

# UNHCR's mandate for refugees and stateless persons, and its role in IDP situations

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## Key points

- Be clear about the nature of the people with and for whom UNHCR works. Are they refugees, asylum-seekers, stateless persons, returnees, internally displaced persons (IDP), or none of these? This is particularly important in mixed refugee and IDP situations.
- Be clear about UNHCR's mandate responsibilities, and communicate accordingly to all relevant stakeholders.
- Understand the mandates of other humanitarian actors, as well as the obligations and responsibilities of the Government authorities.
- Identify the most suitable and appropriate coordination arrangements in accordance with the Refugee Coordination Model (RCM) and other applicable policy.

## 1. Overview

UNHCR's mandate is the (legal) basis for UNHCR's activities and the rationale for its existence. It informs **what** UNHCR is supposed to do, **how** and for **whom**.

The primary source of UNHCR's mandate is its Statute adopted by the United Nations General Assembly (UNGA) in 1950, further expanded through subsequent, particularly, UNGA resolutions. UNHCR's mandate is also embedded in international treaties and other instruments. UNHCR is a subsidiary organ of the UNGA, acting under its authority. UNHCR's mandate is non-political, humanitarian and social in character. Since 2003, UNHCR's mandate continues till the refugee problem is solved.

UNHCR's mandate comprises refugees, including asylum-seekers and refugees returning to their country of origin (returnees), stateless persons and internally displaced persons.

UNHCR is mandated to **provide international protection to refugees** and **seek permanent solutions** for their problems. Its functions include a broad advocacy role, promoting accessions and supervising the application of legal instruments, ensuring access to rights and services and inclusion in State systems, as well as a coordination role and providing protection and assistance on the ground to asylum-seekers, refugees and returnees.

UNHCR is also mandated to **identify, prevent and reduce statelessness** and **protect stateless persons**. This includes stateless refugees and in situ stateless persons who remain in their country of birth or habitual residence without a nationality, as well as persons of undetermined nationality and persons at risk of statelessness. The work includes the collection and analysis of data, law and policy reform, broad advocacy and active protection and assistance on the ground.

UNHCR's mandate vis-à-vis **internally displaced persons** was initially done on a case-by-case basis, whereby UNHCR's involvement was conditioned on State consent, humanitarian access and coordination with other agencies. Currently, UNHCR's involvement is largely defined by the inter-agency coordination approach by the Inter-Agency Standing Committee, with UNHCR assuming a leadership role for protection and co-leadership for camp coordination and camp management.

## 2. Relevance for emergency operations

UNHCR's refugee mandate applies in both emergency and non-emergency situations, including in mixed movements, i.e. situations involving asylum-seekers and refugees as well as migrants. The refugee mandate also applies both in camp and outside camp settings. In short, UNHCR has a mandate with respect to refugees and asylum-seekers where and how ever they are located.

All humanitarian (but also development) actors as well as States need to be aware of UNHCR's role, as defined by its mandate. This ensures a common understanding of organisational responsibilities and accountabilities, including in emergency settings. It also helps to clarify UNHCR's role, how it works in the humanitarian system, and the direct relationship it needs to maintain with Government authorities on refugee matters. UNHCR's authority reposes also on the quality, impact and credibility of its actions in the field, and on the diplomatic and advocacy skills of its staff.

The Inter-Agency Standing Committee (IASC), under the leadership of the Emergency Relief Coordinator, has set out agreed arrangements for global and country leadership, advocacy and coordination responsibilities in response to humanitarian crises. UNHCR's engagement in these, and in particular with IDPs, is a natural complement to its mandate for refugees and stateless persons, and vice versa. Where a UNHCR-led refugee response is also underway in complex humanitarian emergencies, it will be especially important to ensure streamlined, complementary and reinforcing leadership and coordination between the IASC coordination and UNHCR's refugee coordination.

## 3. Main guidance

## 1. Nature of the Mandate

### Legal basis

UNHCR was established by the United Nations General Assembly (UNGA; resolution 319 (IV) of 3 December 1949), acting under its authority possessing a degree of independence and prestige required to perform its duties effectively and with moral authority.

The primary source of UNHCR's mandate is the **Statute** adopted in 1950 by the UNGA (resolution 428 (V) of 14 December), outlining that UNHCR shall provide **international protection** to refugees and, together with Governments, seek permanent **solutions** to their problems (paragraph 1).

