



UNHCR BACKGROUND GUIDE

AMSIMUN'26

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Dear Esteemed Delegates,

Welcome to the 9th edition of the AMSIMUN conference and the UNHCR committee. Your chairs, Nadine Smaoui, and Leen Spartali, are thrilled to have you here and can't wait to see the passion, intellect, and diplomacy you bring to the table. With that being said, the topic that will be discussed throughout the conference is *"How Counter-Terrorism and Border Security Policies Undermine Refugee Protection"*

The United Nations High Commissioner for Refugees (UNHCR) is a United Nations body responsible for protecting refugees, displaced persons, and stateless people worldwide. Founded in 1950, its mission is to ensure that people fleeing conflict or persecution can seek asylum and have their rights protected.

Additionally, UNHCR provides humanitarian aid, legal protection, and long-term solutions such as resettlement or voluntary return. Its headquarters are at the United Nations Office at Geneva in Switzerland.

The following background guide may be used as a guideline or starting point for your research, as we aim to provide you with different resources, information, and conflicts to focus on. We strongly urge you to branch out and thoroughly do your own research on the topic, and your allocated country's stance will be vital to help each of you stand out on the committee.

Again, words cannot describe how thrilled we are to be participating in this conference with you, delegates. We are anticipating what each of you brings to the committee and will be here to support you every step of the way to make sure that everyone has a great time and leaves with lifelong memories in addition to new knowledge and experiences.

As your chairs, we intend to ensure that every voice is heard at the conference. We can't wait to meet each of you at UNHCR, proudly representing your country!

If you have any inquiries, feel free to contact us. We will always be available to answer any and all questions you may have.

Best of luck,

Leen Spartali & Nadine Smaoui

Topic: How Counter-Terrorism and Border Security Policies Undermine Refugee Protection

Introduction

Counter terrorism and border security policies have become defining features of modern migration control, profoundly shaping how refugees are received and processed. While governments argue that these measures are essential for preventing violent extremism and maintaining national security, their expansion has increasingly restricted access to asylum and weakened international protection frameworks. According to the United Nations High Commissioner for Refugees, more than 110 million people were forcibly displaced worldwide by 2023, yet fewer than one percent are resettled annually, reflecting the growing closure of safe and legal pathways. At the same time, UN data shows that over 60 percent of refugees remain in prolonged displacement, often trapped in transit as fortified borders and security screenings prevent them from reaching asylum systems.

The human consequences of security driven migration policies are severe. United Nations bodies have documented rising use of border pushbacks, mass detention, and accelerated screening procedures that prioritize risk prevention over individual protection needs. In 2022 alone, UN agencies reported tens of thousands of asylum seekers denied entry or returned at borders without full refugee status determination, increasing the risk of refoulement to conflict zones or unstable states. Counter terrorism legislation has also expanded information sharing, surveillance, and detention powers, frequently applied without sufficient safeguards for refugees who have committed no crime. As global displacement continues to rise due to conflict, political repression, and instability, the growing reliance on security based border control raises urgent questions about whether these policies uphold the principles of international refugee law or instead erode the right to seek asylum and the core values of human dignity and protection.

History

Border security and counter-terrorism efforts have undergone significant transformation in the past 100 years largely due to continuing international hostilities and increasing security threats. After World War II, more than 20 million people were forced to leave their homes throughout Europe, leading to the establishment of a global refugee protection regime. The 1951 Convention and Protocol Relating to the Status of Refugees defines who qualifies as a refugee and includes the obligation to adhere to the principle of non-refoulement, or returning people to places where they could be subjected to persecution. The Protocol removed the geographic and temporal limitations set out in the 1951 Convention.

In the period before 2000, during the Cold War, political considerations played a key role in how refugees were received by Western countries; often, those who fled communist rule would find themselves in Western countries as a result of strategy associated with opposing communism. However, this would drastically change in the late 20th century and early 21st century after 9/11. The emergence of increasing concerns surrounding terrorism had a major impact on how countries governed their borders around the world. In response to these concerns, governments around the world started to implement stricter visa requirements, increased surveillance, increased detention policies and increased military presence at their borders. While all of these measures were typically put in place to increase the security of the countries that put them in place, these measures also had an impact on preventing individuals from successfully seeking asylum or accessing safe pathways out or through their country.

Establishment of agencies like the U.S. Department of Homeland Security (DHS) in 2002 demonstrated that migration policy is getting more focused on security. The related developments in Europe, especially the strengthening of Frontex (European Border and Coast Guard Agency), also reflect changes to European borders with an emphasis on preventing irregular movement. This blurring of the line between refugees and security threats led to a perception of asylum seekers as risks rather than as individuals in need of protection.

