adopted in 2000, and the 2005 World Summit Outcome Document, reflect the commitment of Member States to reach specific goals to attain peace, security, and disarmament, along with development and poverty eradication; to safeguard human rights and promote the rule of law; to protect our shared environment; to meet the unique needs of Africa; and to strengthen the United Nations. In September 2015, the Assembly agreed on a set of 17 Sustainable Development Goals contained in the outcome document of the United Nations Summit for the adoption of the post-2015 development agenda (resolution 70/1: “Transforming our world: the 2030 Agenda for Sustainable Development”).

According to the Charter of the United Nations, the General Assembly may:

- Consider and approve the United Nations budget and establish the financial assessments of Member States.
- Elect the non-permanent members of the Security Council and the members of other United Nations councils and organs and, on the recommendation of the Security Council, appoint the Secretary-General.
- Consider and make recommendations on the general principles of cooperation for maintaining international peace and security, including disarmament.
- Discuss any question relating to international peace and security and, except where a dispute or situation is currently being discussed by the Security Council, make recommendations.
- Discuss, with the same exception, and make recommendations on any questions within the scope of the Charter or affecting the powers and functions of any organ of the United Nations.
- Initiate studies and make recommendations to promote international political cooperation, the development and codification of international law, the realisation of

human rights and fundamental freedoms, and international collaboration in the economic, social, humanitarian, cultural, educational, and health fields.

- Make recommendations for the peaceful settlement of any situation that might impair friendly relations among countries.
- Consider reports from the Security Council and other United Nations organs.

The Assembly may also take action in cases of a threat to the peace, breach of peace, or act of aggression when the Security Council has failed to act owing to the negative vote of a permanent member. In such instances, according to its “Uniting for Peace” resolution of 3 November 1950, the Assembly may consider the matter immediately and recommend collective measures to maintain or restore international peace and security to its members.

The search for consensus

Each of the 193 Member States in the Assembly has one vote. Votes taken on designated important issues — such as recommendations on peace and security, the election of Security Council and Economic and Social Council members, and budgetary questions – require a two-thirds majority of Member States, but other questions are decided by a simple majority. In recent years, an effort has been made to achieve consensus on issues rather than deciding by a formal vote, thus strengthening support for the Assembly’s decisions. The President, after having consulted and reached an agreement with delegations, can propose that a resolution be adopted without a vote.

Revitalisation of the work of the General Assembly

There has been a sustained effort to make the work of the General Assembly more focused and relevant. This was identified as a priority during the fifty-eighth session, and efforts continued at subsequent sessions to streamline the agenda, improve the practices and working methods of the Main Committees, enhance the role of the General Committee, strengthen the role and authority of the President and examine the Assembly’s role in the process of selecting the Secretary-General.

During the seventieth and seventy-first sessions, the Assembly adopted landmark resolutions on the revitalisation of the work of the General Assembly (A/RES/70/305 and A/RES/71/323), which, inter alia, established an oath of office and a code of ethics for the Presidents of the General Assembly and provided for informal interactive dialogues with candidates for the position of President of the General Assembly.

The practice of convening high-level thematic debates is also a direct outcome of the revitalisation process. It has become an established practice for the Secretary-General to brief Member States periodically, in informal meetings of the General Assembly, on his recent activities and travels. These briefings have provided a well-received opportunity for exchange between the Secretary-General and Member States.

General Debate

The Assembly's annual general debate allows Member States to express their views on major international issues. On the opening day of the debate, the Secretary-General presents his report on the organisation's work.

Main Committees

With the conclusion of the general debate, the Assembly begins consideration of the substantive items on its agenda. Because of the great number of items on the agenda, the Assembly allocates items relevant to their work to its six Main Committees. The Committees discuss the items, seeking, where possible, to harmonise the various approaches of States, and present their recommendations, usually in the form of draft resolutions and decisions, to the Plenary of the Assembly for consideration and action.

The six Main Committees are: **(i)** the Disarmament and International Security Committee (First Committee); **(ii)** the Economic and Financial Committee (Second Committee); **(iii)** the Social, Humanitarian and Cultural Committee (Third Committee); **(iv)** the Special Political and Decolonisation Committee (Fourth Committee); **(v)** the Administrative and Budgetary Committee (Fifth Committee); and **(vi)** the Legal Committee (Sixth Committee).

On a number of agenda items, however, such as the question of Palestine and the situation in the Middle East, the Assembly acts directly in its plenary meetings.

Subsidiary organs of the General Assembly

Under Article 22 of the Charter, the General Assembly may establish subsidiary organs necessary to perform its functions.

Regional groups

Various regional groupings have evolved over the years in the General Assembly for electoral purposes as well as vehicles for consultation and to facilitate procedural work. The groups are the African States; the Asia-Pacific States; the Eastern European States; the Latin American and Caribbean States; and the Western European and other States. The post of President of the General Assembly rotates among these regional groups.

Special sessions and emergency special sessions

In addition to its regular sessions, the Assembly may meet in special and emergency special sessions. To date, the Assembly has convened 32 special sessions on issues that demanded particular attention.

Carrying on the work of the Assembly

The work of the United Nations derives largely from the decisions of the General Assembly and is mainly carried out by the following:

- Committees and other subsidiary organs established by the Assembly to study and report on issues such as disarmament, peacekeeping, decolonisation, economic development, the environment, and human rights.
- The Secretariat of the United Nations – the Secretary-General and his staff of international civil servants.
- The Department for General Assembly and Conference Management serves as the focal point within the UN Secretariat for all matters relating to the General Assembly.

About UNHCR

Structure

The United Nations High Commissioner for Refugees (UNHCR) was established as a subsidiary organ of the UN General Assembly (UNGA) in 1949 and commenced operations in 1951 with its headquarters in Geneva. Currently headed by Mr. Filippo Grandi, re-appointed by the UNGA for a five-year term, UNHCR operates with a staff of 18,879, primarily based in the field. The Executive Committee (ExCom), composed of representatives from 54 member states of the UN Economic and Social Council (ECOSOC), convenes annually in October to set the framework for UNHCR's activities. Notably, participation in ExCom is not contingent upon ratification of the Refugee Convention, reflecting widespread recognition and acceptance of UNHCR's mandate.

Mandate

UNHCR's mandate, rooted in international agreements and resolutions, encompasses several key functions:

- **Promoting Refugee Rights:** Monitoring the implementation of the Refugee Convention by member states and advocating for the rights of refugees.
- **Protecting Refugees:** Collaborating with states to determine refugee status and facilitating durable solutions, including voluntary repatriation, integration, and resettlement.
- **Providing Material Assistance:** Coordinating international support, including financial contributions, to alleviate the burdens host states face and assist refugees through various programs.
- **Good Offices Services:** Offering assistance to governments in addressing population movements and supporting groups outside UNHCR's mandate, such as internally displaced persons, upon request by the UN Secretary-General or UNGA. UNHCR's mandate is legally established through the UNHCR Statute, the 1951 Refugee Convention, and specific requests from the UNGA or Secretary-General.

