



OAKRIDGE INTERNATIONAL SCHOOL  
HYDERABAD, BACHUPALLY  
A NORD ANGLIA EDUCATION SCHOOL



# BACKGROUND GUIDE



# UNHRC

**Agenda: Deliberation on the Human Rights  
Situation of Migrants, Refugees and  
Asylum Seekers**





## Letter from the Executive Board

Greetings Delegates,

We are delighted to welcome you to the Fourth Edition of Oakridge Bachupally Model United Nations! It would be our pleasure to serve as the Executive Board for the *United Nations Human Rights Council (UNHRC)* at this Conference. Over the past few decades and especially the past couple of years, we have witnessed the integral part of the UN Human Rights Council plays in safeguarding and leading the fight to ensure human rights advancement, practice, and awareness throughout the globe. Goes without saying the UNHRC has implanted constitutionally and fundamentally its importance as one of the committees to look out for. You delegates will be seeded with the responsibility of being part and leading one of the most engaging and riveting discussions on the conference.

This Background Guide has been thoughtfully prepared to serve as a valuable starting point or support for your research journey. The Background Guide is geared to provide the guiding topics and questions for your external research. We request every delegate to read the background guide and come to the conference with an open mind, ready to meet and work with new people and to participate in the debate actively. Keep in mind that this Background Guide should only be used as a tool to establish an understanding of the agenda. The delegates must research beyond what the Background Guide covers, as the Background Guide cannot be used as a reliable source.

We urge the delegates to ask compelling questions and make interactive speeches in order to make the committee sessions more fruitful and interactive. Feel free to reach out to the Executive Board at any time prior to or during the conference if you have any queries regarding the agenda or the rules of procedure. We shall reply as soon as possible.

We wish you all the very best for your preparation.

**Deeksha Singh, Sourish Reddy, Anish Raja**  
**( UNHRC Executive Board 2025 )**





## Glossary of Key Terms

The delegates should keep in mind that the following definitions are those provided by the United Nations and will serve as the sole authoritative references in this committee. Alternative definitions will not be deemed valid for the purposes of debate and resolution drafting. Delegates should also keep in mind that the United Nations may have a few variations of the definition, which would be considered reliable and valid as well.

1. **Asylum Seeker:** According to the United Nations High Commissioner for Refugees (UNHCR), “an asylum-seeker is someone who is seeking international protection. Their request for refugee status, or complementary protection status, has yet to be processed, or they may not yet have requested asylum but they intend to do so.”

Please note: Not all asylum-seekers will be found to be refugees, but all refugees were once asylum-seekers.

2. **Migrant:** The UN Migration Agency, International Organization for Migration (IOM), defines a migrant as any person who is moving or has moved across an international border or within a State away from his/her habitual place of residence, regardless of:

- the person’s legal status
- whether the movement is voluntary or involuntary
- what the causes for the movement are
- what the length of the stay is

3. **Refugee:** According to the UNHCR, “Refugees are people forced to flee their own country and seek safety in another country. They are unable to return to their own country because of feared persecution as a result of who they are, what they believe in or say, or because of armed conflict, violence or serious public disorder.”

4. **Internally Displaced People (IDPs):** According to the UNHCR, “Internally displaced people, referred to as IDPs, have been forced to flee their homes by conflict, violence, persecution or disasters, however, they remain within the borders of their own country.”

5. **Capacity building:** A process by which individuals, institutions, societies and societies develop abilities, individually and collectively, to perform functions, solve problems, and set and achieve their goals.





6. **Irregular/illegal migration:** Migration taking place outside the regulatory norms of the state

7. **Refoulment:** In breach of state obligations under international refugee and human rights law occurs when a state returns an asylum seeker or refugee to a third country, and is part of customary international law, which means countries which are not parties to the Refugee Convention of 1951 or other instruments are also bound by it.





