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General Assembly 6 (GA6) Legal
Research Report

Topic 3: Reconfiguring the legal system treating and integrating asylum seekers.



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Introduction

A legal system reveals its credibility not in easy cases, but in how it treats those who arrive with little power, limited documentation, and a credible fear of harm if returned. Asylum is therefore not simply an administrative pathway; it is a legal commitment anchored in international protection norms, human dignity, and the principle that rights attach to persons - regardless of nationality or status.

Yet in practice, asylum systems are often asked to function under conditions for which they were not designed: large-scale arrivals, political polarisation, limited reception capacity, and a public discourse that conflates refugees, asylum seekers, and other migrants. These pressures can produce measures that prioritise speed and deterrence over legality and protection, including restricted access to territory, limited legal aid, prolonged reception insecurity, and overuse of detention. UNHCR's Detention Guidelines reflect the state of international law relating to immigration-related detention of asylum seekers and emphasise that detention must not be arbitrary and should be a measure of last resort.¹

The legal challenge for GA6 is to develop strategies that are both principled and operational: strategies that safeguard international protection obligations while enabling States to run systems that are orderly, fair, and administratively sustainable. This requires more than reaffirming rights in the abstract; it requires institutional design choices - how decisions are made, how evidence is assessed, how appeals function, how vulnerable persons are screened, how reception is structured, and how integration begins from the first day of lawful stay. International refugee law is anchored in the 1951 Convention relating to the Status of Refugees and the 1967 Protocol.^{2 3} The 1951 Convention sets minimum standards for the treatment of refugees and contains the cornerstone rule of non-refoulement.⁴ Human rights law further reinforces non-refoulement and due process safeguards, including the Convention

¹ United Nations High Commissioner for Refugees (UNHCR), *Detention Guidelines: Guidelines on the Applicable Criteria and Standards relating to the Detention of Asylum-Seekers and Alternatives to Detention* (Geneva: UNHCR, 2012).

² United Nations, *Convention relating to the Status of Refugees* (1951), adopted 28 July 1951, entered into force 22 April 1954.

³ United Nations High Commissioner for Refugees (UNHCR), *Convention relating to the Status of Refugees (1951) and its Protocol (1967)* (compiled treaty text, accessed 16 January 2026).

⁴ United Nations, *Convention relating to the Status of Refugees* (1951), adopted 28 July 1951, entered into force 22 April 1954.

against Torture (CAT) and the International Covenant on Civil and Political Rights (ICCPR).⁵ ⁶ Alongside these binding instruments, the UN General Assembly has adopted political frameworks intended to improve responsibility-sharing and comprehensive responses, notably the New York Declaration for Refugees and Migrants (A/RES/71/1) and the Global Compact on Refugees (affirmed in A/RES/73/151).⁷ ⁸

This report focuses on the legal and administrative strategies that enable States to (1) treat asylum seekers lawfully and humanely during the status determination process, and (2) integrate those who obtain international protection, while ensuring procedures remain fair, credible, and manageable.

Definition of Key Terms

Asylum seeker: A person who has applied for international protection and whose claim has not yet been finally determined.

Refugee: A person who meets the definition in the 1951 Convention (as modified by the 1967 Protocol): broadly, someone outside their country of nationality who has a well-founded fear of being persecuted for reasons including race, religion, nationality, membership of a particular social group, or political opinion, and who cannot or will not avail themselves of that country's protection.⁹ ¹⁰

Non-refoulement: The prohibition on returning a person to a territory where they would face persecution (Refugee Convention) or a real risk of torture or ill-treatment (CAT and

⁵ Office of the United Nations High Commissioner for Human Rights (OHCHR), *Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment* (instrument page, accessed 16 January 2026).

⁶ Office of the United Nations High Commissioner for Human Rights (OHCHR), *International Covenant on Civil and Political Rights* (instrument page, accessed 16 January 2026).

⁷ United Nations General Assembly, Resolution A/RES/71/1, “New York Declaration for Refugees and Migrants” (adopted 19 September 2016).