UNHCR's mandate is further expanded in various **UNGA resolutions** and **international treaties and other instruments** related to refugees, stateless persons and internally displaced persons, most notably the 1951 Refugee Convention, its 1967 Protocol, the 1969 OAU Convention Governing the Specific Aspects of Refugee Problems in Africa and other regional refugee instruments; and the 1954 Convention relating to the Status of Stateless Persons and the 1961 Convention on the Reduction of Statelessness.

For IDPs, UNHCR's engagement was since the 1970s shaped through UNGA resolutions, initially on a case-by-case basis, followed by a broader recognized by the UNGA in 1992 (resolution GA res. 47/105, 16 December 1992, para. 14) and setting up criteria for such involvement in 1993 (GA res. 48/116, 20 December 1993, para. 12). The 2005 humanitarian reform and the [Cluster Approach](#) designated UNHCR as the lead for protection, shelter, and camp coordination and camp management in conflict settings, a role later affirmed by the General Assembly in 2006.

### Non-political, humanitarian and social character

UNHCR's mandate is non-political (that is, impartial), humanitarian and social in character (paragraph 2 of the Statute). As such, the High Commissioner and his or her staff must refrain from statements or any other activities that actively take or could be perceived to take political positions. (See also UNHCR, **Code of Conduct**, commitment 3: avoid conflict of interests and preserve and enhance public confidence in UNHCR.)

### Exclusivity

UNHCR's mandate concerns a legally defined group of people (see below on personal scope) and covers all aspects of their wellbeing. This extends to seeking to ensure that refugees and stateless persons enjoy the widest possible exercise of their human rights (see the Preambles of the 1951 Refugee Convention and the 1954 Statelessness Convention), as well as securing durable solutions for refugees and preventing and reducing statelessness.

Bound by legal instruments and UN resolutions, UNHCR's mandate is 'non-transferable'. This means that in stand-alone refugee or mixed movement situations accountability for refugees, asylum-seekers and stateless persons cannot be transferred or delegated to another UN entity or actor.

Apart from UNHCR, the only other UN refugee agency is the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA), which has a specific mandate to provide assistance and protection to 1948 Palestine refugees, and 1967 displaced persons, and their descendants, in five geographical areas of operation (Gaza, the West Bank including East Jerusalem, Lebanon, Jordan, and the Syrian Arab Republic). Outside these geographical areas, UNHCR has responsibility for Palestinian refugees.

## **Coordination**

The coordination of protection, assistance and solutions is inherent to UNHCR's refugee mandate and derives from the High Commissioner's responsibility to ensure that individuals receive international protection from the time they become refugees until they find a solution.

UNHCR is at the centre of the international refugee response system, including in respect of coordination functions, but is empowered to 'invite the co-operation of the various specialized agencies' to assist the organization, and to administer funds received to assist refugees.

The High Commissioner has a global mandate for refugees regardless of their location (camp, rural dispersed or urban settings), in emergency, non-emergency situations and during mixed movements. Effective exercise of UNHCR's mandate both presupposes, and is underpinned by, an obligation of States to cooperate with him or her and his or her Office, and acknowledges the High Commissioner's role in the 'effective coordination of measures taken to deal with this problem' [the refugee problem].

## **UNHCR's Refugee Coordination Model**

UNHCR's Refugee Coordination Model (RCM), issued in December 2013, provides a framework for leading, coordinating and delivering refugee operations and consolidates coordination practices with the goal of achieving the best possible protection of and assistance to refugees. The RCM:

- Outlines UNHCR's role and responsibilities in refugee operations and mixed displacement situations.
- Provides an inclusive platform for planning and coordinating refugee operations.
- Clarifies modes of coordination in relation to broader humanitarian coordination structures, including the cluster system of the Inter-Agency Standing Committee (IASC).

Under the overall leadership of the host Government, partnership-based and inclusive coordination is a pre-condition for an effective refugee emergency response operation. Effective coordination and leadership have a direct impact on the delivery of protection and assistance to refugees. By articulating UNHCR's coordination role, the RCM reaffirms the integrity of the mandate and UNHCR's tradition of leadership on refugee protection.

## **2. Material Scope**

Overall, UNHCR's work is to promote and provide protection and humanitarian assistance as well as ensure inclusion in State systems and to seek durable solutions for forcibly displaced and stateless persons.

For refugees, standard functions include registration, status determination, issuance of documents to persons under UNHCR's mandate, law reform, advocating for access to rights, protection programming, relief distribution, emergency preparedness, special humanitarian activities and broader development work to ensure functional State systems across multiple sectors.