Means of Action

UNHCR employs legal mechanisms and operational strategies to fulfil its mandate, drawing from various legal instruments and resolutions:

- **UNHCR's Statute:** Governs its mission to coordinate states' asylum policies, provide refugee protection, and administer assistance programs, focusing on cooperation and financial burden-sharing.

- **1951 Refugee Convention:** Establishes UNHCR's mandate to monitor and facilitate the application of the Convention's provisions, including the issuance of administrative documents crucial for refugees' rights.
- **UNGA Resolutions:** Extend UNHCR's mandate to address specific refugee issues, such as internally displaced persons, through bilateral or trilateral agreements negotiated with concerned states.

Additionally, UNHCR is central in implementing the 2018 Global Compact on Refugees, a non-binding agreement to enhance state cooperation and responsibility-sharing in refugee management. Financially, UNHCR relies on voluntary contributions from states, intergovernmental organisations, and the private sector to fund its operations, focusing on assisting refugees, statelessness programs, reintegration projects, and internally displaced persons.

Despite its humanitarian mandate, UNHCR operates within the framework of the UN system, facing challenges such as restrictive asylum policies, budgetary constraints, and diverse legal bases for its actions. Collaboration with NGOs is integral to UNHCR's operational activities, as it partners with NGOs to deliver assistance and protection to refugees, leveraging their presence and expertise in refugee contexts.

Agenda — Assessing the Global Refugee Crises and the Safety of Refugees

Introduction:

Throughout human history, societies have grappled with the complexities of identification and tribalism, deeply ingrained in the psyche. These dynamics, characterised by dividing individuals into groups based on shared characteristics, have profound implications for social cohesion, conflict, and displacement. This section will delve into the historical roots of tribalism, its manifestation in modern societies within the framework of the nation-state system, and its role in exacerbating refugee crises. By examining the intricate interplay between tribalism, identification, and refugee movements, we can gain insights into the underlying causes of displacement and explore strategies for fostering inclusivity and resilience in our increasingly interconnected world.

Historical Context:

Human societies have evolved within diverse organisational structures, from ancient empires and feudal societies to the modern nation-state system established by the Peace of Westphalia in 1648. However, the underlying dynamics of identification and tribalism have persisted throughout these transitions, shaping collective identities and group affiliations. In ancient civilisations, individuals identified strongly with their tribes or city-states, drawing distinctions between "us" and "them" based on shared ancestry, language, or customs. This tribal mentality often fostered solidarity within the group, promoting suspicion and hostility towards outsiders.

The Dynamics of Tribalism and Division:

Tribalism, characterised by forming exclusive group identities, remains a pervasive force in contemporary societies. Individuals continue to organise themselves into groups based on shared characteristics such as ethnicity, religion, or nationality, creating social boundaries and divisions. These divisions manifest in various forms, including prejudices, stereotypes, and discriminatory practices, perpetuating cycles of conflict and animosity between different groups.

The Role of the Nation-State System

The rise of the nation-state system, grounded in the principles of sovereignty and territorial control, has further reinforced the dynamics of identification and tribalism. Nation-states,

defined by distinct national identities and boundaries, have played a central role in shaping collective identities and fostering nationalism among their citizens. However, the nation-state model has also generated conflicts and displacement, particularly in regions characterised by ethnic diversity or contested borders. Disputes over territory, resources, and political power have fuelled intergroup tensions and triggered refugee crises, highlighting the complex relationship between nationalism, tribalism, and displacement.

Refugees as Products of Tribalism and Conflict

Refugees, often portrayed as victims of conflict or persecution, are also products of a system of identification and tribalism that divides human societies. The label of "refugee" categorises individuals based on their status as outsiders seeking shelter in foreign lands, highlighting the impact of social divisions on displacement. In many cases, refugees are forced to flee their homes due to persecution or violence perpetrated by members of rival ethnic, religious, or political groups. This displacement is not merely a consequence of geopolitical instability but also reflects deep-seated divisions and animosities within societies.

Examples from History

- The Rohingya Crisis: The persecution of the Rohingya Muslim minority in Myanmar has led to a massive refugee crisis, with hundreds of thousands fleeing to neighbouring Bangladesh to escape violence and persecution.
- Partition of India and Pakistan: The partition of British India in 1947 into the independent nations of India and Pakistan resulted in one of the largest refugee movements in history, with millions displaced along religious lines.
- Syrian Civil War: The conflict in Syria has forced millions of Syrians to flee their homes, leading to one of the largest refugee crises of the 21st century, with millions seeking refuge in neighbouring countries and beyond.
- Palestinian Refugees: The displacement of Palestinians following the creation of the state of Israel in 1948 has resulted in a protracted refugee crisis, with millions of Palestinians living in refugee camps across the Middle East.
- Rwandan Genocide: The Rwandan Genocide in 1994 resulted in the mass displacement of millions of Rwandans, both within the country and to neighbouring countries such as Tanzania, Uganda, and the Democratic Republic of the Congo (DRC).
- Balkan Wars: The breakup of Yugoslavia in the early 1990s and the subsequent Balkan Wars led to significant refugee movements, with millions of people fleeing violence and persecution in Bosnia and Herzegovina, Croatia, Kosovo, and other parts of the region.
- Darfur Conflict: The ongoing conflict in Darfur, Sudan, has resulted in widespread displacement, with millions of people internally displaced and hundreds of thousands seeking refuge in neighbouring Chad and other countries.

- **Venezuelan Refugee Crisis:** The political and economic crisis in Venezuela has led to one of the largest refugee crises in the Western Hemisphere, with millions of Venezuelans fleeing the country in search of safety and opportunities in neighbouring countries such as Colombia, Brazil, and Ecuador.
- **South Sudanese Civil War:** The civil war in South Sudan, which began in 2013, has displaced millions of people internally and led to the exodus of refugees to neighbouring countries such as Uganda, Ethiopia, and Kenya.

Role of International Organisations and Conventions:

International organisations such as the United Nations (UN) and the United Nations High Commissioner for Refugees (UNHCR) play a crucial role in addressing refugee crises and promoting solutions. The UNHCR, established in 1950, is mandated to protect and assist refugees worldwide. It works closely with governments, non-governmental organisations (NGOs), and other stakeholders to provide humanitarian aid, advocate for refugee rights, and facilitate durable solutions such as voluntary repatriation, resettlement, and local integration.

Key international conventions, such as the 1951 Refugee Convention and its 1967 Protocol, provide the legal framework for the protection of refugees and the responsibilities of states towards them. These conventions define who qualifies as a refugee, outline their rights, and establish the principle of non-refoulement, which prohibits the return of refugees to countries where they face persecution or threats to their safety.

