

YS FairGaze MUN 3.0

UNSC

STUDY GUIDE

Deliberating on the Responsibility of
Nations in Ensuring Protection and
Support for Refugees.



United Nations Security Council.

Background Guide

YS FAIRGAZE MUN 3.0

INDEX

1. Letter from the Executive Board.....	3
2. Committee Overview.....	4
3. Introduction to the Agenda.....	6
4. Legal Treaties	9
5. India's Refugee Landscape:.....	13
6. Key Issues Regarding the Agenda	16
7. Key Questions for Delegates	17

Letter from the Executive Board

Dear Delegates,

It is with great anticipation and a sense of deep responsibility that we welcome you to this committee session of the United Nations Security Council, convened under the agenda:

"Deliberating on the Responsibility of Nations in Ensuring Protection and Support for Refugees."

This agenda does not merely demand political negotiation, it calls for moral clarity, legal understanding, and a commitment to principled action. With millions displaced globally due to war, persecution, environmental degradation, and state collapse, the question is no longer whether the international community should respond, but how, and with what urgency.

We urge you to approach this agenda not with hesitation, but with seriousness, confidence, and clarity of thought. As representatives of sovereign nations, your words and actions in this chamber will reflect the will of the global community. We expect thoughtful diplomacy, strategic dialogue, and solution-oriented engagement. Let this committee be a space where empathy meets action, and where humanitarian responsibilities are not deferred, but defined.

We are confident in your ability to rise to the occasion and contribute to impactful, well-rounded resolutions. The world is watching, not only what you debate, but what you choose to stand for.

Wishing you a meaningful and productive session.

Warm regards

Executive Board , United Nations Security Council

Committee Overview

The United Nations Security Council is the main body within the UN responsible for maintaining international peace and security. Established in 1945, it has a unique role because its decisions are legally binding for all UN member states.

The Council's main goals are to prevent conflict, address threats to peace, and promote stability through cooperation and diplomacy. When necessary, it can also authorize collective action.

Legal Authority

The UNSC's power comes from specific chapters of the UN Charter. It can investigate situations that might lead to conflict, recommend peaceful solutions, impose sanctions, authorize the use of force, set up peacekeeping missions, and refer serious crimes to international courts.

This combination of powers allows the Council to act both preventively and reactively in maintaining global security.

Structure and Membership

The Council has 15 members in total:

- Five permanent members with veto power: China, France, Russia, the United Kingdom, and the United States
- Ten non-permanent members elected for two-year terms from different regions around the world

Permanent members have significant influence through their veto, while non-permanent members contribute through diplomacy, negotiation, and voting.

Current Challenges

The UNSC faces several challenges today:

- The veto power, meant to maintain unity among major powers, can sometimes cause deadlocks during critical crises
- Questions arise about the consistency and fairness of the Council's responses to various conflicts
- Modern security threats are changing, including civil wars, terrorism, cyberattacks, and climate-related issues, which can be difficult to address within the traditional framework
- Enforcing decisions depends heavily on member states' cooperation, and peacekeeping missions often face resource and mandate challenges
- Discussions on reform continue, focusing on making the Council more representative and transparent, though reaching consensus on changes is complex

Conclusion

The Security Council remains central to international efforts for peace and security. It operates in a world where interests and threats constantly evolve. As delegates, your role is to navigate these complexities through effective negotiation and leadership.

While it may not solve every issue, your simulation can embody the principles of dialogue, fairness, and responsibility that the UNSC aims to uphold.

Introduction to the Agenda

The agenda “**Deliberating on the Responsibility of Nations in Ensuring Protection and Support for Refugees**” is one of the most pressing and complex issues on the global stage today. The world is witnessing a dramatic escalation in the scale and complexity of forced displacement. Driven by a confluence of armed conflict, ethnic persecution, authoritarian regimes, socio-political instability, climate change, and economic breakdown, the number of forcibly displaced people worldwide now exceeds 120 million, with over 40 million officially recognized as refugees, individuals who have been forced to flee their home countries due to a well-founded fear of persecution and cannot safely return.