An integral element of the core mandate is the High Commissioner's responsibility to supervise the application of refugee protection instruments. In addition, States parties to the 1951 Refugee Convention, 1967 Protocol and the 1969 OAU Convention have a duty to cooperate with UNHCR, particularly regarding its supervisory responsibility and, among other things, provide UNHCR with information and statistical data on the treatment of refugees. UNHCR fulfils this responsibility through, for example, advocacy, legislative and judicial engagement, public information, capacity-building and technical assistance, either independently or through partners.

Registration and status determination are key functions, because UNHCR is authorized to declare which individuals or groups come under its core refugee mandate. This exercise of the mandate makes clear to other external actors, including host Governments, the High Commissioner's international protection interest in and responsibilities towards such persons.

UNHCR recognizes refugees in a myriad of ways, including through individual procedures and in certain circumstances declaring groups to be refugees on a **prima facie** basis.

UNHCR plays a leading role, collaborating with States and other partners, to promote, facilitate, and coordinate voluntary repatriation in safety and dignity and has the authority to monitor the conditions of return. Returns can also occur in a self-organized manner, when UNHCR and the wider internal community do not believe that conditions of in safety and in dignity can be met and can also occur in adverse circumstances when refugees find themselves in a position in which their protection is not adequately guaranteed in the host State and return to their country of origin is presenting itself to the refugees as the only – real or perceived – viable option. The adverse circumstances may be the result of coercion, intimidation or other pressure from State or non-State actors, or of an unstable, unsafe or insecure environment. Return in adverse circumstances does not fulfil the requirements of voluntary repatriation. Even though the choice to return in such circumstances may be informed and with the refugees' consent, it is not entirely free. Where return is taking place in adverse circumstances UNHCR maintains its duty to remain engaged in pursuit of international protection and humanitarian assistance to refugees and, together with governments, seek durable solutions.

Protection monitoring in return areas is key activity as it provides UNHCR with relevant and reliable data and information about the protection situation in the country of origin for all returnees that UNHCR will use to inform programming, advocacy and communications with refugees.

With regard to its mandate on statelessness, UNHCR supports governments to identify and protect stateless people, and to prevent and reduce statelessness. Identifying stateless persons involves understanding causes of statelessness, gathering statistics on stateless populations, and assisting governments in establishing and implementing procedures to determine who is stateless, among other activities. Typical activities to enhance the protection of stateless people

involves advocating for their access to rights in line with the 1954 Convention relating to the Status of Stateless Persons. UNHCR works to prevent and reduce statelessness through advocacy and technical support to ensure legal frameworks and procedures are in place to prevent statelessness at birth and later in life, and to facilitate the naturalization or confirmation of nationality of stateless individuals.

UNHCR's mandate provides the legitimate basis for the collection and processing of personal data necessary for fulfillment of its international protection and assistance functions and when seeking solutions.

UNHCR also provides diplomatic and consular protection to refugees and stateless persons in the absence of such protection by States. The High Commissioner is entitled, and has a duty, to intercede directly on behalf of refugees and stateless persons who would otherwise not be represented legally at the international level.

Regarding IDPs, UNHCR's role is rooted in predictable protection and solutions delivery, framed by its leadership of the Protection, Shelter/Non-Food Items, and Camp Coordination and Camp Management clusters. The [Implementation Planning Tool for IDP Contexts \(Building Blocks, accessible to UNHCR staff only\)](#) and the Focus Area Strategic Plan for Protection and Solutions for IDPs (2024–2030) set the operational direction for country teams, clarifying scope, priorities, and coordination responsibilities across emergency, protracted, and transition settings.

While responding operationally and attaining solutions, UNHCR recognizes the primary roles of States vis-à-vis their own citizens. Thus, UNHCR focuses on its comparative advantage in protection, expertise in working with states and their legal frameworks, and clear strengths in implementing community-based approaches, outreach to displaced populations, area-based approaches and localised strategies for complex situations.

UNHCR's work for IDPs is structured around key "Building Blocks" of engagement. In protection, the UNHCR supports legal and policy frameworks, protection monitoring, advocacy, and documentation, while facilitating access to justice and legal aid. In shelter and Non-Food Items programming, the focus spans emergency shelter, durable housing, and site development. Camp Coordination and Camp Management interventions manage both formal and informal settlements, ensuring coordinated service delivery, community participation, and protection-sensitive site management. UNHCR activities must be clearly reflected in cluster submissions to demonstrate leadership and accountability. IDP participation is a key operational requirement. Staff should ensure IDPs are informed, engaged in decision-making, and represented through IDP-led organisations, with tailored support to increase their agency and access to funding. Meaningful two-way communication, feedback systems, and community empowerment must be integrated from the outset.

