STUDY GUIDE

UNHRC

United Nations Human Rights Council

Universidad de Navarra | FACULTAD DE DERECHO

University of Navarra
UNMUN
Model United Nations

WELCOME TO UNMUN 2026!

Dear Delegates,

It is our utmost pleasure to welcome you to the University of Navarra Model United Nations 2026, and to the Human Rights Council. The committee's leadership is composed of the President, Cristina Rodríguez-Villanueva (fifth year Law and International Relations student), the Vice President, Margarita Cabreza (fourth year International Relations student), and the Secretary, Leire Solórzano (third year International Economics and Finance student).

UNMUN'26 will take place from February 5th to 7th, and the Human Rights Council's debate will focus on two key issues that are more relevant now than ever before. The first topic, upholding the principle of non-refoulement and ensuring durable solutions, is not explicitly outlined in the Universal Declaration of Human Rights (UDHR), but implied across several of the core tenets, including the right to seek asylum (article 14.1), and the right to life, liberty and security (article 3). It is also the core principle of the 1951 Refugee Convention, where the basic minimum standards for the treatment of refugees are outlined, while also clearly stating a set of guidelines regarding the refugees' obligations to the host country. The second topic, protecting human rights in armed conflicts and addressing international humanitarian law violations, is particularly crucial in highlighting the importance of not limiting human rights to time of peace, and ensuring these transgressions are not left unaddressed. In its Preamble, the UDHR emphasizes the "equal and inalienable rights of all members of the human family," and goes on to explain how disregarding these has caused "barbarous acts." As such, the human rights set out in the UDHR are expected to be protected at all times. This is intrinsically linked to international humanitarian law (IHL), which seeks to limit the effects of armed conflict by protecting those not directly involved in the ongoing hostilities.

Throughout the conference, it is the Chairs' aim to facilitate productive debate regarding the chosen topics as they highlight the focus needed to protect the vulnerable in our rapidly changing world. With the conference fast approaching, the Dais expects the delegates to investigate the topics with enough depth to be able to collaborate and cooperate towards a well-prepared and balanced debate that will result in effective international solutions to global problems. We also expect delegates to conduct themselves in a diplomatic manner, follow the conference's guidelines, and fulfill their commitments to this committee.

The Dais is more than willing to help at any point, be it before or during the conference, to answer any questions the delegates may have and give feedback regarding their performance as we embark on this journey together. It is a wonderful and unique learning opportunity, as well as a great way to enjoy and meet new people; we truly hope you make the most of it.

Alongside this letter, you will find a brief explanation of the committee and the Study Guide, which will provide some background information on the aforementioned topics, as well as suggested readings, key terms and further explanatory material that will certainly aid each delegate in upholding the ideals of the United Nations Human Right Council throughout your investigation. We encourage you to be curious and enthusiastic in your research as the information provided by the Dais should be used as a foundational starting point rather than a rigidly extensive manual for the conference.

Once again, welcome to the Human Rights Council. We look forward to meeting you and engaging in a fruitful debate throughout the conference. If there is anything we can do to help, please do not hesitate to reach out!

With every great wish,

Cristina Rodríguez-Villanueva de Torres (President)
(crvillanueva@alumni.unav.es; +34 659 11 47 06)

Margarita Cabreza Gonzales (Vice President)
(mcabrezagon@alumni.unav.es; +34 685 93 46 86)

Leire Solórzano Pérez (Secretary)
(lsolorzanop@alumni.unav.es; +34 688 82 68 64)

About the Committee:
United Nations Human Rights Council

The United Nations (UN) Human Rights Council (HRC) was established by the General Assembly (GA) in 2006 with the aim of protecting and promoting human rights worldwide. It is made up of 47 member states, which are elected for three-year terms by the GA's 193 member states in a direct and individual manner. Elections take place every year to renew a third of the members, with the seats being distributed equitably amongst the UN's five regional groups (African States, Asia-Pacific States, Eastern European States, Latin American and Caribbean States, and Western European and other States). Member states can only serve two consecutive terms at a time.