⁸ United Nations General Assembly, *Global Compact on Refugees* (A/RES/73/151, affirmed 17 December 2018; compact text).

⁹ United Nations, *Convention relating to the Status of Refugees* (1951), adopted 28 July 1951, entered into force 22 April 1954.

¹⁰ United Nations High Commissioner for Refugees (UNHCR), *Convention relating to the Status of Refugees (1951) and its Protocol (1967)* (compiled treaty text, accessed 16 January 2026).

broader human rights law).¹¹ ¹² UNHCR has also addressed the extraterritorial application of non-refoulement obligations, relevant to interception, pushbacks, and transfer arrangements conducted outside a State's territory.¹³

Refugee Status Determination (RSD): The administrative and/or judicial process by which a State determines whether an asylum seeker qualifies for refugee status under international and national law. UNHCR's Handbook and Guidelines provide detailed interpretive guidance for status determination under the 1951 Convention and 1967 Protocol.¹⁴

Complementary protection: A form of protection granted under human rights obligations where the person does not meet the Refugee Convention definition but would face serious harm (e.g., torture) if returned.

Reception conditions: The material and legal conditions under which an asylum seeker is housed and supported while their claim is processed (e.g., accommodation, healthcare access, schooling for children, legal assistance).

Local integration / local solutions: A durable solution in which refugees become legally, economically, and socially integrated in the host State. UNHCR policy work frames integration as a two-way process involving both refugees and host communities.¹⁵ ¹⁶

¹¹ United Nations, *Convention relating to the Status of Refugees* (1951), adopted 28 July 1951, entered into force 22 April 1954.

¹² Office of the United Nations High Commissioner for Human Rights (OHCHR), *Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment* (instrument page, accessed 16 January 2026).

¹³ United Nations High Commissioner for Refugees (UNHCR), *Advisory Opinion on the Extraterritorial Application of Non-Refoulement Obligations* (Geneva: UNHCR, 2007).

¹⁴ United Nations High Commissioner for Refugees (UNHCR), *Handbook and Guidelines on Procedures and Criteria for Determining Refugee Status under the 1951 Convention and the 1967 Protocol relating to the Status of Refugees* (reissued February 2019).

¹⁵ United Nations High Commissioner for Refugees (UNHCR), *Local Integration* (policy guidance note, Geneva, n.d., accessed 16 January 2026).

¹⁶ United Nations High Commissioner for Refugees (UNHCR), *Local Solutions for Refugees: Key Considerations* (policy guidance, January 2022).

Background Information

Core Legal Obligations and Minimum Standards

The refugee protection regime is built on a balance: States retain sovereign control over entry and immigration, but they must exercise that control consistently with binding protection obligations. The 1951 Convention sets minimum treatment standards for refugees and prohibits refoulement.¹⁷ ¹⁸ CAT contains an explicit non-refoulement obligation where there are substantial grounds for believing the person would be in danger of being subjected to torture.¹⁹ Human rights law also requires safeguards against arbitrary expulsion and demands fair procedures; the ICCPR provides procedural protections in expulsion decisions for aliens lawfully in the territory.²⁰

From a legal-system perspective, this produces three minimum imperatives:

1. Access to a procedure: people must have a practical opportunity to seek protection and have their claims examined.
2. Due process: decisions must be based on law and fact, with access to reasons and effective review/appeal.
3. Protection pending determination: the system must avoid measures that create indirect refoulement risks (e.g., premature removal, denial of basic needs, or detention without safeguards).

UNHCR's Handbook and Guidelines on refugee status determination set out how to interpret key Convention concepts (including well-founded fear, persecution, and nexus grounds) and how to approach evidence and credibility.²¹ This is particularly relevant because asylum adjudication is often undertaken under evidentiary uncertainty, requiring structured and legally guided reasoning rather than arbitrary discretion.

¹⁷ United Nations, *Convention relating to the Status of Refugees* (1951), adopted 28 July 1951, entered into force 22 April 1954.

¹⁸ United Nations High Commissioner for Refugees (UNHCR), *Convention relating to the Status of Refugees (1951) and its Protocol (1967)* (compiled treaty text, accessed 16 January 2026).