Statistics show there is an increasing degree of tension between security and humanitarian obligations. After 9/11, the number of refugees admitted to the U.S. greatly decreased, and the vetting process lengthened significantly. In Europe, the EU–Turkey agreement of 2016 reoriented migration policy to emphasize containment rather than resettlement. Also, global displacement levels have reached record levels, with the UN High Commissioner for Refugees (UNHCR) reporting more than 100 million forcibly displaced people in recent years. This contrast illustrates the growing gap between states' obligations to protect and their enforcement-oriented border policies.

Historically, borders were mostly a means to control how people moved from one area to another; now due to developments in war, security and counter-terrorism (CT) policies, they have been embraced into many CT processes including biometrics, off-shore detention facilities, pushbacks at sea, and externalized asylum applications, so they are becoming commonplace and Even though CT laws and regulations have always been present, as a legitimate function of states, the historic movement of many people has not been part of the norm of CT policies until recent times.

Many believe that the border regime is contrary to the intent of international refugee law in that it restricts access to territory, which is required to make a claim for asylum.

While CT policies have an existing history, they have shifted how countries view and interact with refugees, and the balance between national security and human rights is still debated and the application of humanitarian principles established after WWII continue to go unanswered by modern border regimes.

Analysis

Counter-terrorism and border security policies are impeding asylum seekers from being able to apply for asylum and undermining overall refugee protection, despite refugee international law and humanitarian frameworks being in place. The United Nations High Commissioner for Refugees (UNHCR) has commented that the rise of migration governance as a tool of security is eroding non-refoulement, the basic principle of the 1951 Refugee Convention. While countries have a duty to ensure their national security, counter-terrorism measures are increasingly being used to blur the line respecting the distinction between refugees and "security threats," thereby creating continuing barriers that prevent asylum seekers from being able to obtain the protection to which they are entitled.

Many governments, since the 9/11 events, have greatly increased their surveillance programs and prolonged their vetting procedures, put strict travel restrictions in place, and increased border control. New agencies have also been established for instance, the U.S. Department of Homeland Security which is responsible for centralising all security operations and closely monitoring and restricting refugee entry into the country, as well as processing requests for asylum. In Europe, the strengthening of Frontex (the European Border Guard) has led to a major focus on deterrence and enforcement of borders, often resulting in 'push-back' operations and externalised processing of asylum requests outside the European Union. Many of these measures are being justified through reference to national security concerns, often denying individuals travelled into the territory of a state where they can properly apply for a place of asylum.

In addition, counter-terrorism laws in a range of countries now have very broad detainment powers, and very wide definitions of what constitutes a 'security risk'. For example, refugees can be detained without charge for long periods of time and may have limited access to legal representation, and may be deported based on potentially dubious or secret intelligence about them. These and so many other examples raise serious due process issues and issues of proportionality. The screening process for security has now also become exponentially longer and more complicated than it once was, leaving many asylum seekers floating in legal limbo for many years, separated from their families, and unable to work either legally or illegally. This makes them much more vulnerable to poverty and exploitation.

International organizations have reiterated that security measures taken must strike an equal balance with human rights. For example, the United Nations has stated that counterterrorism measures cannot be contrary to int'l refugee law, int'l human rights law or int'l humanitarian law. In its capacity as a human rights authority, the UN Human Rights Council has also expressed serious concern regarding arbitrary detention, border push back policies, and discriminatory profiling of persons from certain regions or religions. Such practices exacerbate xenophobia & perpetuate negative stereotypes that link migration & terrorism.

Extensive research continues to show that refugees are much more likely to be victims of violence than they are to actually commit a violent act. Moreover, political rhetoric often heightens fear in society, distorting public perception and serving as justification for restrictive policy making. The securitization narrative diverts decision-makers from their humanitarian responsibilities and pressures them to understand what they are doing in terms of national defense; thus undermining collective support for global solidarity and burden-sharing initiatives. Displacement has reached record-high levels; yet, restrictive borders limit safe/legal means of entry into receiving countries, thereby directing at-risk individuals toward smuggling routes which frequently result in death due to either drowning at sea or homicide at land borders.

National Security is important but policies restricting asylum access will negatively impact the core values of the international protection system (e.g. human rights). Furthermore, counterterrorism strategies that violate Human Rights, create distrust in international institutions and lead to the erosion of humanitarian principles established after WWII. Moving forward, there needs to be compliance between Security Measures and Refugee Law in order to prevent further erosion of protection standards.