The Council's leadership is held by the Bureau, which is composed of a president and four vice presidents to represent each of the regional groups, with each serving a year long term. The President, who is elected by the members themselves, remains neutral as he chairs the meetings to ensure the Council carries out its activities respectfully. They also work towards coordinating and communicating with the different ongoing missions, and play a key role in building trust in the HRC's efforts through diplomacy. The vice presidents' main role is to support the President as they carry out their duties. Overall, the Bureau is responsible for all Council-related organizational and procedural matters that may arise, including correspondence with its member states.

The Human Rights Council's meetings are held at the United Nations Office in Geneva (UNOG). The Office of the High Commissioner for Human Rights (OHCHR) provides key support, such as technical, substantive and secretariat. Since its creation in 2006 to replace the United Nations Commission on Human Rights, over 50 regular sessions have been held, more than 35 special ones, as well as nine urgent debates, with nearly 1,500 resolutions adopted and 123 of the United Nations' 193 member states serving on the Council. The Human Rights Council carries out a wide variety of tasks, including adopting resolutions and decisions conveying the international community's opinion on certain issues during regular sessions, holding special sessions when a sudden human rights crisis occurs, as well as assigning experts to monitor specific situations, and reviewing each of the 193 member states' human rights records through the Universal Periodic Review. In certain situations, such as those of systematic human rights violations, the UNGA may take a vote to suspend a state's HRC membership. The Human Rights Council operates through its five main bodies, the investigations it mandates, designated experts, as well as intergovernmental working groups, forums, and expert mechanisms.

Topic A:

Upholding the Principle of Non-Refoulement and Ensuring Durable Solutions for Syrian Refugees in the Aftermath of the Regime Change

I.   INTRODUCTION

The Principle of Non-Refoulement protects individuals from being forcibly removed to a country where they risk facing ill-treatment. While states have the sovereign right to control the entry and residence of foreigners within their territories, they also carry the obligation to refrain from deporting anyone to a country where they may face persecution, torture, or inhumane treatment. This principle stands as a cornerstone of humanitarian and international law, reflecting a fundamental commitment shared across various international legal instruments. It is a common feature of refugee law, humanitarian law, and human rights law, forming the basis for the global protection of vulnerable individuals seeking safety.

This is not just a conventional obligation but has become customary international law, and under the current doctrine and the UNHCR Executive Committee (Conclusion No. 79, 1996; No. 81, 1997; No. 99, 2004), it is a peremptory norm (jus cogens). Its protection goes beyond the classic refugee definition and extends to any person who would face a real risk of irreparable harm-persecution, torture, cruel, inhuman or degrading treatment, or serious threats to life or freedom due to indiscriminate violence in situations of armed conflict (art. 15(c) EU Qualification Directive).

In addition, non-refoulement is applied extraterritorially whenever a State exercises effective control or authority over a person, whether on the high seas - Hirsi Jamaa v. Italy, ECtHR 2012 - or in international airport zones or through bilateral interception agreements. In this way, the principle acts as a firewall against externalization policies that seek to avoid responsibility by transferring asylum seekers to third countries with low protection standards.

Finally, non-refoulement is the essential condition for the three traditional durable solutions, that is, voluntary repatriation, local integration and resettlement, and for the new approaches within the Global Compact on Refugees (2018): without a rigorous respect for the principle of non-refoulement, no solution can be either safe or sustainable.

II.   KEYWORDS/KEY CONCEPTS

Refugees
A person who has escaped from their own country for political, religious, or economic reasons or because of a war (Cambridge Dictionary, n.d.)

Asylum seekers

An asylum seeker is an individual who asserts that they are a refugee but whose application has not yet been assessed. They request asylum based on the risk that returning to their home country would expose them to persecution due to their race, religion, nationality, or political opinions (Habitat for Humanity, 2016).

Schengen Migration Policies

Within the Schengen Area, these policies address the balance between freedom of movement and effective border management and security measures.

Legal Instruments

Key legal frameworks include the Visa List Regulation, the Schengen Borders Code, the SIS Border Checks Regulation, the Sea Borders Regulation, and relevant articles of the Treaty on European Union (Mariani, 2024).

III. HISTORICAL BACKGROUND

The 1951 Refugee Convention and its 1967 Protocol codified the Principle of Non-Refoulement, which had already been observed by many states before the adoption of the convention.