## Introduction to the Agenda

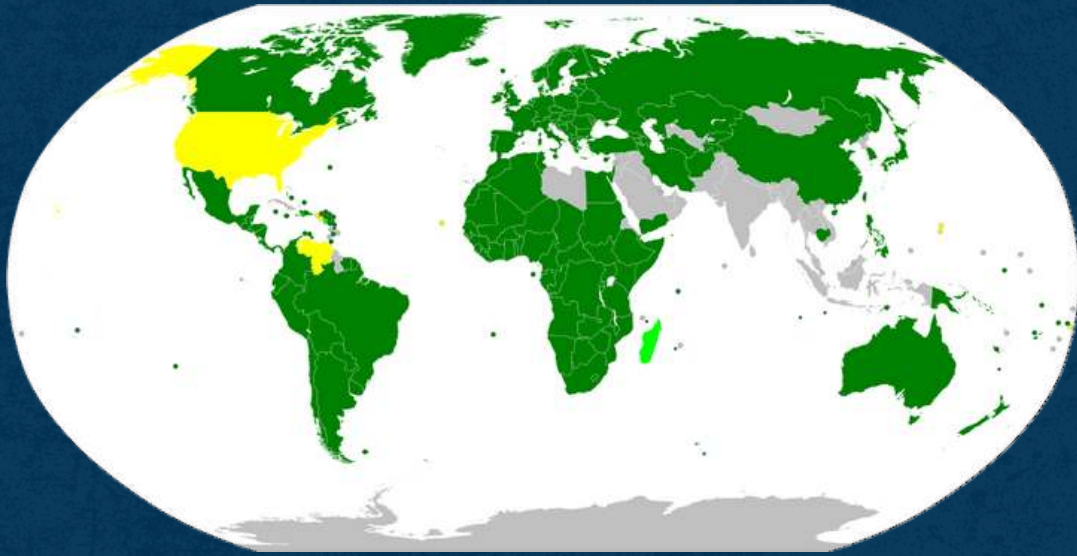
“The human rights situation” of migrants, refugees, and asylum seekers is fairly broad. This agenda will hope to focus on which aspects of their rights have come into contention in recent years. In discussing these rights, it is useful to split the umbrella category of migrant into non-voluntary (this includes refugees and asylum seekers) and voluntary (this would include migrant workers, visa holders, permanent residents, etc.); both of these groups face some similar violations, but also have distinctions in the rights most relevant to them and where/when those rights are abused.

Non-voluntary migrants, or forced migrants, move countries as a result of violence, persecution, natural disaster—reasons that threaten their life in the country in which they were residing. As a result, they often face harrowing journeys via unsafe networks and routes out of their nation, after which they face an asylum-seeking process at their intended host country.

The 1951 Refugee Convention and its added 1967 Protocol are the main legal instruments that establish asylum. They do this via the principle of non-refoulement, the idea that countries cannot refuse individuals—refugees—who face threats to their life in their home country. Additional provisions specific to the rights of refugees and asylum seekers are Articles 31 and 32, which establish their right not to be punished for illegal entry and their right from expulsion respectively.

This protocol has widespread ratification, with 148 ratifying parties to one or the other, and 44 states not subject to either. The ratification map of the Convention/Protocol shows that much of the non-ratifying parties are concentrated in South/Southeast Asia, alongside the Arabian Gulf:





The refusal of a refugee's right to asylum is illegal under the Convention, but still occurs in signed nations. Said nations generally defend this refusal via a very restrictive definition of a refugee. Below is the definition of refugee under 1.A.2 of the 1951 Refugee Convention, with the edit from the 1967 Protocol:

"As a result of events occurring before 1 January 1951 and owing to 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 as a result of such events, 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."





Nations often times apply an incredibly strict definition of the above, refusing individuals with contradictory identity documents and not agreeing to extend the definition of social groups to gender identity, for instance. This is a subject of contention; discretion needs to be taken with respect to the evaluation of refugee status, but to refuse migrants that face risk of persecution or worse in their home countries on trivial bases is entirely against the spirit of the convention. In this committee, you will work towards bettering the standard for asylum seeking process and refugee status evaluation, to keep it in line with international legal expectations and maintain the widely agreed upon right to asylum.

