

# Refugee Rights in International Law



# Refugee In International Law

**Azadeh Dastyari, Amy Nethery, Asher  
Hirsch**



## **Refugee In International Law:**

**The Refugee in International Law** Guy S. Goodwin-Gill, Jane McAdam, 2007-03-22 Millions of people today are forced to flee their homes as a result of conflict systemic discrimination persecution and other violations of their human rights The core instruments on which they must rely to secure international protection are the 1951 Convention relating to the Status of Refugees and its 1967 Protocol now complemented by international and regional human rights treaties This book the leading text in a field where refugee law is now a subject of global importance examines key challenges to system of international protection including those arising from within the asylum process increased controls over the movements of people and the new concern with security The situation of refugees is one of the most pressing and urgent problems facing the international community and refugee law has grown in recent years to a subject of global importance In this long awaited third edition each chapter has been thoroughly revised and updated every issue old and new has received fresh analysis and complementary or human rights based protection is given special attention Features include analysis and assessment of developments in interpreting the refugee definition with particular reference to social group exclusion procedures and the impact of European Union harmonization initiatives In addition this book reviews the situation of refugee women and children the plight of Palestinian refugees the protection of internally displaced persons the role and responsibilities of the UNHCR including in the administration of camps and settlements the current status in general international law of the fundamental principles of non refoulement asylum and the right to seek asylum and the extent of protection possibilities in human rights treaties particularly the European Convention on Human Rights

**The Refugee in International Law** Guy S. Goodwin-Gill, Jane McAdam, Emma Dunlop, 2021 Millions of people are today forced to flee their homes as a result of conflict systematic discrimination or other forms of persecution The core instruments on which they must rely to secure international protection are the 1951 Convention Relating to the Status of Refugees and its 1967 Protocol This book the leading text in the field examines key challenges to the Convention such as the status of refugees applications for asylum and the international and domestic standards of protection The situation of refugees is one of the most pressing and urgent problems facing the international community and refugee law has grown in recent years to a subject of global importance In this long awaited fourth edition each chapter has been thoroughly revised and updated and every issue old and new has received fresh analysis The books includes analysis of internally displaced persons so called preventive protection access to refugees safety of refugees and relief personnel the situation of refugee women and children a detailed examination of the role of the UNHCR and the Palestinian situation and an assessment of the protection possibilities or lack of them in the European Convention on Human Rights This new edition has been expanded with coverage of forced migration and displacement as a result of disasters and climate change It is once again an unmissable reference work for practitioners and students in the field

The Status of Refugees in International Law: Refugee character Atle Grahl-Madsen, 1966 *Asylum*

*and International Law* S.Prakash Sinha,2013-12-01

**The Rights of Refugees under International Law** James C.

Hathaway,2005-09-15 This book presents the first comprehensive analysis of the human rights of refugees as set by the UN Refugee Convention In an era where States are increasingly challenging the logic of simply assimilating refugees to their own citizens questions are now being raised about whether refugees should be allowed to enjoy freedom of movement to work to access public welfare programs or to be reunited with family members Doubts have been expressed about the propriety of exempting refugees from visa and other immigration rules and whether there is a duty to admit refugees at all Hathaway links the standards of the UN Refugee Convention to key norms of international human rights law and applies his analysis to the world s most difficult protection challenges This is a critical resource for advocates judges and policymakers It will also be a pioneering scholarly work for graduate students of international and human rights law The Oxford

Handbook of International Refugee Law Cathryn Costello,Michelle Foster,Jane McAdam,2021 Provides a state of the art comprehensive analysis of the field of international refugee law Global in scope with 10 chapters focusing in detail on specific regions Critiques the status quo and sets the agenda for future academic research Book jacket

**International Refugee Law** H?ne Lambert,2017-07-05 The essays selected and reproduced in this volume explore how international refugee law is dynamic and constantly evolving From an instrument designed to protect mostly those civilians fleeing the worse excesses of World War II the 1951 Refugee Convention has developed into a set of principles customary rules and values that are now firmly embedded in the human rights framework and are applicable to a far broader range of refugees In addition international refugee law has been affected by international humanitarian law and international criminal law and vice versa Thus there is a reinforcing dynamic in the development of these complementary areas of law At the same time in recent decades states have shown a renewed interest in managing migration thereby raising issues of how to reconcile such interests with refugee protection principles In addition the emergence of concepts of participation and responsibility to protect promise to have an impact on international refugee law