Addressing Root Causes and Building Resilient Communities:

Efforts to address the root causes of displacement and refugee crises must confront the underlying dynamics of tribalism and identification. Promoting inclusivity, tolerance, and dialogue across group lines is essential in building resilient and compassionate communities that can effectively address the needs of refugees and displaced populations. By fostering a sense of shared humanity and solidarity, societies can mitigate the impact of tribalism and promote reconciliation and peace-building initiatives. Furthermore, addressing socio-economic disparities, political marginalisation, and structural inequalities can help address the root causes of conflict and displacement, paving the way for sustainable solutions to refugee crises.

Conclusion:

The intersection of tribalism, identification, and refugee crises underscores the complex nature of human societies and the challenges inherent in addressing displacement and conflict. By acknowledging the role of tribalism in shaping collective identities and perpetuating social divisions, we can begin to understand the underlying causes of refugee movements and explore strategies for fostering inclusivity and resilience. Through concerted

efforts to promote dialogue, reconciliation, and social cohesion, we can build a more compassionate and equitable world where individuals can live free from fear and persecution, regardless of their group identity or nationality.

I. Historical Context to Refugee Crisis post WWII:

Historical events such as World War II, decolonisation movements, and the Cold War have profoundly impacted global migration patterns and the emergence of refugee crises. The aftermath of these events led to significant population movements, displacement, and the establishment of international frameworks for refugee protection. For example, the mass displacement of people during World War II prompted the adoption of the 1951 Refugee Convention to address the protection needs of refugees.

II. Legal Framework:

The 1951 Refugee Convention, along with its 1967 Protocol and other international legal instruments, forms the foundation of the legal framework governing refugee protection. These treaties define who qualifies as refugees, outline their rights, and establish the obligations of states towards refugees, including the principle of non-refoulement. Additionally, regional instruments such as the African Union Convention Governing the Specific Aspects of Refugee Problems in Africa and the Cartagena Declaration on Refugees provide supplementary frameworks for refugee protection in specific regions.

A. Overview of Refugee Definition:

The refugee definition answers the question "Who is a refugee" and is the basis for determining refugee status. The definition applies to individuals as well as groups of persons. Being a refugee entitles the person to a number of (refugee) rights, including the right not to be sent back to the country of origin (principle of non-refoulement). See also the entry on Access to territory and non-refoulement.

The refugee definition is declaratory, i.e., a person is a refugee as soon as s/he fulfils the criteria contained in the definition. This would necessarily occur before formally determining her/his refugee status. Until such determination is made, it must be assumed that those who have crossed an international border to escape a risk of serious harm in their country of origin are refugees and should be treated as such.

B. Relevance for emergency operations

The refugee definition applies both in emergency and non-emergency situations and can under no circumstances be changed, restricted, or suspended. Emergency situations, however, typically do not allow for time and resource-intensive individual status determination. Group determination based on a prima facie recognition of refugee status may be more suitable in emergency situations. See also the entry on Refugee status determination.

When refugee status is not immediately determined, either on an individual or group basis, it is important to recall the declaratory character of the refugee definition and to operate on the assumption that all those fleeing a situation of serious harm in their country of origin are refugees, even if this is not always formally stated. As such, they all enjoy protection from refoulement and protection derived from human rights law and - if applicable - international humanitarian law.

C. Main guidance

The 1951 Convention Relating to the Status of Refugees provides the universal definition of a refugee. This definition is extended by criteria contained in regional instruments and national law, as applicable. Where UNHCR conducts RSD under its mandate, its authority derives from its mandate under UNHCR's 1950 Statute. However, UNHCR applies the eligibility criteria set out in the 1951 Convention, which constitutes the later, more specific, and authoritative expression of the refugee definition, supplemented by definitions in regional instruments (see below).

D. The 1951 Convention and its 1967 Protocol

The primary and universal definition of a refugee that applies to States is contained in Article 1(A)(2) of the 1951 Convention, as amended by its 1967 Protocol, defining a refugee as someone who:

"owing to a well-founded fear of being persecuted for reasons of race, religion, nationality, membership of a particular social group or political opinion, is outside the country of his nationality and is unable or, owing to such fear, is unwilling to avail himself of the protection of that country; or who, not having a nationality and being outside the country of his former habitual residence, is unable or, owing to such fear, is unwilling to return to it.

In the case of a person who has more than one nationality, the term "the country of his nationality" shall mean each of the countries of which he is a national, and a person shall not be deemed to be lacking the protection of the country of his nationality if, without any valid reason based on well-founded fear, he has not availed himself of the protection of one of the countries of which he is a national."

The inclusion criteria in Article 1A is complemented by clauses in Articles 1D to 1F of the 1951 Convention. Together, they form the refugee definition in the 1951 Convention, but

consideration of these aspects of the definition will generally not be a priority in emergency situations. For completeness, they are listed below:

Article 1 D, on its face, excludes those presently receiving protection or assistance from another organ of the United Nations (essentially Palestinian refugees), but also explicitly includes these same people when that assistance or protection has ceased.

Article 1 E excludes those presently enjoying rights normally accorded to nationals in a country where they have taken residence.

Article 1 F excludes persons who would otherwise qualify for refugee status on account of having committed or participated in the commission of, certain serious crimes or heinous acts. See also the entry on Exclusion clauses (article 1F).

Finally, Article 1 C describes the circumstances in which a refugee ceases to be a refugee. Cessation considerations are normally not relevant to emergency situations. However, if an emergency causes refugees to return to their country of origin prematurely, they will remain of concern to UNHCR and will retain their status as refugees. Any return undertaken where there is effectively no other alternative or where the alternative offers no more protection than does the country of origin cannot be considered voluntary repatriation and does not change or cease the refugee character of the individuals concerned.

The above-mentioned core definition in Article 1 of the 1951 Convention is supplemented by regional instruments in Africa and Latin America. In Africa, Article I (2) of the 1969 OAU Convention governing specific aspects of refugee problems in Africa, a binding legal instrument open to all Member States of the African Union, extends the refugee definition to:

"Every person who, owing to external aggression, occupation, foreign domination or events seriously disturbing public order in either part or the whole of his country of origin or nationality, is compelled to leave his place of habitual residence in order to seek refuge in another place outside his country of origin or nationality."

In Latin America, Conclusion III of the 1984 Cartagena Declaration, a non-binding instrument that nonetheless is incorporated in the domestic legal framework of many countries in Central and South America, extends the refugee definition to:

"persons who have fled their country because their lives, safety or freedom have been threatened by generalised violence, foreign aggression, internal conflicts, massive violation of human rights or other circumstances which have seriously disturbed public order."