Current Situation

Counter terrorism and border security policies currently play a decisive role in shaping refugee protection systems, often restricting access to asylum rather than enhancing safety. As of 2023, the United Nations High Commissioner for Refugees reported a record 110 million forcibly displaced people worldwide, including over 36 million refugees. Despite this, access to asylum has narrowed as states rely more heavily on security driven entry controls. UN data indicates that fewer than 1 percent of refugees are resettled each year, while millions are blocked by visa restrictions, carrier sanctions, and externalized border controls linked to counter terrorism measures. In several major transit regions, UN agencies estimate that hundreds of thousands of asylum seekers annually are prevented from reaching formal asylum procedures due to intensified border enforcement and security screening.

Security based approaches have also reshaped asylum processing and detention practices. According to UN and International Organization for Migration reporting, tens of thousands of asylum seekers are detained globally at any given time, often under administrative or security justifications rather than criminal charges. In some regions, detention rates for newly arrived asylum seekers have increased steadily since 2015, despite international standards that detention should be a last resort. Border monitoring mechanisms documented thousands of pushback incidents each year, where individuals seeking asylum were denied entry or summarily returned without individual assessment. These practices significantly increase the risk of refoulement, particularly for refugees transiting through countries lacking effective protection systems.

Financially, governments continue to prioritize enforcement over protection. UN and independent policy analyses show that states collectively spend tens of billions of dollars annually on border walls, surveillance technologies, detention facilities, and security cooperation agreements with third countries. By contrast, global funding for refugee protection and resettlement consistently falls short, with UN humanitarian appeals for refugees remaining less than 60 percent funded in many recent years. This imbalance leaves millions of refugees stranded in prolonged displacement, with UNHCR estimating that over 60 percent of refugees live in protracted situations lasting five years or more, often in border regions or transit states under severe humanitarian strain.

The social and human consequences remain severe. UN reports indicate that millions of refugee children are affected by border closures and restrictive security policies, with many lacking access to education, legal status, or stable housing. Family separation has increased as security based entry bans and prolonged screening delay reunification for years. While international refugee law, including the principle of non refoulement, remains legally binding, UN bodies and human rights organizations warn that its application is increasingly undermined by broad counter terrorism justifications. As displacement continues to rise due to conflict, political repression, and climate related pressures, the current reliance on security centered border policies presents a growing challenge to refugee protection and raises serious concerns about the erosion of international humanitarian obligations.

Questions a resolution must address

- 1. To what extent do counter-terrorism and border security policies restrict access to asylum procedures, and how can a resolution ensure full compliance with the right to seek asylum and the principle of non-refoulement?*
- 2. How do expanded security-based exclusion clauses and terrorism-related admissibility standards risk undermining individualized refugee status determination, and what legal safeguards must be mandated to prevent overbroad or unjust denial of protection?*
- 3. In what ways do externalized border controls, including third-country transfers, offshore processing, and joint interception operations, dilute state accountability for refugee protection obligations, and how should responsibility-sharing be structured to prevent protection gaps?*
- 4. How do detention, accelerated screening, and enhanced surveillance measures implemented under counter-terrorism frameworks impact due process, proportionality, and humane treatment standards for asylum-seekers?*
- 5. What accountability and oversight mechanisms should be established to ensure that counter-terrorism and border security measures do not disproportionately target specific national, ethnic, or religious groups, thereby violating the principle of non-discrimination within refugee protection systems?*

Starter Resources

- *Preventing Terrorism and Countering Violent Extremism and Radicalization That Lead to Terrorism: A Community-Policing Approach.*
- *UNHCR, the UN Refugee Agency. UNHCR INTERNATIONAL PROTECTION.*
- *Homeland Security and the European Security Strategy*
- *SFI Counterterrorism and the United Nations Security Council Since 9/11 Moving Beyond the 2001 Paradigm*
- *The Protection of Critical Infrastructure Against Terrorist Attacks*

Country Matrix

Arab Republic of Egypt - Democratic People's Republic of Korea - Federal Democratic Republic of Ethiopia - Federal Republic of Germany - Federal Republic of Nigeria - Federal Republic of Somalia - French Republic - Hellenic Republic - Islamic Republic of Afghanistan - Islamic Republic of Iran - Islamic Republic of Pakistan - Italian Republic - Kingdom of Spain - Kingdom of Sweden - Lebanese Republic - People's Republic of China - Republic of Canada - Republic of Hungary - Republic of Iraq - Republic of Korea - Republic of Poland - Republic of Rwanda - Republic of South Africa - Republic of Sudan - Republic of Türkiye - Russian Federation - State of Libya - State of Palestine - Syrian Arab Republic - Tunisian Republic - United Arab Emirates - United Kingdom of Great Britain and Northern Ireland - United Mexican States - United States of America

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