**Research Handbook on International Refugee Law**

Satvinder Singh Juss,2019 In an age of ethnic nationalism and anti immigrant rhetoric the study of refugees can help develop a new outlook on social justice just as the post war international order ends The global financial crisis the rise of populist leaders like Trump Putin and Erdogan not to mention the arrival of anti EU parties raises the need to interrogate the refugee migrant citizen stateless legal and illegal as concepts This insightful Research Handbook is a timely contribution to that debate

*Refugee Protection in International Law* Erika Feller,Volker Türk,Frances Nicholson,2003-06-26 Millions of people are forced today to flee persecution The core international legal instrument on which they must rely to find safety is the 1951 Convention Relating to the Status of Refugees This book examines key challenges the Convention faces on the basis of nine papers by eminent international refugee lawyers which were then discussed at an expert roundtable meeting in 2001 as part of UNHCR s Global Consultations on International Protection The papers are published here in one volume together

with the conclusions of the roundtables and other documents

**The 1951 Convention Relating to the Status of Refugees and its 1967 Protocol**, 2024-01-10 The Convention Relating to the Status of Refugees adopted on 28 July 1951 in Geneva continues to provide the most comprehensive codification of the rights of refugees yet attempted Consolidating previous international instruments relating to refugees the 1951 Convention with its 1967 Protocol marks a cornerstone in the development of international refugee law At present there are 149 States Parties to one or both of these instruments expressing a worldwide consensus on the definition of the term refugee and the fundamental rights to be granted to refugees These facts demonstrate and underline the extraordinary significance of these instruments as the indispensable legal basis of international refugee law This Commentary provides for a systematic and comprehensive analysis of the 1951 Convention and the 1967 Protocol on an article by article basis exposing the interrelationship between the different articles and discussing the latest developments in international refugee law In addition several thematic contributions analyse questions of international refugee law which are of general significance such as regional developments the interrelationship between refugee law and general human rights law as well as the relationship between refugee law and the law of the sea

**The Refugee Definition in International Law** Hugo Storey, 2023 In international law the definition of refugee is widely seen as unclear This book systematically analyses the interpretation ordering and interrelationship of the definition's components as well as the disputes that have arisen around it The volume seeks to clarify propositions and demonstrate there is progress toward a working definition

Refugee Protection and the Role of Law Susan Kneebone, Dallah Stevens, Loretta Baldassar, 2014-06-27 Sixty years on from the signing of the Refugee Convention forced migration and refugee movements continue to raise global concerns for hosting states and regions for countries of origin for humanitarian organisations on the ground and of course for the refugee This edited volume is framed around two themes which go to the core of contemporary refugeehood protection and identity It analyses how the issue of refugee identity is shaped by and responds to the legal regime of refugee protection in contemporary times The book investigates the premise that there is a narrowing of protection space in many countries and many highly visible incidents of refoulement It argues that Protection which is a core focus of the Refugee Convention appears to be under threat as there are many gaps and inconsistencies in practice Contributors to the volume who include Erika Feller Elspeth Guild H l ne Lambert and Roger Zetter look at the relevant issues from the perspective of a number of different disciplines including law politics sociology and anthropology The chapters examine the link between identity and protection as a basis for understanding how the Refugee Convention has been and is being applied in policy and practice The situation in a number of jurisdictions and regions in Europe North America South East Asia Africa and the Middle East is explored in order to ask the question does jurisprudence under the Refugee Convention need better coordination and how successful is oversight of the Convention

Refuge from Inhumanity? War Refugees and International Humanitarian Law David Cantor, Jean-François Durieux, 2014-07-10 This book contributes to a long standing but ever topical