¹⁹ Office of the United Nations High Commissioner for Human Rights (OHCHR), *Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment* (instrument page, accessed 16 January 2026).

²⁰ Office of the United Nations High Commissioner for Human Rights (OHCHR), *International Covenant on Civil and Political Rights* (instrument page, accessed 16 January 2026).

²¹ United Nations High Commissioner for Refugees (UNHCR), *Detention Guidelines: Guidelines on the Applicable Criteria and Standards relating to the Detention of Asylum-Seekers and Alternatives to Detention* (Geneva: UNHCR, 2012).

Procedural Architecture: Fair and Efficient Asylum Systems

A credible asylum system must be both fair and workable. If it is only fair but non-functional, it collapses under caseload pressure; if it is only fast but legally weak, it produces wrongful decisions and undermines public trust.

Key procedural architecture choices include:

- Registration and triage: early registration, identity management, and vulnerability screening.
- Decision-making quality: trained caseworkers, reasoned decisions, country-of-origin information standards, and quality assurance.
- Legal assistance: access to information and, where possible, legal aid to ensure meaningful participation.
- Review and appeal: an independent review mechanism that is timely and effective.

UNHCR guidance is particularly important in grounding these choices in internationally recognised interpretive standards for refugee status determination.²²

Reception, Detention, and Safeguards for Vulnerable Persons

Reception is not “charity”; it is a structural component of legality. A person cannot effectively participate in a complex legal process - often in a foreign language - without basic stability. Where reception is inadequate, the system risks becoming de facto coercive, pushing people out of the procedure or into irregularity.

Detention is one of the most legally sensitive tools. UNHCR’s Detention Guidelines stress that detention of asylum seekers on immigration-related grounds must be exceptional, necessary, proportionate, and subject to safeguards, and that States should pursue alternatives to detention.²³ In addition, UNHCR has clarified its position regarding detention of children, warning against detention and urging child-sensitive alternatives.²⁴

²² United Nations High Commissioner for Refugees (UNHCR), *Handbook and Guidelines on Procedures and Criteria for Determining Refugee Status under the 1951 Convention and the 1967 Protocol relating to the Status of Refugees* (reissued February 2019).

²³ United Nations High Commissioner for Refugees (UNHCR), *UNHCR’s Position regarding the Detention of Refugee and Migrant Children in the Migration Context* (Geneva: UNHCR, January 2017).

²⁴ Committee against Torture, *General Comment No. 4 (2017) on the Implementation of Article 3 of the Convention in the Context of Article 22*, UN Doc. CAT/C/GC/4 (2017).

Integration as a Legal and Policy Process (from day one)

Integration is frequently treated as something that starts “after” protection is granted. In reality, integration begins during the asylum procedure: access to education, language learning, vocational training, and lawful pathways to work can reduce dependency and improve long-term outcomes, while also strengthening social cohesion.

Empirical and policy work increasingly frames lawful status, access to work, and freedom of movement as key factors correlated with self-reliance outcomes. World Bank analysis argues that policies enabling secure legal status, the right to work, and freedom of movement correlate with better labour-market outcomes and reduced aid dependence.²⁵

The legal-system challenge, therefore, is to align reception and procedure design with long-term integration goals - without compromising the integrity of the status determination process.

Major Countries and Organisations Involved

UNHCR

UNHCR has supervisory responsibility in relation to the 1951 Convention framework and issues authoritative guidance on refugee status determination and detention.^{26 27}

United Nations General Assembly

Provides political frameworks shaping international cooperation and responsibility-sharing, including the New York Declaration (A/RES/71/1) and the Global Compact on Refugees (affirmed in A/RES/73/151).^{28 29}

²⁵ World Bank, *Toward Self-Reliance: A Roadmap for Refugee Inclusion* (Washington, DC: World Bank, 2025).

²⁶ United Nations High Commissioner for Refugees (UNHCR), *Detention Guidelines: Guidelines on the Applicable Criteria and Standards relating to the Detention of Asylum-Seekers and Alternatives to Detention* (Geneva: UNHCR, 2012).