### **3. Personal Scope**

#### **Refugees and asylum-seekers**

Refugees are part of UNHCR's core mandate. Refugees are all persons who meet the eligibility criteria under an applicable refugee definition, as provided for in international or regional refugee instruments, under UNHCR's mandate, or in national legislation. See [Refugee definition](#) Entry.

Asylum-seekers also fall within the High Commissioner's competence **ratione personae** (clarified by UNGA resolution 36/125 of 14 December 1981). Asylum-seekers are persons who are seeking refugee status or a complementary international protection status and whose status has not yet been determined by UNHCR or the host Government authorities.

Not every asylum-seeker will ultimately be recognized as a refugee. However, an asylum-seeker is entitled to protection from refoulement ([Access to territory and non-refoulement](#)), as well as certain minimum rights and standards of treatment, pending determination of their status.

## **Returnees**

Returnees also fall within UNHCR's core mandate. These are former refugees who have returned to their country of origin spontaneously or in an organized fashion but have not yet been fully (re)integrated. UNHCR's mandate in this area has been refined and extended by the Executive Committee and the GA. Initially considered to cease when a refugee crossed the border into his or her country of origin, UNHCR's mandate now extends to providing reintegration assistance and monitoring refugee treatment after return. (See ExCom, No. 18 (1980), No. 40 (1985), No. 74 (1994), and No. 101 (2004); GA Res. 40/118 of 13 December 1985; and GA Res. 49/169 of 24 February 1995.) UNHCR's engagement with returnees is usually time-limited; its aim is to hand responsibility over to other actors, notably the Government authorities and development partners.

## **Stateless persons**

With respect to refugees who are stateless, UNHCR's initial mandate (set out in para. 6(A)(II) of The Statute and Art. 1(A)(2) of the 1951 Refugee Convention) has been expanded by the GA over time and now also includes all non-refugee stateless persons. Significantly, activities on behalf of stateless persons are part of UNHCR's statutory function, and include identification, prevention and reduction of statelessness, and protection of stateless persons. (See ExCom, No. 78 (1995), endorsed by GA Res 50/152 of 21 December 1995; and ExCom, No.106 (2006), endorsed by GA Res. 61/137 of 19 December 2006; see also 1954 Convention on the Status of Stateless Persons and the 1961 Convention on the Reduction of Statelessness.)

## **Internally displaced persons**

As the legal entity able to intercede on behalf of refugees, UNHCR was the agency historically first called upon by the General Assembly to protect and assist IDPs (GA Res. 2790 (XXVI) of 6 Dec 1971, ECOSOC Res. 1705[[LIII] of 27 July 1972). Since then, its work on internal displacement has been recognized by the GA as part of UNHCR's activities in its annual resolution (GA Res. 105 (XLVII) of 16 Dec 1992), complementing inter-agency efforts in this regard (GA Res.48/135 of 18 Feb 1994).

Unlike refugees, who are no longer considered as such once they voluntarily repatriate and can safely re-avail themselves of national protection, internally displaced persons (IDPs) are not defined by their location alone. As outlined in the IASC Framework on Durable Solutions for Internally Displaced Persons, a durable solution for IDPs is achieved when displacement-related needs have been effectively addressed, irrespective of whether the individual has returned to their place of origin, integrated locally, or settled elsewhere in the country. Consequently, IDPs

may continue to be considered as such even after return, if displacement-related vulnerabilities persist. In such contexts, UNHCR may continue its engagement and support, based on identified needs and operational priorities. In line with the **Policy on Emergency Preparedness and Response (2023)**, UNHCR works not only with displaced populations but also with **communities at risk of displacement**. The policy underscores the **centrality of protection** and the imperative to place **people at the centre** of preparedness and response efforts. This means engaging communities before displacement occurs, ensuring they are involved in the **design, planning, and implementation** of interventions. In accordance with UNHCR's **Age, Gender and Diversity (AGD) policy** and **Accountability to Affected People (AAP) guidance**, UNHCR commits to:

- Actively engaging at-risk communities throughout **all stages** of preparedness and response;
- Applying **community-based protection** approaches from the outset;
- Ensuring the **equal and meaningful participation of women and girls**.