The status of voluntary migrants is different. With voluntary migrants, the issue primarily becomes about equal standard of living and rights within the nation, more so than the process of entering it. The primary type of voluntary migration is labor migration, which makes up the majority of voluntary migrants. As such, much of the legal discourse and discussion to this point has been with respect to labor migration, especially considering the many issues that migrant workers specifically face. The hallmark legal document in this respect is the International Convention on the Protection of Rights of all Migrant Workers and their Families. The document promises civil rights to all migrant workers and their family members, essentially extending existing civil rights to migrant workers to ensure equality under the law. Additionally, the convention includes the undocumented, albeit offering them a lower number of unalienable rights.

Notably, the Convention on the Protection of Rights of Migrant workers has relatively low ratifications, with only 60 countries agreeing to the Convention. Additionally, those 60 countries consist primarily of migrant-sending countries like Mexico, Bangladesh, and the Philippines. Most receiving countries have not ratified the treaty for a few reasons:

- The protection of undocumented workers is seen as an encouragement of illegal entry and disincentivizes legal pathways
- The provision of economic rights to migrant workers is costly, and countries would like to draw a distinction in the employment protections offered to nationals and non-nationals





- The administrative burden is significant and daunting.

Through committee, it will be beneficial to use the Convention and countries' preexisting stances on the Convention as a means to better understand where they stand on migrant worker rights in general. It will be your goal to come to an effective compromise regarding these rights in a way that offers migrant workers some assurance in the prime receiving countries.





# International Legal Frameworks and UN Resolutions:

## A, Universal Declaration of Human Rights (UDHR):

The Universal Declaration of Human Rights (UDHR) was the first international document to articulate a comprehensive set of fundamental human rights that are to be universally protected. It was proclaimed by the United Nations General Assembly in Paris on December 10, 1948.

It is important to remember that the Universal Declaration of Human Rights (UDHR) **is NOT** a legally binding document. A legally binding agreement or document means it carries legal weight and is enforceable by law. However it **DOES** form the foundations of International Human Rights Law. The UDHR is also considered to be under Customary International Law by many scholars and organisations such as the European Union. According to the International Committee of the Red Cross (ICRC), "Customary international humanitarian law (IHL) consists of rules that come from "a general practice accepted as law" and exist independent of treaty law."

The UDHR's core principles emphasise on Universality, Indivisibility and Interdependence, Non-discrimination, Dignity and Equality. There are several important key articles in the UDHR concerning our agenda. Some of them are:

- **Article 3:** Underlines that every person, regardless of legal status, deserves protection from harm and access to basic safety and dignity.
- **Article 5:** This article emphasises that all individuals (in the context of this agenda, the migrants, refugees and asylum seekers), regardless of origin or documentation, must be shielded from torture, violence and abuse.
- **Article 13:** Places focus on everyone's right to freedom of movement and residence within the borders of each state.
- **Article 14:** Emphasis an individual's right to seek and to enjoy in other countries asylum from persecution.





## B. The International Covenant on Civil and Political Rights (ICCPR)

The International Covenant on Civil and Political Rights (ICCPR) is a core universal Human Rights Instrument. It was adopted by the United Nations General Assembly on December 16 1966 but only came into force in 1976.

The ICCPR, unlike the Universal Declaration of Human Rights, **is** a legally binding document. That means it places obligations on States that have ratified it to respect and protect the civil and political rights of individuals within their territories. States that have ratified the **Optional Protocol** can submit complaints about a State's right violations. It is one of the three documents (including UDHR and ICESCR) in the International Bill of Human Rights.

The core objective of the ICCPR is to protect the civil and political rights, including freedom from torture, the right to a fair trial, privacy, freedom of expression, and peaceful assembly. Some important articles, in regards to the agenda, from this Treaty are:

- **Article 7:** reiterates the importance of shielding all individuals from torture, as similarly stated in the UDHR Article 5
- **Article 12:** affirms an individual's rights to move once lawfully in a state.

## C. International Covenant on Economic, Social and Cultural Rights (ICESCR)

The International Covenant on Economic, Social and Cultural Rights (ICESCR), similar to the ICCPR, was also adopted by the United National General Assembly on December 16 1966 and came into force in 1976. The ICESCR **is also** a legally binding document. Ratifying states are obligated to implement the rights outlined in the covenant and are subject to monitoring. Together with the UDHR and ICCPR, it forms part of the International Bill of Human Rights.