²⁷ United Nations High Commissioner for Refugees (UNHCR), *Handbook and Guidelines on Procedures and Criteria for Determining Refugee Status under the 1951 Convention and the 1967 Protocol relating to the Status of Refugees* (reissued February 2019).

²⁸ United Nations General Assembly, Resolution A/RES/71/1, “New York Declaration for Refugees and Migrants” (adopted 19 September 2016).

²⁹ United Nations General Assembly, *Global Compact on Refugees* (A/RES/73/151, affirmed 17 December 2018; compact text).

OHCHR and UN treaty bodies

Provide normative interpretation and guidance on human rights obligations relevant to asylum, including CAT non-refoulement and ICCPR procedural safeguards.^{30 31}

World Bank and development actors

Increasingly influential in linking refugee inclusion to development policy and supporting host countries in designing self-reliance and inclusion models.³²

Regional bodies (variable by region)

Regional legal frameworks and courts (where applicable) often shape standards on detention, procedure, and reception. (Delegates can reference regional practice cautiously, while ensuring compatibility with global standards.)

Relevant UN Resolutions and International Standards

1951 Convention relating to the Status of Refugees and 1967 Protocol

Core binding legal framework for refugee definition, rights standards, and non-refoulement.^{33 34}

UNHCR Handbook and Guidelines on Procedures and Criteria for Determining Refugee Status

Key interpretive guidance used globally by decision-makers and courts.³⁵

³⁰ Office of the United Nations High Commissioner for Human Rights (OHCHR), *Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment* (instrument page, accessed 16 January 2026).

³¹ Office of the United Nations High Commissioner for Human Rights (OHCHR), *International Covenant on Civil and Political Rights* (instrument page, accessed 16 January 2026).

³² World Bank, *Toward Self-Reliance: A Roadmap for Refugee Inclusion* (Washington, DC: World Bank, 2025).

³³ United Nations, *Convention relating to the Status of Refugees* (1951), adopted 28 July 1951, entered into force 22 April 1954.

³⁴ United Nations High Commissioner for Refugees (UNHCR), *Convention relating to the Status of Refugees (1951) and its Protocol (1967)* (compiled treaty text, accessed 16 January 2026).

³⁵ United Nations High Commissioner for Refugees (UNHCR), *Handbook and Guidelines on Procedures and Criteria for Determining Refugee Status under the 1951 Convention and the 1967 Protocol relating to the Status of Refugees* (reissued February 2019).

UNHCR Detention Guidelines (2012)

Sets out legal standards and practical safeguards for immigration-related detention of asylum seekers and alternatives to detention.³⁶

Convention against Torture (CAT) and Article 3 non-refoulement interpretation

CAT prohibits refoulement to a risk of torture; the Committee against Torture has issued interpretive guidance through General Comment No. 4.³⁷ ³⁸

International Covenant on Civil and Political Rights (ICCPR)

Includes procedural safeguards relevant to expulsion decisions (Article 13), reflecting due process expectations in immigration enforcement.³⁹

New York Declaration for Refugees and Migrants (A/RES/71/1)

Introduced the Comprehensive Refugee Response Framework (CRRF) concept as a basis for more predictable responses and cooperation.⁴⁰

Global Compact on Refugees (affirmed by A/RES/73/151)

A non-binding framework aiming at more equitable responsibility-sharing and support for host countries and communities, including through the CRRF approach.⁴¹

Global Compact for Safe, Orderly and Regular Migration (A/RES/73/195)

A non-binding framework relevant where mixed movements create operational overlap

³⁶ United Nations High Commissioner for Refugees (UNHCR), *Detention Guidelines: Guidelines on the Applicable Criteria and Standards relating to the Detention of Asylum-Seekers and Alternatives to Detention* (Geneva: UNHCR, 2012).

³⁷ Office of the United Nations High Commissioner for Human Rights (OHCHR), *Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment* (instrument page, accessed 16 January 2026).