Article 33 of the Convention clearly establishes that no refugee should be expelled or returned to a territory where their life or freedom would be threatened due to factors such as race, religion, nationality, membership of a particular social group, or political opinion. This principle is now widely recognized as part of customary international law, meaning it applies to all states regardless of treaty ratification. The drafting history of the Convention highlights how central non-refoulement was to its creation. Negotiations following World War II reflected both universalist and European perspectives shaped by the trauma of persecution and displacement. Although states disagreed on the scope of the obligation, Article 33 emerged as a fundamental protection for refugees.

The immediate antecedent was the forced repatriation of over two million people to the Soviet Union between 1944 and 1947, including Cossacks and "displaced persons", under the Yalta agreements, many of whom were executed or sent to the Gulag. These events generated a consensus that "never again" would people be returned against their will to territories where their lives were in danger.

This principle was subsequently extended beyond refugee law: the 1984 Convention against Torture (art. 3) sets an absolute prohibition, with no exceptions being allowed, not even for motives of national security. The same absolute character was recognized by the ECtHR (Chahal v. United Kingdom, 1996) and by the Human Rights Committee (General Comment 31, 2004) with respect to articles 6 and 7 of the ICCPR.

In more recent years, global security measures particularly after the events of 9/11, have challenged the application of non-refoulement. Practices such as the United States "extraordinary rendition" program involved transferring suspects to other countries for interrogation, often where there was a real risk of torture or ill-treatment. These actions, carried out with the cooperation of other governments, have raised serious concerns about violations of the prohibition against refoulement and the need for stronger diplomatic safeguards against torture and inhumane treatment.

The principle has faced new challenges since 2015, derived from the instrumentalisation of migration - Belarus-Poland 2021 - from the systematic practice of pushbacks and pullbacks in the Mediterranean and on the Balkan route, and from the proliferation of externalisation agreements - EU-Turkey 2016, Italy-Libya 2017-renewed 2023, UK-Rwanda 2022-2024 - finally abandoned - EU-Tunisia 2023, EU-Mauritania 2024, EU-Egypt 2025. In the last five years alone, dozens of interim measures and condemnatory judgments were issued by the European Court of Human Rights and the UN Committee against Torture, confirming that these practices amount to serious and systematic violations of non-refoulement.

At the same time, the EU Pact on Migration and Asylum, adopted in May 2024 and entering into force in 2026, introduces obligatory border procedures with automatic detention and the concept of a "safe third country" with minimal guarantees, described by UNHCR as "structurally incompatible" with the absolute character of non-refoulement (June 2024), as well as by the Council of Europe Commissioner for Human Rights (September 2024).

By November 2025, over 117 million people were forcibly displaced worldwide, and the principle of non-refoulement remains the ultimate guarantee that none of them will be returned to persecution, torture, or death. Its defence is therefore not only a legal obligation but the most concrete expression of the promise "Never Again" after the horrors of the twentieth century.

IV.   CURRENT SITUATION

The UNHCR Statute and key treaties such as the International Covenant on Civil and Political Rights (ICCPR) and the Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment form the basis for the international protection of refugees, concluding with an analysis of the protection of particularly vulnerable groups, especially women and children.

In recent years, there has been a significant increase in the number of immigrants and international protection seekers across several States. By the end of 2013, 51.2 million individuals were forcibly displaced worldwide due to war, persecution, generalized violence, or human rights violations. Europe alone received over 398,234 asylum claims in 2013, marking a 32 percent increase compared to 2012. Germany recorded the highest number of individual applications with 109,580, followed by France, Sweden, Turkey, the United

Kingdom, and Italy. Moreover, in the same year, 128,902 individuals were denied entry at the EU's external borders, with 50,054 refused for lacking a valid visa or residence permit.

To manage this growing influx, States have implemented measures aimed at controlling the entry of foreigners into their territories, including the interception of vessels suspected of carrying immigrants, visa requirements combined with carrier sanctions, the creation of international zones at airports, and assistance to local authorities in identifying false documents.

The principle of Non-Refoulement has also gained considerable attention in recent years, particularly due to the increasing threat of international terrorism.

V.   MAIN ACTORS/STAKEHOLDERS

The European Union (EU)
Plays a significant role in refugee and asylum issues, as it receives the highest number of asylum seekers and immigration cases globally. Its policies and decisions have a major impact on how protection and integration measures are implemented across member states.