The core objectives of the ICESCR emphasise promoting human dignity and equality by ensuring access to various necessities and rights.





## **D. The 1951 Refugee Convention and its 1967 Protocol**

The 1951 Convention provides the internationally recognized definition of a refugee and outlines the legal protection, rights and assistance a refugee is entitled to receive. The Convention sets out key rights, such as access to education, work, courts, and public assistance, and enshrines the principle of non-refoulement (Article 33), which prohibits returning refugees to a place where their life or freedom would be at risk. The document outlines the basic minimum standards for the treatment of refugees, including the right to housing, work and education while displaced so they can lead a dignified and independent life. It also defines a refugee's obligations to host countries and specifies certain categories of people, such as war criminals, who do not qualify for refugee status.

However, the original treaty applied only to people displaced by events occurring before 1 January 1951 and, at a state's discretion, only within Europe. The 1967 Protocol Relating to the Status of Refugees removed these temporal and geographical limitations, making the Convention's protections universal and applicable to refugees worldwide, regardless of when or where displacement occurred. Together, they form the legal foundation for the protection of refugees today.

## **E. The International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families**

The International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (1990) is a core UN human rights treaty that sets comprehensive standards for the treatment and protection of migrant workers, regardless of their legal status. Although adopted in 1993, it came into force in July 2003. It affirms that migrant workers and their families are entitled to fundamental human rights, including protection from exploitation, discrimination, and abuse, as well as access to justice, decent working conditions, and respect for cultural identity. The Convention also establishes specific protections for undocumented migrants, emphasizing humane treatment and due process. By promoting equality of treatment between migrants and nationals, the ICMW aims to safeguard dignity while fostering cooperation between states on migration governance.





## **F. Global Compact For Migration**

The global compact for migration is the first, intergovernmentally negotiated agreement, prepared under the auspices of the United Nations, to cover all dimensions of international migration in a holistic and comprehensive manner. The global compact is non-legally binding. It is grounded in values of state sovereignty, responsibility-sharing, non-discrimination, and human rights, and recognizes that a cooperative approach is needed to optimize the overall benefits of migration, while addressing its risks and challenges for individuals and communities in countries of origin, transit and destination. The Global Compact is designed to:

- Support international cooperation on the governance of international migration;
- Provide a comprehensive toolkit for States from which they can select policy options to address some of the most pressing issues around international migration;
- Give States the space and flexibility to pursue implementation based on their own migration realities and capacities.

## **G. A/HRC/RES/17/12 (UNHRC Resolution on Migrants)**

This resolution was adopted by the UN Human Rights Council to renew and strengthen the mandate of the Special Rapporteur. This resolution recognizes the persistent challenges faced by migrants worldwide, including discrimination, arbitrary detention, exploitation, and barriers to accessing justice and essential services. It calls upon all states to respect, protect, and fulfill the human rights of all migrants, regardless of their legal or migration status, in line with international human rights obligations.

The resolution urges governments to cooperate fully with the Special Rapporteur by facilitating visits, providing relevant information, and implementing recommendations. It also emphasizes the importance of addressing root causes of unsafe migration, combating xenophobia and racism, and promoting positive narratives about migrants' contributions to societies.





Furthermore, it underlines the need for safe, orderly, and regular migration channels, alongside the protection of migrants in vulnerable situations, such as women, children, and those affected by armed conflict or natural disasters.





## Current Global Situation:

### International Actors

Below is meant to be a non-exhaustive list on the measures taken by various international actors on this issue. Please use this section to understand the key issues that are being focussed on and what action has to be taken in order to assist you with framing your solutions. Please do not use this as a substitute for your research.

#### IOM

In 2016, IOM entered into an agreement with the United Nations, becoming a related organization. IOM serves as coordinator of the United Nations network on migration, established by the Secretary-General in 2018.