These numbers reflect more than mere statistics, they represent real human suffering and a profound breakdown in the international system’s capacity to maintain peace, stability, and dignity. Refugees today are not just victims of war but also of insufficient state protection, lack of international coordination, and, increasingly, the securitization of migration. Nations, particularly in the Global South, often shoulder disproportionate burdens while lacking adequate legal, financial, or infrastructural support from the international community. The issue of refugees is no longer just a humanitarian concern; it intersects with the realms of international peace and security, economic stability, climate justice, and human rights, thus falling squarely within the mandate of the United Nations Security Council (UNSC).

The UNSC has a foundational role in addressing root causes of displacement, responding to mass atrocities, and facilitating post-conflict reconstruction and peacebuilding. Yet, it has frequently struggled to implement cohesive and timely action due to geopolitical divisions and veto politics. With conflicts intensifying in multiple regions and the legal regime around refugee protection under increasing strain, it is imperative for the Council to re-evaluate global responsibilities and help shape a collective response grounded in solidarity, equity, and shared accountability.

A. Present Global Scenarios: An Escalating Crisis

Across regions, we see growing displacement crises, each shaped by unique yet interrelated factors. Below are key case studies exemplifying the scope and gravity of the situation:

1. Gaza-Israel Conflict (2023–2025)

Renewed hostilities between Israel and Hamas have resulted in large-scale civilian casualties and mass displacement in Gaza. As thousands flee to neighboring countries such as Egypt and Jordan, host states face serious capacity constraints. Humanitarian corridors are blocked, aid access is politicized, and regional tensions are escalating.

2. Sudan's Civil War (2023–Present)

The war between the Sudanese Armed Forces and the Rapid Support Forces has displaced over 10 million people, making it the world's fastest-growing displacement crisis. Neighboring countries like Chad, South Sudan, and Ethiopia are overwhelmed, while funding shortages have crippled humanitarian agencies on the ground.

3. Ukraine-Russia War

The war has caused over 14 million people to flee their homes. While EU nations initially responded with the Temporary Protection Directive, many of these policies are time-bound and now under strain due to rising anti-migrant sentiment and the economic impact of prolonged support.

4. Myanmar's Military Crackdown

Following the 2021 military coup, repression has escalated. The Rohingya Muslim minority, already stateless and persecuted, continues to flee in unsafe conditions to Bangladesh, India, and Southeast Asian states. Camps are overcrowded, and third-country resettlement is rare.

5. Afghanistan Post-Taliban Takeover

Following the Taliban's return to power in 2021, ethnic and religious minorities, especially Hazara Shias and women, face systemic persecution. Refugees in Pakistan and Iran face deportation, and many countries have refused new Afghan arrivals due to domestic political constraints.

6. Climate-Induced Migration

In countries like Bangladesh, Somalia, and the Pacific Islands, rising sea levels, floods, desertification, and extreme weather events have created climate refugees, a category not yet protected under international law. This legal vacuum leaves millions ineligible for refugee status or durable legal protection.

Each of these cases reveals that refugee protection is being increasingly challenged by a lack of political will, unequal burden-sharing, and the shrinking of asylum spaces. Many host countries are low- and middle-income nations already under strain, and resettlement programs by developed countries remain severely limited.

Global Responsibility: The Role of the UNSC

The scale and urgency of the refugee crisis underscore the need to move beyond ad hoc responses and create systemic, coordinated mechanisms of support. The UNHCR's principle of "international burden-sharing" must be more than symbolic—it must translate into action through:

- Predictable and fair refugee resettlement quotas,
- Financial support to frontline host countries,
- Legal recognition of new categories of displacement (e.g., climate refugees),
- Stronger accountability for states violating refugee rights.