The United Nations High Commissioner for Refugees (UNHCR)
Guided by Article 2 of its mandate, the organization is central in coordinating international efforts to protect refugees and ensure their rights are respected.

United Nations Committee Against Torture (ComAT)
Under Article 3, works to prevent the return of individuals to countries where they risk torture or ill-treatment, reinforcing the principle of non-refoulement.

Special attention is given to refugees and asylum seekers, particularly women and children, who are among the most vulnerable groups.

Finally, international organizations such as the International Red Cross Society and the International Organization for Migration (IOM) play a vital role in humanitarian assistance, emergency response, and the promotion of safe migration practices.

VI.   CASE(S) STUDY

Principle of Non-Refoulement and Its Limits in the Context of Conflicts in Syria and Ukraine
This study focuses on the situations in both Syria and Ukraine, which have significantly influenced European Union refugee policies. Based on the legal framework of the Principle of Non-Refoulement, it was revealed that disparities and perceptions of racial bias exist. The activation of the Temporary Protection Directive (TPD) in response to the Ukrainian crisis illustrates how such perceptions of bias can shape policy implementation. In contrast, the

Syrian situation highlights the complexity of ongoing debates over safety assessments and the declining acceptance of refugees in certain countries. These developments pose security concerns that have led to the categorization of refugees, actions that must strictly adhere to International Law (IL) and norms.

Gaps in Protection for West African Migrants in Times of Crisis: Role of Multi-Stakeholder Platform Within a Partnership in Preparedness Model

This study focuses primarily on Ghana and explores the potential of establishing a national protection platform to safeguard the rights of predominantly West African migrants. It identifies three main phases of disaster management: the pre-disaster phase (prevention and migration), the disaster phase (response), and the post-disaster phase (recovery).

The National Platform for the Protection of Migrants in Crisis (NPPMC Platform) was initiated in Ghana in 2018 under the Migrants in Countries in Crisis project. Its goal was to propose improvements to existing frameworks, models, and conventions related to the protection of migrants' rights during crises. The model was developed through methodologies, particularly multi-stakeholder dialogues. After three national workshops held in June, October, and December 2018, with representatives from government ministries, intergovernmental organizations, civil society, and academic institutions. The NPPMC Platform was officially launched. Our analysis indicates that this platform approach could be successfully applied in other parts of Africa, as it complements existing international efforts through a public-private partnership model.

Third Country Processing Regimes and the Violation of the Principle of Non-Refoulement: A Case Study of Australia's Pacific Solution

This study examines how Australia's strict external processing system may breach the Principle of Non-Refoulement, which protects individuals from being sent to places where they could face harm. Through agreements with Nauru and Papua New Guinea, Australia has outsourced the full processing of asylum claims to these developing countries.

Australia's history demonstrates a pattern of disregarding the Principle of Non-Refoulement. The country's rigid immigration policies are shaped by early influences of nationalism, racism, and fear of outsiders that have deeply affected both its political culture and government practices. Since domestic courts have shown limited action in addressing these issues, many experts argue that the International Criminal Court (ICC) could provide a viable mechanism for holding Australia accountable.

Topic B:

Protecting human rights in armed conflicts and addressing international humanitarian law (IHL) violations

I.   INTRODUCTION

In today's world, where armed conflicts in many regions continue producing mass civilian casualties and widespread human rights violations, the need to uphold international humanitarian law and protect human dignity has never been more urgent. Can human rights be considered universal if vanished during times of war? The Universal Declaration of Human Rights emphasizes that such rights must be upheld at all times. In spite of that, violations often go unpunished, raising concerns about accountability and the actual enforcement of human rights in conflict zones. The protection of human rights during armed conflicts and the analysis of how violations of international humanitarian law challenge the universality of these rights is investigated by the delegates.

The complexity of modern armed conflict, characterized by the participation of non-statistical stakeholders, the use of advanced technology and the proliferation of asymmetric tactics, have intensified the challenge to guarantee the proper compliance of IHL. The established laws in the Geneva convention and other International treaties aim to limit human suffering as much as possible, demanding that the parts of the conflict respect principles such as, the principles of distinction, proportionality,.. But, reality reveals a terrifying setting: forced displacement, torture, indiscriminate attacks against civilians, and other atrocities remain common. These violations don't only affect direct victims, but also put into question the International Human Rights protection system's efficiency and the current sanction and supervision mechanisms.