IOM plays a central role in ensuring effective, timely and coordinated United Nations system-wide support to Member States to enhance cooperation on international migration and maximize its contribution to sustainable development. IOM has developed a strategic plan of action for 2024-2028, which can be accessed below:

<https://publications.iom.int/system/files/pdf/pub2023-159-strategic-plan-2024-2028-en.pdf#DefiningMoment>

According to IOM's latest strategic plan, the organization's three main objectives for 2024-2028 are: to save lives and protect people on the move, drive solutions to displacement and facilitate pathways for regular migration.

The key features including capacity building and technical support to states including promoting a tailored approach. The IOM also emphasises the importance of Enhanced partnerships at local and global levels. Coordinating with the private sector and promoting regular migration pathways and reducing irregular ones are also pivotal. Beyond assisting with migration pathways, IOM also aims to create an atmosphere that allows migrants to contribute to the social and economic development of the country to which migrants have moved.





IOM also undertakes peacebuilding projects. Conflicts generate humanitarian needs including refugees and undermine development. In 2020, IOM had 40 active peacebuilding projects designed to prevent or reduce violence and support transitions from conflict to peace, in 21 countries globally. IOM's approach to peacebuilding programmes helps individuals, communities and institutions to address the root causes of conflict, manage conflict triggers and dynamics, reduce negative migration pressures and lay the groundwork for resolving displacement. Responses include addressing socio-economic and political conflict drivers such as through improved government/ community cooperation.

IOM aims to be the pre-eminent source of migration and displacement data for action, which help save lives and deliver solutions; data for insight, which help facilitate regular migration pathways; and data for foresight, which help drive anticipatory action.





## UNHCR

UNHCR, the UN Refugee Agency, is a global organization dedicated to saving lives, protecting rights and building a better future for people forced to flee their homes because of conflict and persecution.

In certain circumstances, the General Assembly has asked UNHCR to contribute its expertise to processes that relate to migration. With this in mind, UNHCR focuses broadly on:

- Seeking to ensure that migration-management policies, practices and debates take into account the particular protection needs of asylum-seekers, refugees and stateless people, and acknowledge the legal framework that exists to meet those needs;
- Assisting States and partners to meet asylum and migration-management challenges in a manner that is sensitive to protection concerns;
- Identifying migration, trafficking and related developments impacting on persons under UNHCR's mandate, and
- Supporting stronger governance and closer observance of the universal character of human rights, including the rights of all persons on the move, regardless of their legal status, in ways that reinforce the principles and practice of international refugee protection.

To support these aims, UNHCR collects and analyses data and trends, develops policy and guidance, implements programmes and provides operational support to governments and other stakeholders on mixed movements and related issues such as trafficking in persons and protection at sea.

A major source of guidance for UNHCR, other UN agencies, governments and civil society to address mixed migratory movements is UNHCR's 10-Point Plan of Action on Refugee Protection and Mixed Movements, first published in 2007.





Please use the link below to access this:

**<https://www.unhcr.org/what-we-do/protect-human-rights/asylum-and-migration/10-point-plan-action>**

**Note: You do not have to read all 10 points completely. Please focus your reading on what is relevant for your speeches and ideas. Or to put it another way, read the parts that you feel are most important for the country you are representing.**

## **OHCHR**

The mission of the Office of the United Nations High Commissioner for Human Rights (OHCHR) is to work for the protection of all human rights for all people; to help empower people to realize their rights; and to assist those responsible for upholding such rights in ensuring that they are implemented. The Office of the High Commissioner for Human Rights (OHCHR) leads UN activity on human rights issues. OHCHR provides support for UN human rights activities, including:

- Provides secretariat support for all UN human rights bodies
- Maintains the specialized human rights document databases
- Receives individual complaints to the human rights bodies
- Prepares fact sheets and training materials on human rights topics.

OHCHR, working with other UN partners, has led the development of a set of Principles and guidelines on the human rights protection of migrants in vulnerable situations.

These principles and guidelines focus on the human rights situation of those migrants who may not qualify as refugees, yet who are in vulnerable situations and thus in need of the protection of the international human rights framework. They provide advice to States and other stakeholders on how they should implement their obligations to respect, protect and fulfil the human rights of migrants who are in vulnerable situations. The link can be found below:

**<https://www.ohchr.org/en/documents/tools-and-resources/principles-and-guidelines-human-rights-protection-migrants-vulnerable>**





**Note: As mentioned earlier, please only go through the sections you believe to be relevant for your research as it is not only inefficient but also time-consuming. You can use the index to identify which parts you would like to research in greater depth.**

There is also a report on Recommended principles and guidelines on human rights at international borders by the OHCHR.