E. The Convention Refugee Definition

Article 1A, paragraph 1, of the 1951 Convention applies the term "refugee", first, to any person considered a refugee under earlier international arrangements. Article 1A, paragraph 2, read now together with the 1967 Protocol and without the time limit, then offers a general

definition of the refugee as including any person who is outside their country of origin and unable or unwilling to return there or to avail themselves of its protection, on account of a well-founded fear of persecution for reasons of race, religion, nationality, membership of a particular group, or political opinion. Stateless persons may also be refugees in this sense, where the country of origin (citizenship) is understood as a “country of former habitual residence”. Those who possess more than one nationality will only be considered as refugees within the Convention if such other nationalities or nationalities are ineffective (that is, do not provide protection).

The refugee must be “outside” his or her country of origin, and the fact of having fled, of having crossed an international frontier, is an intrinsic part of the quality of refugee, understood in its ordinary sense. However, it is not necessary to have fled because of fear of persecution or even actually to have been persecuted. The fear of persecution looks to the future and can also emerge during an individual’s absence from their home country, for example, as a result of intervening political change.

F. Persecution and the Reasons for Persecution

Although the risk of persecution is central to the refugee definition, “persecution” itself is not defined in the 1951 Convention. Articles 31 and 33 refer to those whose life or freedom “was” or “would be” threatened, so clearly, it includes the threat of death, or the threat of torture, or cruel, inhuman, or degrading treatment or punishment. A comprehensive analysis today will require the general notion to be related to ^[1]developments within the broad field of human rights.

At the same time, fear of persecution and lack of protection are themselves interrelated elements. The persecuted do not enjoy the protection of their country of origin, while evidence of the lack of protection on either the internal or external level may create a presumption as to the likelihood of persecution and the well-roundedness of any fear. However, there is no necessary linkage between persecution and Government authority. A Convention refugee, by definition, must be unable or unwilling to avail himself or herself of the protection of the State or Government, and the notion of inability to secure the protection of the State is broad enough to include a situation where the authorities cannot or will not provide protection, for example, against the persecution of non-State actors.

The Convention requires that the persecution feared be for reasons of “race, religion, nationality, membership of a particular social group (added at the 1951 Conference), or political opinion”. This language, which recalls the language of non-discrimination in the Universal Declaration of Human Rights and subsequent human rights instruments, gives an insight into the characteristics of individuals and groups which are considered relevant to refugee protection. Persecution for the stated reasons implies a violation of human rights of particular gravity; it may be the result of cumulative events or systemic mistreatment, but equally it could comprise a single act of torture.

Persecution under the Convention is thus a complex of reasons, interests, and measures. The measures affect or are directed against groups or individuals for reasons of race, religion, nationality, membership of a particular social group, or political opinion. These reasons in turn show that the groups or individuals are identified by reference to a classification which ought to be irrelevant to the enjoyment of fundamental human rights.

The Convention does not just say who is a refugee, however. It goes further and sets out ^[2]when refugee status comes to an end. For particular political reasons, the Convention also puts Palestinian refugees outside its scope (at least while they continue to receive protection or assistance from other United Nations agencies (article 1D)), and excludes persons who are treated as nationals in their State of refuge (article 1E). Finally, the Convention definition categorically excludes from the benefits of refugee status anyone whom there are serious reasons to believe has committed a war crime, a serious non-political offence before admission, or acts contrary to the purposes and principles of the United Nations (article 1F). From the very beginning, therefore, the 1951 Convention has contained clauses sufficient to ensure that serious criminals and terrorists do not benefit from international protection.

G. Non-refoulement

Besides identifying the essential characteristics of the refugee, States party to the Convention also accept a number of specific obligations that are crucial to achieving the goal of protection and thereafter an appropriate solution.

Foremost among these is the principle of non-refoulement. As set out in the Convention, this prescribes broadly that no refugee should be returned in any manner whatsoever to any country where he or she would be at risk of persecution (see also article 3, 1984 Convention against Torture, which extends the same protection where there are substantial grounds for believing that a person to be returned would be in danger of being tortured).

The word non-refoulement derives from the French *refouler*, which means to drive back or to repel. The idea that a State ought not to return persons to other States in certain circumstances is first referred to in Article 3 of the 1933 Convention relating to the International Status of Refugees, under which the contracting parties undertook not to remove resident refugees or keep them from their territory, "by application of policy measures, such as expulsions or non-admittance at the frontier (refoulement)", unless dictated by national security or public order. Each State undertook, "in any case, not to refuse entry to refugees at the frontiers of their countries of origin".

The 1933 Convention was not widely ratified, but a new era began with the General Assembly's 1946 endorsement of the principle that refugees with valid objections should not be compelled to return to their country of origin. The Ad Hoc Committee on Statelessness and Related Problems initially proposed an absolute prohibition on refoulement, with no exceptions (United Nations Economic and Social Council, Summary Record of the twentieth meeting, Ad Hoc Committee on Statelessness and Related Problems, First Session, United Nations doc. E/AC.32/SR.20, (1950), 11-12, paras. 54 to 55). The 1951 Conference of

Plenipotentiaries qualified the principle, however, by adding a paragraph to deny the benefit of non-refoulement to the refugee whom there are “reasonable grounds for regarding as a danger to the security of the country..., or who, having been convicted by a final judgement of a particularly serious crime, constitutes a danger to the community of that country.”^[3] Apart from such limited situations of exception, however, the drafters of the 1951 Convention made it clear that refugees should not be returned, either to their country of origin or to other countries in which they would be at risk.

III. Role of International Organisations:

International organisations play a crucial role in addressing refugee crises by providing coordination, expertise, and resources for humanitarian response. The United Nations High Commissioner for Refugees (UNHCR) is the leading agency mandated to protect and assist refugees worldwide. UNHCR works closely with governments, non-governmental organisations (NGOs), and other stakeholders to provide humanitarian aid, advocate for refugee rights, and facilitate durable solutions such as voluntary repatriation, resettlement, and local integration.

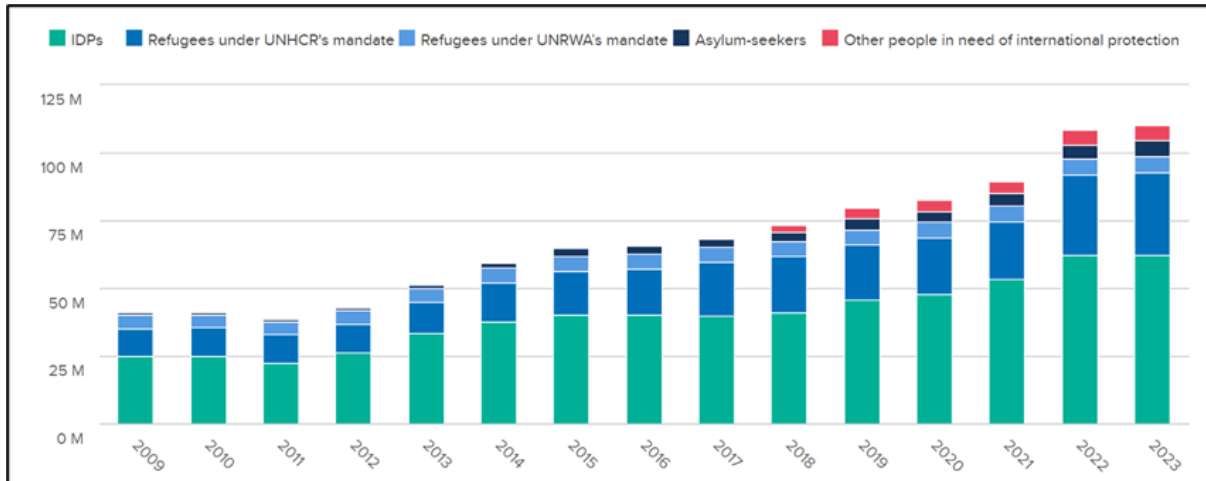
The International Organization for Migration (IOM) is another key actor in responding to the refugee crisis. While UNHCR focuses specifically on refugees, IOM addresses broader migration management issues, including displacement caused by conflict, natural disasters, and other humanitarian crises. IOM provides assistance to internally displaced persons (IDPs) and migrants in vulnerable situations, facilitates safe and dignified migration, and supports efforts to address the root causes of displacement.