The lack of political will and the different interests between States slow and obstacle the implementation of effective measures that address violations. Organisms like the International Criminal Court (ICC) and UN's peace missions play a crucial role, but face significant limitations like insufficient resources or the lack of universal jurisdiction. This study guide also analyses how civil society, non gubernamental organizations and grassroots movements can play a complementary role in promoting accountability and protecting human rights.

With these, we not only aim to identify and understand the aforementioned challenges, but to identify strategies that help protect human rights in armed conflict, ensuring that the universality of these rights is not only a goal, but a tangible reality.

II.   KEYWORDS/CONCEPTS

International Humanitarian Law (IHL)
The body of law that regulates conduct in times of war, including Geneva Conventions and Additional Protocols.

International Human Rights Law (IHRL)
Protects fundamental rights all times, though some rights can be derogated in emergency situations.

The Universal Declaration of Human Rights (UDHR)
The UDHR is a historic document that outlines the rights and freedoms everyone is entitled to. It was the first international agreement on the basic principles of human rights.

Principle of Distinction
Requires parties to distinguish between civilians and combatants.

Principle of Proportionality
Prohibits attacks that cause excessive civilian harm relative to the expected military advantage.

III.   BACKGROUND/HISTORICAL CONTEXT

The origin of IHL takes us back to 1859 right after the Battle of Solferino –an incredibly bloody battle that left around 40.000 casualties– which inspired Henri Durant to create the Red Cross and the Geneva Conventions with their first session being held in 1864. Since then these rules have evolved into the 1949 Geneva Conventions followed by Additional Protocols in 1977, which remain as the basis of humanitarian protection during war.

Concurrently, IHRL was developed after World War II, responding to the numerous human rights abuses that took place during the war. Their law-making started with the UDHR in 1948, adopted by the UN General Assembly, establishing the bases of fundamental rights and freedoms for all people.

Despite being separate bodies of law, both IHL and IHRL overlap when it comes to civilian protection. They share common principles like the right to life, prohibition of torture and the protection of civilians. Both are based in international treaties and customary law, holding states and individuals accountable for violations.

IV.   CURRENT STATUS OF THE TOPIC

In the current situation the world is living in, the protection of human rights in armed conflict is a pressing concern that demands urgent international attention. Despite the existence of various legal frameworks that "regulate" violations of said rights, contemporary armed conflicts continue to display widespread acts of violence against civilians and disregard for fundamental rights.

Although most states are bound by the International Covenant on Civil and Political Rights (ICCPR) and the Geneva Conventions are universally ratified, compliance is still uneven, especially in long-running conflicts or when state sovereignty and security interests are used as excuses for deviations.

More than 110 million people are forcibly displaced globally as of 2023, according to the UN, which is the highest number ever recorded. The primary cause of displacement is still armed conflict.

The ICRC reports that over 70% of casualties in contemporary conflicts are non-combatants, indicating a failure to uphold the principles of distinction and proportionality, putting civilian populations at the highest risk. Targeting medical facilities, civilian infrastructure, and aid workers has increased frighteningly, undermining both human rights protections and IHL commitments.

V. MAIN ACTORS/STAKEHOLDERS

International Committee of the Red Cross (ICRC)
The ICRC is the principal guarantor of International Humanitarian Law. Its role consists of ensuring the Geneva Conventions are functioning correctly, assisting victims and maintaining a neutral position and dialogue between the different parts of the given conflict. Its influence relies on its humanitarian access and its moral authorities, even though they are often criticised for their lack of publicly reporting serious abuses.

United Nations (UN)
The UN intervenes throughout the Security Council, the UNHRC and the UN Security Council, focusing on peace missions, monitoring and violation reports. It has pushed resolutions about civilian protection and the responsibility to do so, but its efficiency is often limited by vetos and the lack of consensus between member states.

United Nations Children's Emergency Fund (UNICEF)
UNICEF plays a crucial role in the protection of children in armed conflict, focusing on ensuring medical attention, nutrition, education and psychological support. They work to guarantee children's rights, also focusing on child recruitment, displacement, access to drinking water and sanitation in conflict areas.