When a high risk of displacement is identified, UNHCR country operations are required to develop **contingency plans** in collaboration with governments, partners, and—implicitly—affected communities. The policy also promotes the use of **early warning systems and anticipatory action** to prevent or mitigate displacement, with community engagement as a core component.

Operationally, UNHCR is encouraged to apply area-based approaches (ABAs)—multi-stakeholder and multi-sectoral strategies designed to respond to the needs of all affected populations within a defined geographic area. These approaches typically include a strong community engagement component and aim to strengthen the capacities of local authorities and communities, promoting sustainable and inclusive support structures over the long term.

### **Good offices**

UNHCR may also, and does, engage in activities to assist different groups outside its mandated functions if the GA or the Secretary-General invites UNHCR to extend its 'good offices' to such groups.

## **UNHCR IDP Scope of Work - Field Staff Checklist Use this checklist as a quick reference to guide planning, coordination and implementation of UNHCR's scope of work with IDPs.**

### **• 1. Strategic Positioning**

- Align with UNHCR's Focus Area Strategic Plan for Protection and Solutions for IDPs (2024-2030)
- Use the Implementation Planning Tool for IDP Contexts (Building Blocks) for strategic planning

- Ensure inclusion of IDPs in multi-year strategies and area-based approaches

- **2. Cluster Leadership**

- Lead and contribute to Protection, Shelter/NFI, and CCCM clusters
- Propose clear, needs-based operational projects and activities under each cluster
- Ensure adequate staffing (e.g. coordinators, IMOs) and capacity development

- **3. Protection Programming**

- Implement protection monitoring, analysis, and advocacy
- Support legal frameworks, civil documentation, and access to justice
- Engage in legal services
- Prioritize AGD-inclusive, rights-based, and people-centred programming

- **4. Community-Based Services**

- Provide social services through community engagement and outreach
- Implement multipurpose cash and livelihoods support where feasible
- Advance Accountability to Affected People (AAP) at all stages

- **5. IDP Participation**

- Enable IDP-led organisations and build their capacity
- Facilitate feedback systems and two-way communication
- Advocate for IDP participation in coordination platforms and local governance

- **6. Shelter & NFI Response**

- Deliver shelter kits, transitional and durable shelters
- Use cash-based interventions for shelter and CRI when possible
- Coordinate site planning, infrastructure upgrades, and winterisation

- **7. CCCM Activities**

- Manage site coordination in formal and informal settlements
- Promote community governance, peaceful coexistence, and information sharing
- Monitor service gaps and support referrals

- **8. Integration with National Systems**

- Align with national/subnational policies and line ministries

- Support inclusion of IDPs in national development plans
- Transition service delivery to local actors where appropriate

- **9. Planning & Results**

- Use participatory assessments and joint analysis
- Integrate IDPs in COMPASS and Results Framework outcome areas
- Align with HRP/HNO and leverage pooled funding

## 4. Policies, Guidelines and Useful Links

[United Nations, Statute of the Office of the United Nations High Commissioner for Refugees, Annex to General Assembly Resolution 428 \(V\) of 14 December 1950](#)

[Policy on UNHCR's Engagement in Situations of Internal Displacement, 2019](#)

[UNHCR Guidance Package on UNHCR's Engagement in Situations of Internal Displacement...](#)

[UNHCR Implementation Planning Tool for IDP Contexts \(Building Blocks\), 2024 \(ac...](#)

[Building Blocks \(UNHCR only\)](#)

[Guidance Package for UNHCR's engagement in Situations of Internal Displacement](#)

[Note on the Mandate of the High Commissioner for Refugees - December 2025](#)

## 5. Learning and field practices

Accessible to UNHCR staff only

[Internally Displaced Persons \(Induction\)](#)

[French - Internally Displaced Persons \(Induction\)](#)

[IDP Law and Policy](#)

## 6. Main contacts

As first port of call, the UNHCR Dep. Representative (Protection), UNHCR Asst. Rep.

(Protection), and/or Snr Protection Officer in the country; or The UNHCR Regional Asst./Dep Rep (Protection) and/or Snr. Regional Protection Officer at the regional office (if applicable); or The Snr. Regional Legal Advisor in the respective UNHCR regional bureau, covering the respective country region, who in turn will liaise as required with the parent unit at UNHCR DIP.

In relation to IDPs: IDP Unit, Division of International Protection