The United Nations Security Council, empowered to maintain international peace and security, must:

- Prioritize the protection of civilians in conflict zones to reduce forced displacement at the source,
- Incorporate refugee dimensions into peacekeeping and post-conflict reconstruction mandates,
- Sanction state and non-state actors responsible for refugee-producing violence,
- Push for inclusive political settlements that allow safe return and reintegration.

The UNSC also has a normative role in ensuring that refugees are treated not as security threats, but as individuals with inalienable rights under international law.

Legal Treaties and Pacts

The international legal framework governing refugee protection is primarily based on humanitarian, human rights, and refugee law. While the United Nations Security Council (UNSC) is not traditionally tasked with refugee governance, its responsibility for maintaining international peace and security inevitably intersects with displacement issues—especially when such crises are conflict-induced, transboundary, or threaten regional stability.

This section outlines the key international treaties, conventions, protocols, and legal instruments that shape state obligations and global responsibilities in relation to refugee protection. It also analyzes how these legal standards interact with UNSC mechanisms.

A. 1951 Refugee Convention and 1967 Protocol

The 1951 Convention Relating to the Status of Refugees and its 1967 Protocol are the cornerstone instruments of international refugee law.

Key Provisions:

- Defines a refugee as someone with a “well-founded fear of being persecuted” due to race, religion, nationality, membership of a particular social group, or political opinion.
- Prohibits refoulement (forcible return to a country where the refugee faces serious threats to life or freedom).
- Mandates the right to non-discriminatory treatment, access to courts, freedom of movement, and work and education in host countries.

Limitations:

- Only 149 states are parties to the Convention/Protocol.
- Countries like India, Pakistan, and several Gulf states are non-signatories, leading to legal and procedural inconsistencies in refugee treatment.
- It does not cover internally displaced persons (IDPs) or climate refugees.

While the UNSC does not enforce the Convention, it can reinforce its principles by condemning violations and promoting peacebuilding in refugee-generating contexts.

B. Universal Declaration of Human Rights (1948)

Article 14 of the UDHR asserts that "everyone has the right to seek and to enjoy in other countries asylum from persecution." While not legally binding, the UDHR is a foundational document that has shaped all modern human rights instruments and supports the moral and normative basis for refugee protection.

C. International Covenant on Civil and Political Rights (1966)

This treaty obliges states to respect the civil and political rights of all individuals, including non-citizens. The right to life, prohibition of torture, arbitrary detention, and right to due process are all applicable to refugees and asylum seekers.

D. Regional Treaties and Frameworks

1. OAU Convention (1969) – Africa

Broader than the 1951 Convention, this instrument includes people fleeing “external aggression, occupation, foreign domination, or events seriously disturbing public order.”

2. Cartagena Declaration (1984) – Latin America

A non-binding regional declaration extending refugee status to those fleeing generalised violence, internal conflict, or massive human rights violations.

3. EU Common European Asylum System (CEAS)

Regulates the reception, qualification, and procedures for granting asylum within EU Member States. Includes the Dublin Regulation and Temporary Protection Directive.

4. ASEAN and SAARC

These regional groupings lack a formal refugee convention, highlighting the legal vacuum in South and Southeast Asia, where many of today’s displacement crises are unfolding.

E. UNHCR Mandate and the Global Compact on Refugees (2018)

The United Nations High Commissioner for Refugees (UNHCR), established in 1950, is the principal agency responsible for international refugee protection.

- Its mandate includes international protection, resettlement, and finding durable solutions.
- The Global Compact on Refugees (GCR), adopted by the UN General Assembly in 2018, aims to:
 - Ease pressure on host countries,
 - Enhance refugee self-reliance,
 - Expand access to third-country solutions,
 - Support conditions for safe, voluntary return.

Although non-binding, the GCR promotes responsibility-sharing, which can complement UNSC initiatives in high-risk zones.