Other international organisations involved in refugee response include the World Food Programme (WFP), the United Nations Children's Fund (UNICEF), and the World Health Organization (WHO). These organisations provide essential services such as food assistance, education, healthcare, and protection for refugees and displaced populations. Coordination mechanisms such as the Cluster Approach and the Inter-Agency Standing Committee (IASC) facilitate collaboration among humanitarian actors, ensuring a coordinated and effective response to the needs of refugees.

IV. Contemporary Trends in Global Forced Displacement

As reported by the UNHCR Mid-Year Trends on forced displacement, the initial half of 2023 unveils significant patterns in displacement and potential solutions. By June 2023, an astounding 110 million individuals globally found themselves forcibly displaced, compelled by factors such as persecution, conflict, violence, human rights violations, and events causing public disorder. This marks a substantial increase of over 1.6 million people compared to 2022. Notably, over the last decade, the number of individuals forced to flee has surged from

approximately 50 million to 110 million, which represents a staggering 120% increase in forced displacement during this ten-year period. The astonishing statistic underscores the magnitude of this crisis that more than 1 in 73 people worldwide now grapple with forced displacement.



Yearly Surge in Forced Displacement of Individuals

Predominantly, nearly 9 in 10 displaced individuals are in low- and middle-income countries. The first six months of 2023 witnessed seven significant displacement situations, contributing to approximately 90% of new displacement globally. These crises unfolded in regions such as Afghanistan, the Democratic Republic of the Congo, various Latin American and Caribbean countries, Myanmar, Somalia, Sudan, and Ukraine. These areas face ongoing and emerging conflicts, significantly exacerbating the growing displacement predicament.

Let's delve deeper into these trends through a regional lens, looking at the dynamics that shape and influence the disproportionate burden specific regions face in hosting and responding to forced displacement crises.

A. Asia-Pacific Region:

The total number of refugees, asylum-seekers, internally displaced people, stateless people, returnees, and other persons of concern to UNHCR in Asia and the Pacific by the end of 2022 stood at 14.3 million, a 26 per cent increase from 2021. The region hosts around 18 per cent of the world's refugees, people in refugee-like situations, and asylum-seekers (7 million out of 40 million) within UNHCR's mandate and 56 per cent of the world's recorded stateless population (2.5 million out of 4.4 million).

Over the last decade, the overall trends in the region have steadily increased since 2013, with a surge in 2022. The number of refugees, people in refugee-like situations and asylum-seekers increased by 93 per cent from 3.6 million in 2013 to 7 million in 2022. There was also a significant increase in the number of IDPs in the region. The IDP population more

than doubled in 2022 compared to 2013, increasing from 1.9 million to 5 million (+159 per cent). Some of the notable refugee crises in the region are as follows:

- 1. Myanmar-Rohingya Crisis:** The Rohingya refugee crisis remains an utmost concern at present in the region. For decades, Rohingya in Myanmar have endured extreme suffering, being denied citizenship and documentation, facing restrictions on healthcare, education, and employment, and experiencing confinement to camps and villages along with extreme violence. Forced to flee, over one million Rohingya sought refuge in neighbouring countries like Bangladesh (>960,000), Malaysia (>107,000), India (>22,000), Thailand (>45,000), and Indonesia. Despite facing one of the deadliest years in 2022, with 348 confirmed dead or missing during maritime movements, the majority of Rohingya refugees hope to return to Myanmar when conditions permit.
- 2. Syria-Civil War:** The Syrian refugee crisis, the world's largest, is driven by the complex and protracted armed conflict and civil war that began in 2011. The conflict has resulted in widespread violence, persecution, and human rights abuses. Syrians have faced political repression, displacement, destruction of homes, and the breakdown of essential services, prompting millions to seek refuge. The use of chemical weapons, war crimes, economic decline, and the rise of extremist threats, including ISIS, have further intensified the crisis. A dire humanitarian situation, a lack of essential services, and the overall deterioration of living conditions within Syria fuel this displacement. Since 2011, over 14 million Syrians have fled their homes, with more than 6.8 million internally displaced in Syria. Approximately 5.5 million Syrian refugees have sought refuge in neighbouring countries, including Türkiye, Lebanon, Jordan, Iraq, and Egypt. Notably, Türkiye hosts the largest population, with 3.6 million Syrian refugees. In addition to neighbouring nations, Germany, a non-neighboring country, has provided refuge to over 850,000 Syrian refugees. Over the years, Syrians have demonstrated remarkable resilience amid the ongoing war, but as the conflict persists, hope is diminishing rapidly. With over 90 percent of Syrians living below the poverty line, the situation is dire. As of January 2023, an estimated 12 million people in Syria are food insecure, and 2.5 million face severe food insecurity. In Lebanon, economic challenges have exacerbated the plight of Syrian refugees, pushing over 90 percent of them into extreme poverty. The economic hardships, coupled with the protracted conflict, highlight the need for humanitarian assistance and international support to address the worsening living conditions and food insecurity faced by the Syrian population.
- 3. Afghanistan–Ongoing Conflicts:** As of 2023, Afghan refugees rank as the third-largest displaced population globally, with at least 8.2 million Afghans hosted across 103 countries. The majority, residing in Pakistan and Iran, have faced

displacement for decades, with over 70 percent being women and children. Efforts to support Afghan refugees and their host communities, particularly in Iran and Pakistan, have intensified, focusing on voluntary return and sustainable reintegration. The prolonged crisis has deeply impacted women and children, jeopardising their fundamental rights, with many children out of school and high malnutrition rates. Afghanistan, additionally burdened by recurrent natural disasters, including a devastating earthquake in June 2022, faces acute hunger, affecting 20 million people, and profound challenges stemming from prolonged conflict, displacement, COVID-19, and deepening poverty.