World Health Organization (WHO)
WHO tackles medical emergencies in conflict areas, guaranteeing access to medical attention, vaccines and mental health support services. Supports hospitals, medical workers, monitors attacks on healthcare infrastructure and coordinates health emergency responses.

UN World Food Programme (WFP)

WFP is a vital resource to guarantee alimentary assistance to areas affected by armed conflict. They tackle extreme hunger and malnutrition, giving out emergency food relief, nutritional support, and the required logistics to guarantee humanitarian access in difficult areas, often in collaboration with other UN agencies.

Office for the Coordination of Humanitarian Affairs (OCHA)

Coordinates humanitarian responses during conflicts, ensuring an effective help drop off with the collaboration of ONU, NGOs and other actors.

States

These are the main actors and the ones responsible for maintaining respect and applying IHL and IHRL. Some are directly responsible for violations (such as blocking humanitarian aid or direct attacks to civilians), while others influence through military or diplomatic support. Their political and military power makes them the Main Actors of these conflicts, but also the most doubted ones due to their lack of action during certain conflicts.

Doctors Without Borders (DWB)

DWB provides medical assistance to people affected by conflict, often reaching areas other organizations can't reach. They fight for humanitarian access to basic medical aid, and condemn violations against medical workers and infrastructure.

Other Important NGOs that take part in helping civilians during armed conflict are: Human Rights Watch (HRW), Oxfam, Amnesty International, International Rescue Committee,...

Private Companies

They can influence armed conflict through the supply of armament, infrastructure or extraction of resources in conflict zones. Their role is controversial; some companies contribute to the prolongation of the conflict while others support humanitarian efforts through financing or logistics.

Means of Communication

These are also important stakeholders as they are the ones who handle public perceptions and can showcase and generate conscience about IHL violations. Live coverage of conflict can influence the states involved in the conflict to act.

Civil Society Organizations:

Both local and international organizations advocate for peace and bring support to people in conflicted areas. They often act as a bridge between affected communities and international actors, giving a voice to affected locals.

VI. CASE STUDY

Israel - Hamás conflict in Gaza (2023-Present): An example of systematic violations and humanitarian crisis.

This case showcases an asymmetric prolonged conflict where Israeli military operations as a response to the Hamás attack on October 7th 2023, have resulted in a genocide and inexplicable war crimes, with a devastating impact towards the Palestinian population. Aside from the destruction of essential infrastructure like hospitals and schools, it is estimated that more than 66.000 civilians (and counting) have died since the conflict started, including a high number of children, reporters and humanitarian workers. The international community has documented blocks to humanitarian help (generating mass starvation), disproportionate use of force, violations to basic human rights (like the non-existent distinction between soldiers and civilians). This case is the perfect example of inaction from the institutions and states that can stop the conflict but have not yet helped the suffering Palestinian population.

The Russian invasion to Ukraine (2022-Present): Challenges in civilian protection and accountability.

This case represents a high-intensity interstate conflict where the Russian invasion has generated thousands of civilian victims, with systematic torture patterns, extrajudicial executions and sexual violence against Ukrainian prisoners in occupied territory. Since 2022, there have been reports of more than 10.000 civilian casualties, the destruction of entire cities and the use of coal mines that prevent the return of Ukrainian refugees to their homes (around 6 million people). Unlike Gaza, Ukraine has seen some progress thanks to international support, but there's still flaws in the prevention of Russian war crimes, like bombings of civilian infrastructure. This case invites proposals about the role of hybrid councils and huge economic sanctions to dissuade future aggressions.

The Civil War in Sudan (2023-Present): Humanitarian collapse and ethnic violations.

This case exemplifies a fragmented internal conflict between the Sudanese Armed Forces and the Raid Support Forces. Starting in April 2023, has caused one of the worst humanitarian crises to this date, with more than 15.000 civilian casualties, 10 million displaced people and confirmed starvation in Darfur camps. Both parties have taken part in atrocious acts like ethnic cleansing, civil attacks and aid blocks, violating human rights with aggravated impunity following the violence cycle. These cases arise debates about religious interventions and humanitarian funds aimed at crime investigation in hopes of preventing similar state collapses.

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