F . UNSC Resolutions and Peacekeeping Frameworks

Though not a treaty-making body, the UNSC has adopted several resolutions that directly affect refugee protection:

- UNSC Resolution 1208 (1998): Recognized the importance of protecting refugees and the need for security in refugee camps, especially in conflict regions.
- UNSC Resolution 1296 (2000): Reinforced protection of civilians in armed conflict, including refugees and internally displaced persons (IDPs).
- UNSC Resolution 1674 (2006): Affirmed the Responsibility to Protect (R2P) populations from genocide, war crimes, and ethnic cleansing—including when displacement is imminent or ongoing.
- UN Peacekeeping Mandates: Often include protection of displaced civilians, safe zones, and coordination with UNHCR in conflict areas.

These instruments create a jurisprudential bridge between refugee law and the UNSC's peace and security mandate.

G. Gaps and Challenges in the Existing Legal Regime

Despite the comprehensive nature of existing treaties, several legal and institutional gaps persist:

- No binding mechanism for equitable burden-sharing among states.
- No legal recognition of climate-induced displacement.
- Non-applicability of refugee treaties to non-signatory states, weakening universal enforcement.
- Lack of accountability for violations like illegal deportation, pushbacks at sea, or inhumane detention.
- Vague definitions in national laws, enabling politicization and discrimination.

These gaps underscore the need for expanded mandates, legal harmonization, and political will—areas where the UNSC can encourage stronger coordination across UN bodies and member states.

India's Refugee Landscape: Between Humanitarian Tradition and National Security Concerns

India presents a nuanced case in the global refugee framework. While not a signatory to the 1951 Refugee Convention or its 1967 Protocol, India has historically provided shelter to several displaced populations fleeing violence, persecution, and conflict. Its approach combines a long-standing humanitarian tradition with evolving domestic priorities, including national security and demographic management.

1. Refugee Populations in India

India currently hosts a diverse range of refugee and asylum-seeking communities, including:

- Tibetan refugees, settled since 1959, with established settlements and administrative support.
- Sri Lankan Tamils, residing in camps in Tamil Nadu since the 1980s civil conflict.
- Rohingya Muslims from Myanmar, with an estimated population of around 40,000.
- Afghan refugees, including ethnic minorities and former diplomatic or NGO staff.
- Pakistani and Bangladeshi minorities, some of whom fall under the provisions of the Citizenship (Amendment) Act, 2019 (CAA).

These groups vary significantly in their legal status, access to services, and government engagement.

2. Legal Framework and Institutional Structure

India does not have a codified refugee law. Instead, it manages refugee matters through:

- The Foreigners Act, 1946, which applies to all non-citizens, without specific provisions for refugees.
- Administrative policies and executive decisions, which vary depending on the origin and context of displacement.

- Engagement with the UNHCR, which conducts refugee status determination (RSD) and provides limited assistance, particularly in urban areas.

While some refugee groups receive structured support, others operate in legal uncertainty, impacting their access to rights and services.

3. Security Considerations and Policy Shifts

In recent years, refugee management has increasingly intersected with security and migration control frameworks. Key developments include:

- Scrutiny of undocumented entrants and tighter border management.
- Concerns over potential security risks linked to transnational movements.
- Legal proceedings and deportation orders involving certain refugee groups, notably Rohingya refugees.

These measures reflect broader trends globally, where states seek to balance humanitarian obligations with internal stability and security considerations.

4. Humanitarian Engagement and Support Mechanisms

India has provided varying degrees of support to different refugee communities:

- Educational, healthcare, and livelihood access is extended through government schemes or in collaboration with civil society, particularly for long-standing communities.
- In some cases, refugees live in designated camps; in others, they integrate informally into urban areas.
- Civil society organizations and the UNHCR play important roles in supplementing humanitarian services.

Nonetheless, the absence of a uniform legal framework leads to differing experiences across regions and refugee groups.

5. India's Regional and International Role

India has stated its commitment to upholding customary international law, including humanitarian principles such as non-refoulement. As a regional leader in South Asia, India's policies influence refugee responses in neighboring countries. While it has not acceded to international refugee treaties, India continues to participate in global forums on displacement and humanitarian protection, emphasizing voluntary repatriation, regional cooperation, and national interest.