States are entitled to exercise jurisdiction at their international borders, but they must do so in light of their human rights obligations. This intended to inform the work of States, international organizations and other stakeholders with an interest in human rights-based border governance.

[https://www.ohchr.org/sites/default/files/2021-12/OHCHR\\_Recommended\\_Principles\\_Guidelines.pdf](https://www.ohchr.org/sites/default/files/2021-12/OHCHR_Recommended_Principles_Guidelines.pdf)

**Note: You do not have to read all of these links, but please refer to the parts of those you think will be useful for your research**





## Key Challenges

Please note that the following points are not meant to be exhaustive but are simply aimed at providing an overview of some of the key issues. There are many others that you can choose to discuss and research. There have also been links provided for further research. However, please do not limit your research to only the links provided in this background guide. You are encouraged to use a variety of sources to understand the agenda from a holistic perspective.

### **International standardisation and regional cooperation on migration**

Migration is an issue that transcends borders, making cooperation between states essential. Harmonised policies and regional agreements can facilitate the mobility of people, ensure their protection, and improve migration governance.

Success stories include mechanisms like the Mercosur Specialised Migration Forum in South America, which has negotiated the region's most advanced migration agreements, such as the Residence Agreement for nationals of the Mercosur Member States, as well as Bolivia and Chile.

The Mercosur Residence Agreement, signed in 2002, which simplifies procedures for citizens of member and associate countries to obtain residency in any other signatory country. Other examples include the South American Conference on Migration, tasked with building a Regional Strategy for Migration Governance in South America; and the Regional Conference on Migration, its counterpart in the Northern Hemisphere, which brings together countries from North America, Central America and the Caribbean.





## **Externalisation**

Externalisation refers to measures designed to prevent migration, carry out administrative processes beyond national borders, and facilitate return through the involvement of third countries. These measures are often used to limit migration. Examples include joint interceptions and pull-backs, transfer of asylum processing to third countries, including offshore detention. Externalisation aims to keep migrants away from destination countries and is also associated with a lack of transparency, which leads to significant risks of leaving people outside the protective scope of international human rights law.

Please use the following source for more information on this issue. It is highly recommended to read the entirety of the following source:

<https://www.ohchr.org/en/calls-for-input/2025/call-inputs-externalization-migration-and-impact-human-rights-migrants>

## **Discriminatory or inadequate legal protection**

Laws discriminating against non-nationals, along with programmes and policies that fail to address their specific needs and vulnerabilities, often result in migrants and their families being unable to access basic services or only being able to do so at levels that do not meet international human rights standards. HRC resolution 57/L.27 urges States to take decisive action to put an end to all forms of discrimination against migrants, including racism, racial discrimination, xenophobia and related intolerance, in helping to prevent violations and abuses of human rights against them, and to actively engage with all relevant stakeholders in national and global efforts to counter growing dehumanizing and harmful narratives about migration and migrants, in line with international human rights law, and to shift to human rights-based and evidence-based narratives. It also advocates for promoting access to justice and remedies for victims





## Migrants in Transit

For migrants in an irregular situation, their vulnerability is compounded because access to remedies is often unavailable as a result of their status. For example, more people are estimated to cross the Sahara Desert than the Mediterranean Sea. This is in part the result of deteriorating situations in countries of origin and host countries – including the eruption of new conflicts. Refugees and migrants are increasingly traversing areas where insurgent groups, militias and other criminal actors operate, leading to several human rights violations.

Despite commitments undertaken by the international community to save lives and address vulnerabilities, in accordance with international law, the UNHCR and IOM warn that current international action is inadequate.

Huge gaps in protection and assistance prevail across the Central Mediterranean route, pushing refugees and migrants to move onward on dangerous journeys. Specific support, as well as access to justice for survivors of various forms of abuse, is rarely available anywhere on the routes. Inadequate funding and restrictions on humanitarian access (including in key locations such as informal detention centres and holding facilities) are also hampering support.