- 4. Yemen-Civil War and Humanitarian Crisis:** Yemen's civil war, which began in 2015, stems from clashes between government forces and the Houthi rebels, known as Ansar Allah. This prolonged conflict, coupled with economic decline, has had devastating consequences for civilians. Over the past nine years, millions have been displaced, and approximately 4.5 million Yemenis remain internally displaced, making it one of the top six global internal displacement crises. Many displaced individuals have experienced multiple relocations since 2015, enduring harsh conditions and straining already limited resources. The risk of large-scale famine, ongoing violence, collapsing services, and prolonged displacement poses significant challenges. Natural disasters and climate-induced events, including droughts and flooding, further contribute to displacement and exacerbate existing needs.

The protracted conflict has pushed Yemen to the brink of economic collapse, shrinking the economy by over half since the conflict's onset. Women and children are disproportionately affected, with over three-quarters of all displaced individuals being women and children. Notably, at least 26 percent of displaced households are led by women, and 20 percent of these female-headed households comprise individuals under 18.

- 5. Palestine Refugee Crisis:** Palestinian refugees represent modern history's most extended protracted refugee situation. For 75 years now, they have been forced to live as a stateless population without the ability to return to their homeland. Currently, there are nearly 7 million Palestinian refugees worldwide, highlighting the long-lasting impact and complexity of the situation. An estimated 1.4 million Palestinians have been displaced from their homes since the Israeli military began bombing the Gaza Strip in October 2023 in retaliation to a surprise attack by Hamas militants. While the current refugee crisis in Gaza has raised global concern over Palestinian displacement, this is not the first time Palestinians have endured the hardships of forced migration. Long before the latest upheaval, Palestinians who today live in Gaza and throughout the Middle East were forced from or fled their homes in what became the state of Israel. Today, they number about 5.9 million

refugees, almost half of the entire global Palestinian population. They are dispersed throughout the region, including in Jordan, Syria, Lebanon, and the occupied Palestinian territories; about one-third of all Palestinian refugees live in UNRWA refugee camps, while the remaining live in surrounding cities and towns.

The challenges faced by Palestinian refugees are multifaceted. Beyond the ongoing conflict with Israel, other factors contribute to their situation. Obtaining citizenship in many host countries is often nearly impossible, and the precarious funding of the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA) adds to the difficulties. In addition to the 3.4 million registered Palestinian refugees living in host countries, nearly 2.5 million Palestinians reside in the occupied territories of Gaza and the West Bank. In Gaza, refugees make up about 67 percent of the population, facing harsh socioeconomic conditions due to the land, air, and sea blockade imposed by Israel since 2007. This blockade intensified after Hamas took political control of Gaza, contributing to high poverty and unemployment rates.

While the Asia-Pacific region continues to grapple with traditional refugee crises, the Pacific region today faces distinct challenges related to climate, natural disasters, and regional migration, resulting in environmental displacement. In 2020, most new displacements caused by disasters were documented in East Asia, the Pacific, and South Asia. India reported a record 4.9 million displacements, while Vietnam, Indonesia, and Bangladesh experienced 780,000, 749,000, and 99,000, respectively. In Vietnam, displaced persons show significant fluctuations yearly, ranging from 9,500 in 2015 to a remarkable 1.27 million in 2020. This variability is primarily influenced by sporadic and unpredictable mega-scale disasters capable of displacing millions of people simultaneously. For example, Cyclone Amphan in May 2020 prompted nearly five million evacuations across Bangladesh, India, Myanmar, and Bhutan, establishing it as the largest disaster-induced displacement event globally for that year.

B. African Region:

In 2021, Africa saw a significant rise in internal displacements due to escalating conflict and violence. Approximately 30 million people, including internally displaced persons, refugees, and asylum-seekers, are currently in Africa, constituting almost one-third of the global refugee population. The Democratic Republic of the Congo, Ethiopia, Central African Republic, South Sudan, and Nigeria experienced millions of new displacements driven by increased insecurity and human rights violations. Detailed information on recent significant refugee crises in Africa is provided below.

- 1. Democratic Republic of Congo:** The Democratic Republic of the Congo (DRC) faces Africa's most intricate and enduring humanitarian crisis, ranking globally as the fourth largest internally displaced persons (IDP) crisis. The country, marred by continuous fighting since gaining independence in 1960, currently harbours over half

a million refugees and boasts the largest IDP population in Africa, totalling 6.2 million. Ongoing conflict, initiated in October 2023, involving the Congolese army and non-state armed groups in eastern DRC, particularly in North Kivu, South Kivu, and Ituri, has affected over 7 million people. By early December 2023, more than 450,000 civilians were displaced in Rutshuru and Masisi territories in North Kivu Province. The crisis's severity is compounded by limited humanitarian access, primarily due to obstructed major routes, leaving around 200,000 internally displaced people stranded without essential aid. Millions have been compelled to flee within the country, while over a million sought refuge in neighbouring countries, including Uganda, South Africa, Burundi, Tanzania, Zambia, and Angola.

2. **Eritrea:** Eritrea, under the leadership of unelected President Isaias Afewerki since its independence in 1993, lacks democratic institutions, including a legislature, independent civil society organisations, and an impartial judiciary. This has created political instability in the country wherein the Eritrean government forces have been accused of committing war crimes, potential crimes against humanity, and other severe violations against Tigrayan civilians amid the ongoing conflict in Ethiopia's Tigray region. As of mid-2023, over 537,000 Eritreans, constituting nearly 15% of the country's population, have been displaced abroad due to persistent violence and political instability. This marks an increase of approximately 36,000 individuals compared to the previous year, highlighting the escalating challenges faced by Eritrean citizens.

3. **Somalia:** The Somali refugee crisis is among the most challenging mass displacements globally, stemming from political instability and a perilous civil war that emerged in the 1990s. In February 2023, clashes in Laascaanood led to significant internal displacement, forcing at least 150,000 people to flee within Somalia, and nearly 100,000 Somali refugees sought refuge in Ethiopia, particularly in remote, isolated, and drought-affected areas, with many being women, children, and vulnerable individuals. In recent years, the global number of Somali refugees has been decreasing, dropping below 800,000 last year. However, due to Somalia's enduring cycle of crises, the refugee count has risen to over 814,000 as of mid-2023. The situation remains dire as many grapple with drought, conflict, and hunger. Somalia found itself at the heart of the Horn of Africa crisis last year, facing conditions akin to famine. Currently, over 3.8 million people are displaced in Somalia, and 6.7 million struggle to meet their food needs, with over half a million Somali children severely malnourished. Refugees from Somalia have endured protracted displacement, with more than 714,000 residing in neighbouring countries such as Kenya, Ethiopia, Uganda, and Yemen.