³⁸ Committee against Torture, *General Comment No. 4 (2017) on the Implementation of Article 3 of the Convention in the Context of Article 22*, UN Doc. CAT/C/GC/4 (2017).

³⁹ Office of the United Nations High Commissioner for Human Rights (OHCHR), *International Covenant on Civil and Political Rights* (instrument page, accessed 16 January 2026).

⁴⁰ United Nations General Assembly, Resolution A/RES/71/1, “New York Declaration for Refugees and Migrants” (adopted 19 September 2016).

⁴¹ United Nations General Assembly, *Global Compact on Refugees* (A/RES/73/151, affirmed 17 December 2018; compact text).

between asylum processing and broader migration governance (while maintaining the legal distinction between refugees and other migrants).⁴²

Previous Attempts to Solve the Issue

Ad hoc restriction and deterrence measures

Some systems respond to pressure by narrowing access to procedure (including externalisation or transfer arrangements), accelerating removals, and expanding detention. These measures may create serious legal controversy where they undermine non-refoulement, procedural fairness, or the right to seek asylum. UNHCR has addressed the extraterritorial scope of non-refoulement obligations, which becomes legally relevant when States act outside their territory (interception, transfers, or offshore processing).⁴³

Over-reliance on emergency reception rather than predictable infrastructure

Emergency accommodation models can become semi-permanent, creating overcrowding, weak safeguarding, limited access to services, and long-term exclusion. This undermines both procedural participation and eventual integration outcomes.

Fragmented decision-making with limited quality assurance

Under-resourced asylum agencies may develop backlogs, inconsistent decisions, and weak reasoning, which increases appeal burdens and reduces confidence in outcomes. UNHCR guidance exists precisely to stabilise legal interpretation and decision-making practice.⁴⁴

Integration policy delayed until after recognition

Many systems postpone meaningful inclusion (work access, language, training), which increases long-term dependency and can aggravate social tension. Development-oriented approaches increasingly argue for earlier inclusion to improve outcomes for refugees and host communities.⁴⁵

⁴² United Nations General Assembly, Resolution A/RES/73/195, “Global Compact for Safe, Orderly and Regular Migration” (adopted 19 December 2018).

⁴³ United Nations High Commissioner for Refugees (UNHCR), *Advisory Opinion on the Extraterritorial Application of Non-Refoulement Obligations* (Geneva: UNHCR, 2007).

⁴⁴ United Nations High Commissioner for Refugees (UNHCR), *Handbook and Guidelines on Procedures and Criteria for Determining Refugee Status under the 1951 Convention and the 1967 Protocol relating to the Status of Refugees* (reissued February 2019).

⁴⁵ World Bank, *Toward Self-Reliance: A Roadmap for Refugee Inclusion* (Washington, DC: World Bank, 2025).

Responsibility-sharing gaps

The New York Declaration and Global Compact on Refugees seek to shift the system from ad hoc burden allocation towards more predictable responsibility-sharing.⁴⁶ ⁴⁷ Nonetheless, implementation depends on political will, financing, and the availability of third-country solutions (resettlement and complementary pathways), which remain limited in scale.

Possible Solutions

1. Establish minimum procedural guarantees and quality standards in national asylum systems
 - Early registration and clear information provision.
 - Trained decision-makers applying consistent legal interpretation.
 - Reasoned written decisions, with access to effective review/appeal.
 - Country-of-origin information standards and structured credibility assessment aligned with UNHCR interpretive guidance.⁴⁸
2. Build “fair and fast” systems through legal-system engineering, not shortcuts
Speed should be achieved through capacity and process design (case management, triage, digital filing, quality assurance), not through removing safeguards. A legally sustainable system minimises error rates, because wrongful decisions create further litigation, instability, and credibility loss.
3. Reception as a component of legality and system integrity
 - Minimum reception standards enabling participation in the procedure (housing, healthcare, child education access).
 - Vulnerability screening and safeguarding pathways (children, survivors of torture/trauma, persons with disabilities).
 - Access to interpretation and legal orientation so that the procedure is meaningful.
4. Detention only as a measure of last resort; expand alternatives to detention
Align domestic law with UNHCR Detention Guidelines: clear legal grounds,

⁴⁶ United Nations General Assembly, Resolution A/RES/71/1, “New York Declaration for Refugees and Migrants” (adopted 19 September 2016).