On their part, UNHCR, IOM, partners and several governments have stepped up life-saving protection services and assistance, identification and referral mechanisms along the routes – but humanitarian action is not enough.

The organizations are calling for concrete, routes-based protection responses to save lives and reduce suffering, as well as a push to address the root causes of displacement and drivers of irregular movements– through positive action on peacebuilding, respect for human rights, governance, inequality, climate change and social cohesion, as well as the creation of safe pathways for migrants and refugees. These should span countries of origin, asylum, transit and destination.





## **Migration governance and legal identity**

Enhancing well-managed migration is key to preventing irregular migration, including through strategically and consistently addressing access to legal identity, both for migrants and for populations as a whole. Legal identity facilitates regular migration channels, enhances the agency of all to exercise their rights, and enables rights-based return. IOM helps support States to transition to the use of digital technology to establish, identity and facilitate access to services, while ensuring that people's rights to privacy and data security are upheld.

The below source also goes into detail into the legal situation of Migrants, their enjoyment of human rights and associated challenges:

<https://www.iom.int/sites/g/files/tmzbd12616/files/2018-07/TP7.pdf>





## Case Studies

### The Refugee Crisis in the Democratic Republic of Congo

The Democratic Republic of the Congo faces one of the world's most severe and long-standing humanitarian crises, fueled by ongoing armed conflict, political instability and natural disasters. Violence has forced millions to flee their homes, creating a staggering displacement crisis. The DRC is home to over 529,000 refugees and asylum-seekers who have fled violence in neighbouring countries, mainly the Central African Republic, Rwanda, Burundi and South Sudan. The majority (72%) live outside refugee camps or settlements, and only 3% live in urban areas. In addition, due to high levels of insecurity and large-scale violence against civilians, some 5.6 million Congolese are internally displaced in the DRC, with over 4 million in the eastern provinces of South Kivu, North Kivu and Ituri alone. Over 990,000 refugees and asylum-seekers from the DRC are currently sheltered across the African continent.

In January 2025, The United Nations Human Rights Council agreed to launch a fact-finding mission and commission of inquiry into atrocities being committed by all parties to the armed conflict in eastern Democratic Republic of Congo. In the eastern Democratic Republic of the Congo (DRC), insecurity and horrific sexual violence have left tens of thousands fleeing across borders with no sign of the exodus stopping. Close to 80,000 people have fled armed clashes between Congolese Government forces and Rwanda-backed M23 rebels into neighbouring countries and some 61,000 have arrived in Burundi since January 2025.





## The Rohingya refugee crisis

The Rohingya refugee crisis stems from the persecution and national perception of the Rohingya Muslims in Myanmar. During British colonial rule, the Rohingya sided with the British and were promised a land of their own. Post the British exit, tensions rose between the Rohingya and the government from 1948-1962, with the Rohingya demanding the state that they saw as promised to them (the Rakhine State under Myanmar), staging a rebellion in 1950 that was crushed by the military. Since 1962, however, Myanmar has been led by a post-coup military junta that has systematically disenfranchised the Rohingya, depriving them of citizenship via the Citizenship Act of 1982.

What this has culminated in is their statelessness and resultant forced migration, much of which has been exacerbated in the last decade. In 2017, insurgent attacks from ARSA—a Rohingya paramilitary group—led to the still-ongoing sectarian violence perpetrated by the local Buddhist population and the Tatmadaw against Rohingya residents. This violence has driven much of the Rohingya population to flee to Bangladesh, whose refugee camps now host more than 1.3 million Rohingya.

The situation of the refugees in Bangladesh is unsustainable, however. There are only two refugee camps—Kutupalong and Nayapara—both of which face significant resource strain due to overcrowding and population growth within the camps. The location and nature of the camps also leaves them vulnerable to disease transmission and natural disasters. However, the Rohingya don't have many alternatives, as routes to Indonesia and Malaysia are dangerous with 1 of every 8 making the journey die on the way. Although many Rohingyas are hosted in East India, developments over the last decade such as the NRC/CAA have made their political safety tenuous.