debate about whether persons fleeing war to seek asylum in another country war refugees are protected by international law It seeks to add to this debate by bringing together a detailed set of analyses examining the extent to which the application of international humanitarian law IHL may usefully advance the legal protection of such persons This generates a range of questions about the respective protection frameworks established under international refugee law and IHL and specifically the potential for interaction between them As the first collection to deal with the subject the eighteen chapters that make up this unique volume supply a range of perspectives on how the relationship between these two separate fields of law may be articulated and whether IHL may contribute to providing refuge from the inhumanity of war     *Refugees, Asylum Seekers and the Rule of Law* Susan Kneebone, 2009-03-19 An assessment of the impact of asylum on the integrity of the rule of law in five common law jurisdictions     **The Problem of Refugees in the Light of Contemporary International Law Issues** Vera Gowlland-Debbas, 2024-01-22 The contributions collected in the present book go beyond refugee law in its traditional sense largely centred on questions of durable asylum and the plight of only a small tranche of the asylum seeking population in situating refugee law within the broader international legal system The refugee problem is thus seen as a prism through which a host of exploding issues confront traditional international law and international relations creation and dissolution of states state responsibility human rights international jurisdiction and the United Nations mandate These theoretical problems and their legal incidence on the refugee condition are debated against the background of UNHCR field operations in Former Yugoslavia Africa and Eastern Europe The contributions were originally presented at a Colloquium held in May 1994 organised by the Graduate Institute of International Studies in collaboration with the Office of the United Nations High Commissioner for Refugees Refugee law experts members of the UN International Law Commission and practitioners were brought together in a dialogue between scholars and practitioners on a major and exponentially growing international problem     Elgar Concise Encyclopedia of Migration and Asylum Law Vincent Chetail, 2025-07-15 This Concise Encyclopedia provides a comprehensive overview of the rapidly developing field of migration and asylum law It brings clarity on key terms and critical notions while challenging misconceptions in this highly politicized sphere     *An Introduction to International Refugee Law* M. Rafiqul Islam, Md. Jahid Hossain Bhuiyan, 2013-05-15 The book is designed to provide an overview of the development meaning and nature of international refugee law The jurisprudence on the status of refugees loss and denial of the refugees status non refoulement asylum problems and challenges of refugee protection the law of return and the right of return critical refugees and immigration law and the role of international organizations in protection of refugees are revisited in the context of contemporary realities The relationship between armed conflict climate change and human right violations induced refugees and the existing international refugee regime emerging will be succinctly highlighted and analysed in the book This lucidly written and timely book will be immensely helpful to anyone grappling with the demonstrated inadequacies of international refugee law in real life situations today and desirous of the reorientation of its meaning and scope to cater for

the changing needs and shared expectation of the international community in the 21st century

**Access to Courts for Asylum Seekers and Refugees** Emma Dunlop, 2024-01-24 In *Access to Courts for Asylum Seekers and Refugees* Emma Dunlop focuses on the scope and content of article 16 of the 1951 Refugee Convention Under this article States are obligated to provide asylum seekers and refugees with access to courts This obligation entails a requirement to ensure effective access which may call for accommodations to be made to address individual vulnerabilities where for example a person does not speak the language of the court or lacks easy access to a lawyer It also guarantees additional rights to those who have attained habitual residence in the host country Access to courts is a critical gateway right the denial of which can prevent a person from defending other rights under domestic law Yet until now article 16 has not received extensive scrutiny In the first dedicated monograph on article 16 of the 1951 Convention Dunlop positions the article within the broader context of international human rights law customary international law and general principles of law presenting a comprehensive account of asylum seekers and refugees right of access to courts Taking an evolutionary approach to treaty interpretation the book interrogates the scope and content of the article evaluating the extent of its obligations Despite developments in international human rights law since the article s adoption *Access to Courts for Asylum Seekers and Refugees* argues that it remains a relevant and robust source of protection Offering rigorous and reasoned analysis of this critical provision Dunlop advances a principled approach to interpreting article 16

**Refugee Externalisation Policies** Azadeh Dastyari, Amy Nethery, Asher Hirsch, 2022-07-22 This book examines the impact and effects of refugee externalisation policies in two regions Australia s border control practices in Southeast Asia and the Pacific and the activities of the European Union and its member states in North Africa The book assesses the underlying motivations processes policy frameworks and human rights violations of refugee externalisation practices Case studies illuminate the funding institutional partnerships geopolitical impacts financial costs and the human price of refugee externalisation It provides the first truly comparative analysis of asylum externalisation and explores maritime interdiction extraterritorial process containment and third country interception and communication campaigns in Southeast Asia and the Middle East North Africa This book will be of key interest to scholars and students of refugee and asylum studies law politics and the arts legal practitioners non governmental organisations and policymakers grappling with the issues of detention refugee externalisation practices and the growing need to find safety for the world s most vulnerable

*The State of the World's Refugees, 2000* Mark Cutts, Office of the United Nations High Commissioner for Refugees, 2000 Includes statistics

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