4. **South Sudan:** Established as a new nation in 2011 after a deadly civil war, South Sudan faced renewed turmoil in 2013. The ensuing conflict brought a challenging landscape of armed hostilities, economic decline, disease, and famine. This crisis has resulted in the displacement of millions, both internally and beyond the country's borders. Most South Sudanese refugees have sought refuge in neighbouring countries such as Sudan, Uganda, Ethiopia, Kenya, and the Democratic Republic of the Congo. Out of the 4 million displaced South Sudanese, 2.2 million have been forced to flee the country entirely.

5. **Sudan:** In 2023, Sudan faced severe deterioration with some of the worst violence in decades. By mid-2023, the number of Sudanese refugees globally exceeded 1.02 million, up from 844,000 at the end of 2022. The power struggle between the Sudanese Armed Forces (SAF) and Rapid Support Forces (RSF) erupted into a large-scale conflict, intensifying the humanitarian crisis. Concern, active in Sudan for 35 years, is responding to the escalated crisis in Sudan and Chad, where many Sudanese have fled. The conflict has led to massive displacement, with 5.9 million internally displaced in Sudan and over 1.4 million, mostly women and children, seeking refuge in neighbouring countries, making it the largest internal displacement crisis globally.

C. European Region:

The European migrant crisis, also known as the refugee crisis, was marked by many people arriving in mainland Europe. The refugees were primarily from the Middle East and North Africa, fleeing the conflicts that engulfed these regions. The forced displacement and statelessness situation in Europe is anticipated to increase by 2% in 2024, reaching 24.9 million people. The ongoing war in **Ukraine** is a major contributing factor, with projections indicating 5.8 million refugees across the region and over 3.7 million internally displaced individuals in Ukraine for the year 2024. The full-scale war in Ukraine began on February 24, 2022, following the Russian Federation's invasion of the country. As a result of heavy shelling and fighting, an estimated 3.7 million people have been driven from their homes and are internally displaced. More than 6.3 million people have crossed into neighbouring countries in the region, including Poland, Hungary, Moldova, and other countries globally. In September 2023, a surge in refugees occurred in Armenia following renewed hostilities in the South Caucasus region. Within a week, approximately 100,000 refugees had crossed the border.

The above-discussed refugee and other ongoing crises underscore the need for global cooperation. But how do we respond and take the right action towards such crises? The next section delves into the collaborative efforts needed, focusing on immediate and long-term solutions.

V. Humanitarian Response:

Humanitarian response to refugee crises is guided by principles of humanity, neutrality, impartiality, and independence. When refugees flee their homes due to conflict, persecution, or other emergencies, humanitarian organisations provide life-saving assistance such as food, shelter, clean water, healthcare, and protection. These services are delivered in refugee camps, host communities, and other settings where refugees seek safety and support.

Coordination mechanisms such as the Cluster Approach and the Inter-Agency Standing Committee (IASC) facilitate collaboration among humanitarian actors, ensuring a coordinated and effective response to the needs of refugees. Under the Cluster Approach, different sectors, such as food security, shelter, health, and protection, are led by designated agencies responsible for coordinating the efforts of other organisations working in each sector. This approach helps prevent duplication of efforts, maximise resources, and ensure a comprehensive response to the diverse needs of refugees.

Challenges in humanitarian response to refugee crises include access constraints, funding shortages, and security risks. In many situations, humanitarian organisations face obstacles in reaching affected populations due to conflict, insecurity, and bureaucratic barriers imposed by host governments. Funding shortages also pose challenges, as humanitarian appeals often remain significantly underfunded, limiting the scale and scope of humanitarian assistance. Security risks, including threats to the safety of humanitarian workers and aid delivery, further complicate humanitarian operations in conflict-affected environments.

To address these challenges, humanitarian organisations adopt innovative approaches and strategies to overcome access constraints, mobilise resources, and mitigate security risks. This may include engaging with local communities and authorities, negotiating access with armed groups, diversifying funding sources, and implementing security measures to ensure the safety of humanitarian staff and assets. By overcoming these challenges, humanitarian organisations can deliver life-saving assistance and protection to refugees in need, ensuring their dignity, safety, and well-being amidst crisis situations.

VI. Security and Human Rights

Balancing security concerns with human rights obligations is a key challenge in addressing refugee crises. While states have legitimate security concerns related to border control, public safety, and national sovereignty, measures taken to address these concerns must uphold international human rights standards and respect the rights of refugees and migrants.

One of the fundamental principles of refugee protection is the principle of non-refoulement, which prohibits the return of refugees to countries where they face persecution or threats to

their safety. This principle is enshrined in international law, including the 1951 Refugee Convention and its 1967 Protocol, and is considered a customary norm of international law. Upholding the principle of non-refoulement requires states to provide access to asylum procedures, refrain from forcibly returning refugees to countries where they face harm, and ensure that their rights are protected in accordance with international human rights law.

However, in practice, the securitisation of migration and refugees has led to the adoption of restrictive asylum policies, border controls, and detention practices that undermine refugee protection and human rights. The securitisation of migration frames refugees and migrants as threats to national security and public order, justifying measures that restrict their rights and freedoms. This securitisation rhetoric is often fuelled by political rhetoric, xenophobia, and fear-mongering, leading to the stigmatisation and discrimination of refugees and migrants.

Addressing the security and human rights dimensions of refugee crises requires adopting a rights-based approach that prioritises the protection of refugees' rights while addressing legitimate security concerns. This approach involves ensuring access to asylum procedures, providing humane and dignified treatment to refugees and migrants, and upholding international human rights standards in border management and security measures. It also involves combating xenophobia and discrimination through public awareness campaigns, education, and advocacy efforts aimed at promoting tolerance, solidarity, and respect for diversity.

VII. Durable Solutions:

Durable solutions for refugees aim to provide long-term solutions to displacement by addressing the root causes of forced migration and facilitating the sustainable reintegration of refugees into society. The three main durable solutions recognised under international law are voluntary repatriation, local integration, and resettlement.

Voluntary repatriation involves refugees returning to their countries of origin when conditions allow for their safe and dignified return. This solution requires the resolution of the conflict or persecution that led to displacement, the restoration of peace and stability, and the provision of support for returnees to rebuild their lives. UNHCR plays a central role in facilitating voluntary repatriation processes, working with governments, refugees, and other stakeholders to ensure that returns are voluntary, informed, and sustainable.

Local integration enables refugees to rebuild their lives in countries of asylum by providing access to rights, services, and opportunities for self-reliance. This solution requires the recognition of refugees' legal status, access to education, healthcare, and employment, and opportunities for social and cultural integration. Local integration benefits both refugees and host communities by fostering social cohesion, economic development, and mutual understanding.

Resettlement offers a third-country option for refugees unable to return home or integrate locally due to ongoing threats to their safety or lack of opportunities for self-reliance. Resettlement involves the transfer of refugees to a third country where they can rebuild their lives and access protection and support. Resettlement countries commit to providing refugees with legal status, access to rights and services, and opportunities for integration and self-reliance. Resettlement is often reserved for refugees with specific needs or vulnerabilities, such as survivors of torture, women at risk, or unaccompanied minors.