Key Issues Regarding the Agenda

While the protection of refugees is a core tenet of international humanitarian and human rights law, the global refugee regime continues to face significant structural, legal, and political challenges. In recent years, escalating conflicts, climate change, and socio-political instability have intensified refugee flows, revealing the limitations of existing frameworks and the uneven commitment of states to shared responsibility. For the United Nations Security Council, identifying these core challenges is essential to enabling targeted, actionable, and cooperative responses.

1. Unequal Burden-Sharing
 - Limited number of countries host a majority of refugees.
 - Wealthier nations often avoid resettlement or funding obligations.
2. Lack of Legal Framework in Non-Signatory States
 - No binding refugee protections in countries like India, Pakistan, and several Gulf nations.
 - Refugees treated as illegal immigrants under national laws.
3. Violation of Non-Refoulement Principle
 - Forced returns and pushbacks at borders are increasing.
 - Weak enforcement mechanisms.
4. Securitization of Refugees
 - Refugees seen as national security threats.
 - Rise of xenophobic narratives and restrictive policies.
5. Protracted Displacement
 - Refugees remain in camps for decades without durable solutions.
 - Limited access to citizenship, education, or employment.
6. Weak International Accountability
 - No effective body to ensure refugee rights are upheld.
 - UNSC often limited by political deadlock or veto powers.
7. Conflict-Zone Vulnerability
 - Refugees in conflict zones lack humanitarian access and safety.
 - Refugee camps sometimes militarized.

Key Questions for Delegates

1. To what extent should the responsibility of hosting and supporting refugees be distributed among nations, and what mechanisms can ensure fair burden-sharing?
 - Consider disparities between developed and developing countries and the role of international cooperation.
2. How can the international community respond when a state's national security concerns appear to conflict with its humanitarian obligations to refugees?
 - Reflect on principles like non-refoulement versus domestic legal or political priorities.
3. In what ways can existing legal frameworks be strengthened or expanded to address new forms of displacement, such as climate-induced migration?
 - Explore the adequacy of current definitions under international law and potential legal reforms.
4. Should non-signatory states be encouraged—or obligated—to adopt formal refugee protection mechanisms, and if so, how?
 - Examine the role of soft diplomacy, UN resolutions, or regional agreements.
5. What role should the UNSC play in displacement scenarios emerging from conflicts or occupation, and how can it act effectively without overstepping national sovereignty?
 - Think about the Council's peace and security mandate and its limits in humanitarian contexts.

Expectations from the Committee

Dear Delegates,

We expect each delegate to approach this agenda with a strong grasp of their assigned country's foreign policy, refugee-related legislation, regional priorities, and diplomatic posture. You must be prepared to defend your nation's interests, while also contributing to global consensus-building. Your understanding should go beyond statistics—it must include the legal frameworks, geopolitical realities, and moral considerations that shape refugee protection today.

Throughout the sessions, the Executive Board expects:

- In-depth research and awareness of both your country's position and the broader international landscape.
- Constructive diplomacy rooted in factual accuracy, not idealistic generalizations.
- Solutions that reflect both legal feasibility and political realism.
- A spirit of professionalism, punctuality, and proactive engagement, whether in formal debate, resolution drafting, or lobbying efforts.

Be prepared for moments of disagreement, pressure, and complexity. That is the nature of diplomacy. But in those very moments, we urge you to show clarity of thought, principled negotiation, and composure. Whether you are a seasoned delegate or entering the UNSC for the first time, your voice matters, and your responsibility is real.

Lastly, remember this: the goal is not to "win" the committee, it is to represent, reason, and resolve. Take this opportunity to not just speak, but to lead. We are confident in your ability to make this committee a meaningful and high-impact experience for everyone involved.

We look forward to seeing each of you rise to the occasion.

Warm regards,

Executive Board

United Nations Security Council