Although there is progress regarding the status of the Rohingya in Myanmar today, with the entrance of Rohingya soldiers into the army, the allowance of Rohingya Muslims into educational institutions, and increased reconciliation efforts with the Arakan army, there is still a lot to be done with respect to their safety in refugee camps, their discrimination and persecution across South Asia, creation of safe refugee pathways, and stabilizing their political position within Myanmar to allow for eventual reentry to their country.

## **United States of America**

UN human rights experts expressed their concern at the persecution and forced deportation of migrants taking place in America. Trump has moved to overhaul parts of the US immigration system, including how migrants are processed and deported from the US. America is an important example as it demonstrates that it is not only countries with historically poor governance or democratic frameworks but also countries with strong democratic credentials that must be discussed.

Trump has expanded the scope of expedited deportations of undocumented migrants, reviving a policy under his first term that Biden had discontinued. Expedited removals were previously limited to areas within 100 miles (160km) of US international borders, and applied to those who did not request asylum or failed to show a legitimate asylum case.

With Trump's changes, these removals can now occur anywhere in the US, and will apply to undocumented migrants who can't prove that they have been in the country for more than two years.

In an executive order, Trump suspended the entry of all undocumented migrants to the US, and border patrol agents have been instructed to turn people away without granting them asylum hearings. Before the order, migrants were able to arrive at the US border and had the legal right to seek asylum. Trump has also halted the US refugee resettlement programme. The big beautiful bill also has provisions on immigration such as fee hikes for applications, impacting health insurance for migrants, among other measures.





There is an estimated backlog of 3.6m cases in US immigration courts, and migrants often have to wait years. Trump has fired several top immigration court officials since taking office, however, which may impact the processing of those cases.

A big change that was felt almost immediately after Trump took office is the scrapping of the CBP One smartphone app, which migrants were able to use to schedule appointments with US border patrol agents. Advocates say that, with its removal, there is now no practical pathway to protection for arriving migrants. Some of Trump's executive orders were signed with the aim of expanding Immigration and Customs Enforcement's (ICE) ability to arrest and detain unlawful migrants on US soil.

UN human rights experts also expressed concern at the human rights implications of a recent ruling by the United States' Supreme Court that paves the way for deportations of foreign nationals to third countries. The Trump administration's deportation policy allows irregular migrants to be transferred to countries other than their own. Experts stated that "The US' expedited removal procedure could allow people to be taken to a country other than their own in as little as a single day, without an immigration court hearing or other appearance before a judge" and emphasised the importance of being allowed to express their objections through legally supervised procedures and due process of the law. Article 33.1 of the Refugee Convention states that "no Contracting State shall expel or return ("refouler") a refugee in any manner whatsoever to the frontiers of territories where his life or freedom would be threatened on account of his race, religion, nationality, membership of a particular social group or political opinion."

They also emphasised, "Any diplomatic assurances as to the safety of transferred migrants provided by other countries cannot be taken at face value. The US is required to make a full assessment under its non-refoulement obligations." These measures have implications for migrants and refugees, those already in the United States, and for those making asylum applications.





## Questions a Resolution Must Answer

1. What concrete measures can be taken to guarantee that no individual is returned to a country where they may face persecution, torture, or serious harm?
2. How will responsibility for hosting and supporting refugees be equitably shared between states to avoid overburdening certain regions?
3. How can governments reduce the possibility of human rights violations in transit journeys by promoting access to well managed migration paths and legal identity?
4. Is harmonization or standardization of immigration police even desirable or should countries be allowed and encouraged to develop policies according to their interests and unique individual circumstances ? If it is, how can the differing interests of countries be aligned to establish common frameworks?
5. How can access to justice and remedies be promoted in countries to ensure the protection of human rights of immigrants, refugees, and asylum seekers?
6. What have past case studies (including those not mentioned in the background guide) taught us and how can these observations contribute to future solutions?
7. What can be done to address the issue of externalization including improving transparency so individuals would remain with the protection of international human rights law?
8. How can the work of other international bodies assist the UNHRC with this issue?