Achieving durable solutions for refugees requires addressing the root causes of displacement, promoting peace-building and development initiatives, and supporting sustainable solutions that prioritise the well-being and rights of refugees. This includes addressing the political, economic, social, and environmental factors that drive forced migration, fostering inclusive and participatory approaches to peace-building and development, and ensuring that the needs and perspectives of refugees are central to decision-making processes.

VIII. Role of Member States:

Member states play a critical role in responding to refugee crises by upholding their legal and moral obligations under international law to protect and assist refugees, including upholding the principles of non-refoulement and providing access to asylum procedures. States also have responsibilities to engage in burden-sharing and responsibility-sharing, collaborating with other states and international organisations to address refugee crises effectively.

Diplomatic initiatives, multilateral cooperation, and regional initiatives are essential for addressing refugee challenges at the national and international levels, requiring political will and commitment from member states. Diplomatic efforts to resolve conflicts, promote peace-building, and address the root causes of displacement are crucial for preventing and resolving refugee crises. Multilateral cooperation involves collaboration among states, international organisations, and other stakeholders to mobilise resources, share best practices, and coordinate responses to refugee crises.

Regional initiatives play a complementary role in addressing refugee challenges within specific geographic contexts, such as the European Union's Common European Asylum System, which aims to harmonise asylum policies and procedures among EU member states. Regional organisations such as the African Union, the Organization of American States, and the Association of Southeast Asian Nations also play roles in addressing refugee issues within their respective regions.

Ensuring effective cooperation and coordination among member states and other stakeholders requires political leadership, diplomatic engagement, and commitment to shared goals and principles. By working together to address refugee challenges, member states can contribute

to more comprehensive and sustainable responses that uphold the rights and dignity of refugees and promote international solidarity and cooperation.

IX. Future Perspectives:

Future trends and challenges in refugee crises are shaped by a range of factors, including the impacts of climate change, urbanisation, and technological advancements on displacement patterns and humanitarian response. Climate change is increasingly recognised as a driver of forced migration, with rising sea levels, extreme weather events, and environmental degradation displacing millions of people worldwide. Climate-induced displacement poses new challenges for refugee protection and humanitarian response, requiring innovative approaches and adaptation to changing dynamics.

Urbanisation is another trend shaping refugee crises, with an increasing number of refugees and displaced persons seeking shelter in urban areas rather than traditional refugee camps. Urban refugees face unique challenges related to access to services, livelihood opportunities, and social integration, requiring tailored responses that address their specific needs and vulnerabilities. Humanitarian organisations are exploring innovative approaches to urban refugee response, including cash-based assistance, livelihood support, and community-based protection initiatives.

Technological advancements offer opportunities for enhancing humanitarian response and improving the delivery of assistance to refugees and displaced persons. Digital technologies such as mobile phones, biometrics, and data analytics are increasingly used to register refugees, deliver cash assistance, and monitor population movements. However, technological solutions also raise concerns about data privacy, digital exclusion, and the ethical use of data, highlighting the importance of adopting responsible and inclusive approaches to technology in humanitarian contexts.

Addressing emerging issues such as internal displacement, statelessness, and the protection needs of vulnerable groups is crucial for effective refugee response in the future. Internal displacement, caused by conflicts, natural disasters, and development projects, poses challenges for humanitarian response and protection, requiring coordinated efforts to ensure the rights and well-being of internally displaced persons (IDPs). Statelessness, defined as the lack of nationality or citizenship, affects millions of people worldwide, limiting their access to rights and services and exposing them to discrimination and exploitation. Protecting the rights of stateless persons and preventing statelessness through nationality laws and legal reforms are essential for addressing this issue.

Vulnerable groups such as women, children, persons with disabilities, and LGBTQ+ individuals face specific protection risks and barriers to accessing humanitarian assistance, requiring tailored responses that address their unique needs and vulnerabilities. By addressing

these emerging issues and adopting proactive measures to address future trends and challenges, humanitarian organisations, states, and other stakeholders can effectively respond to refugee crises and uphold the rights and dignity of refugees and displaced persons.

X. Recommendations for Action:

Recommendations for addressing refugee crises include policy proposals, diplomatic initiatives, and practical measures aimed at enhancing refugee protection, promoting durable solutions, and fostering international solidarity and cooperation. These recommendations are based on lessons learned from past experiences and are informed by best practices and emerging trends in refugee response.

Policy proposals may include advocating for legal and policy reforms to strengthen refugee rights and protections, including access to asylum procedures, non-refoulement, and the rights to work, education, and healthcare. Diplomatic initiatives involve engaging in dialogue, negotiation, and mediation to resolve conflicts, address the root causes of displacement, and promote peace-building and reconciliation. Practical measures include increasing humanitarian funding and support for host countries, enhancing coordination and collaboration among stakeholders, and addressing the specific needs of vulnerable groups such as women, children, and persons with disabilities.

By implementing these recommendations, states and stakeholders can contribute to effective refugee protection and humanitarian response, promoting the well-being and dignity of refugees worldwide. Additionally, fostering international solidarity and cooperation is essential for addressing refugee challenges collectively and ensuring that the rights and needs of refugees are met in a comprehensive and sustainable manner. Through concerted efforts and shared commitment, states and stakeholders can make tangible progress toward addressing refugee crises and upholding the principles of humanity, solidarity, and respect for human rights.

Links for Further Research

- <https://www.unrefugees.org/refugee-facts/what-is-a-refugee/>
- <https://emergency.unhcr.org/protection/legal-framework/refugee-definition>
- <https://emergency.unhcr.org/protection/protection-mechanisms>
- <https://emergency.unhcr.org/protection/persons-risk>
- <https://www.un.org/en/global-issues/refugees>
- <https://www.unhcr.org/us/about-unhcr/who-we-are/global-compact-refugees>

- <https://www.unrwa.org/>
- <https://www.unrwa.org/resources/reports/unrwa-situation-report-79-situation-gaza-strip-and-west-bank-including-east-Jerusalem>
- <https://peacekeeping.un.org/en>
- <https://www.unhcr.org/global-trends>
- <https://www.dw.com/en/refugees-boon-or-bane-for-the-german-economy/a-18847683>
- <https://theconversation.com/generous-aid-to-ukraine-is-diverting-resources-away-from-other-refugee-crises-around-the-world-190961>

[1] cf. 1984 Convention against Torture, article 7; 1966 International Covenant on Civil and Political Rights, article 3; 1950 European Convention on Human Rights, article 6; 1969 American Convention on Human Rights, article 5; 1981 African Charter of Human and Peoples' Rights

[2] Article 1C, 1951 Convention on the Status of Refugees; for example, in the case of voluntary return, acquisition of a new, effective nationality, or change of circumstances in the country of origin

[3] Case No. 98, e Tokyo War Crimes Trial