⁴⁷ United Nations General Assembly, *Global Compact on Refugees* (A/RES/73/151, affirmed 17 December 2018; compact text).

⁴⁸ United Nations High Commissioner for Refugees (UNHCR), *Local Integration* (policy guidance note, Geneva, n.d., accessed 16 January 2026).

necessity, proportionality, judicial oversight, time limits, and effective alternatives (reporting requirements, case management, community-based arrangements).⁴⁹

Child detention should be avoided, consistent with UNHCR's position regarding the detention of children.⁵⁰

5. Embed non-refoulement and protection safeguards across the whole system
 - Ensure suspensive effect where removal would risk refoulement, especially pending appeal in high-risk cases.
 - Apply CAT Article 3 safeguards and interpretive guidance where relevant.⁵¹ ⁵²
 - Address extraterritorial scenarios (interception and transfers) consistently with UNHCR's advisory analysis on non-refoulement obligations.⁵³

6. Start integration early, without prejudging outcomes

Where compatible with national policy and capacity, consider early inclusion measures for asylum seekers with likely protection needs (language access, skills recognition support, pathways to lawful work). This reduces long-term dependency and supports social cohesion, while maintaining the integrity of RSD. Development analysis suggests that lawful status, work access, and freedom of movement correlate with stronger self-reliance outcomes.⁵⁴

7. Strengthen responsibility-sharing and host-community support consistent with the Global Compact on Refugees

Use the GCR's logic to frame international cooperation: financing for reception and services, support to host communities, and expansion of third-country solutions (resettlement and complementary pathways) to relieve pressure on frontline States.⁵⁵

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⁴⁹ United Nations High Commissioner for Refugees (UNHCR), *UNHCR's Position regarding the Detention of Refugee and Migrant Children in the Migration Context* (Geneva: UNHCR, January 2017).

⁵⁰ Committee against Torture, *General Comment No. 4 (2017) on the Implementation of Article 3 of the Convention in the Context of Article 22*, UN Doc. CAT/C/GC/4 (2017).

⁵¹ Office of the United Nations High Commissioner for Human Rights (OHCHR), *International Covenant on Civil and Political Rights* (instrument page, accessed 16 January 2026).

⁵² United Nations High Commissioner for Refugees (UNHCR), *Resettlement Handbook* (Geneva: UNHCR, 2011).

⁵³ United Nations High Commissioner for Refugees (UNHCR), *Advisory Opinion on the Extraterritorial Application of Non-Refoulement Obligations* (Geneva: UNHCR, 2007).

⁵⁴ World Bank, *Toward Self-Reliance: A Roadmap for Refugee Inclusion* (Washington, DC: World Bank, 2025).

⁵⁵ United Nations General Assembly, *Global Compact on Refugees* (A/RES/73/151, affirmed 17 December 2018; compact text).

⁵⁶ United Nations High Commissioner for Refugees (UNHCR), *Resettlement Handbook* (Geneva: UNHCR, 2011).

8. Protect public confidence through transparency and legality

A system that is legally consistent, transparent, and operationally credible is more defensible in democratic debate than one built on emergency measures. Publish aggregate data on processing times, recognition rates, appeal outcomes, and reception capacity - while protecting personal data.

Addendum A: Bloc Map

Bloc 1: High-arrival and frontline host States

Focus: predictable burden- and responsibility-sharing, financing, rapid procedures, reception capacity, returns for non-eligible cases consistent with law.

Bloc 2: Major destination States with strong rule-of-law institutions

Focus: robust procedural standards, judicial oversight, limitations on detention, integration capacity, public confidence and social cohesion.

Bloc 3: States prioritising sovereignty and non-interference

Focus: national control over admission and removal; preference for voluntary cooperation frameworks; sensitivity to perceived “mandatory quotas”.

Bloc 4: Human-rights and protection-first advocates (cross-regional)

Focus: access to territory and procedure, non-refoulement safeguards, alternatives to detention, child protection, legal aid and effective remedies.

Bloc 5: Development and self-reliance proponents (cross-regional)

Focus: early inclusion, labour-market access, host-community support, and linking refugee responses with development financing and service systems.^{57 58}

Bridge language:

Reaffirm non-refoulement and due process; treat detention as last resort; strengthen asylum

⁵⁷ United Nations General Assembly, *Global Compact on Refugees* (A/RES/73/151, affirmed 17 December 2018; compact text).

⁵⁸ World Bank, *Toward Self-Reliance: A Roadmap for Refugee Inclusion* (Washington, DC: World Bank, 2025).

adjudication quality; improve reception standards; expand early inclusion measures; and operationalise responsibility-sharing consistent with the Global Compact on Refugees.⁵⁹ ⁶⁰ ⁶¹

Addendum B: Case Snapshots

Case Snapshot 1: Non-refoulement beyond borders (transfer and interception scenarios)

UNHCR's Advisory Opinion on the extraterritorial application of non-refoulement addresses how obligations apply when States act outside their territory. This is directly relevant to policies involving interception at sea, offshore processing, or transfer arrangements, where States may attempt to shift responsibility without removing legal obligations.⁶²

Case Snapshot 2: Detention and alternatives in asylum processing

UNHCR's Detention Guidelines summarise legal standards requiring detention to be exceptional, necessary, proportionate, and subject to safeguards. The Guidelines emphasise alternatives to detention and warn against detention practices that become prolonged or effectively punitive.⁶³ This provides a legally grounded template for reform proposals that reduce detention while maintaining migration management objectives.

Case Snapshot 3: Inclusion and self-reliance models as integration strategy (Uganda; Jordan Compact)

Uganda is frequently cited for a framework in which refugees may enjoy freedom of movement and the right to work and access services, illustrating how legal status and

⁵⁹ United Nations High Commissioner for Refugees (UNHCR), *Detention Guidelines: Guidelines on the Applicable Criteria and Standards relating to the Detention of Asylum-Seekers and Alternatives to Detention* (Geneva: UNHCR, 2012).

⁶⁰ United Nations General Assembly, *Global Compact on Refugees* (A/RES/73/151, affirmed 17 December 2018; compact text).

⁶¹ United Nations High Commissioner for Refugees (UNHCR), *Advisory Opinion on the Extraterritorial Application of Non-Refoulement Obligations* (Geneva: UNHCR, 2007).

⁶² United Nations High Commissioner for Refugees (UNHCR), *Advisory Opinion on the Extraterritorial Application of Non-Refoulement Obligations* (Geneva: UNHCR, 2007).

⁶³ United Nations High Commissioner for Refugees (UNHCR), *Detention Guidelines: Guidelines on the Applicable Criteria and Standards relating to the Detention of Asylum-Seekers and Alternatives to Detention* (Geneva: UNHCR, 2012).

inclusion policies can support self-reliance approaches.⁶⁴ ⁶⁵

Separately, the Jordan Compact has been discussed as an arrangement linking support and economic measures with expanded work-permit access for refugees, illustrating the use of labour-market access as a policy tool to support both refugees and host communities.⁶⁶ ⁶⁷

These models are not universally transferable, but they demonstrate that “integration” can be designed as a legal-policy architecture rather than a purely social programme.

⁶⁴ United Nations High Commissioner for Refugees (UNHCR), *Uganda: Refugee Response Plan / Operational Document* (UNHCR operational document repository, accessed 16 January 2026).

⁶⁵ United Nations High Commissioner for Refugees (UNHCR), “Uganda” (country operations page, accessed 16 January 2026).

⁶⁶ United Nations High Commissioner for Refugees (UNHCR), *Jordan Compact: Operational Documentation* (UNHCR operational document repository, accessed 16 January 2026).

⁶⁷ Council of the European Union, *Supporting the Future of Syria and the Region: The Jordan Compact* (Council document ST 12384/16 ADD 1, 2016).

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