



# Protecting Refugees

**Mary Crock, Laura Smith-Khan, Ron  
McCallum, Ben Saul**

## Protecting Refugees:

**Humanitarian assistance protecting refugee women and girls remains a significant challenge : report to the Ranking Minority Member, Committee on Foreign Relations, U.S. Senate. , The Collective Responsibility of States to Protect Refugees** Agnès G. Hurwitz,2009 This title analyses the concept of sharing responsibility between states for protecting refugees under international law and how this mechanism highlights serious concerns for the protection of refugees rights *Protecting Civilians in Refugee Camps* Maja Janmyr,2013-11-28 Rather than serving as civilian and humanitarian safe havens refugee camps are notorious for their insecurity Due to the host state s inability or unwillingness to provide protection camps are often administered by the United Nations High Commissioner for Refugees UNHCR and its implementing partners When a violation occurs in these situations to which actors shall responsibility be allocated Through an analysis of the International Law Commission s work on international responsibility Maja Janmyr argues that the primary responsibility of states does not exclude the responsibilities of other actors Using the example of Uganda Janmyr questions the general assumption that unable and unwilling is the same as unable or unwilling and argues for the necessity of distinguishing between these two scenarios Doing so leads to different conclusions in terms of responsibility for the state and therefore for UNHCR and its implementing partners Refugee Rights David Hollenbach,2008-04-30 Of the over 33 million refugees and internally displaced people in the world today a disproportionate percentage are found in Africa Most have been driven from their homes by armed strife displacing people into settings that fail to meet standards for even basic human dignity Protection of the human rights of these people is highly uncertain and unpredictable Many refugee service agencies agree advocacy on behalf of the displaced is a key aspect of their task But those working in the field are so pressed by urgent crises that they can rarely analyze the requirements of advocacy systematically Yet advocacy must go beyond international law to human rights as an ethical standard to prevent displaced people from falling through the cracks of our conflicted world *Refugee Rights Ethics Advocacy and Africa* draws upon David Hollenbach SJ s work as founder and director of the Center for Human Rights and International Justice at Boston College to provide an analytical framework for vigorous advocacy on behalf of refugees and internally displaced people Representing both religious and secular perspectives the contributors are scholars practitioners and refugee advocates all of whom have spent time on the ground in Africa The book begins with the poignant narrative of Abebe Feyissa an Ethiopian refugee who has spent over fifteen years in a refugee camp from hell Other chapters identify the social and political conditions integral to the plight of refugees and displaced persons Topics discussed include the fundamental right to freedom of movement gender roles and the rights of women the effects of war and the importance of reconstruction and reintegration following armed conflict The book concludes with suggestions of how humanitarian groups and international organizations can help mitigate the problem of forced displacement and enforce the belief that all displaced people have the right to be treated as their human dignity demands *Refugee Rights* offers an

important analytical resource for advocates and students of human rights It will be of particular value to practitioners working in the field      Refugee Protection and the Role of Law Susan Kneebone,Dallal 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      **Refugee Law and Durability of Protection** Maria

O'Sullivan,2019-05-08 This book examines the link between refugee protection duration of risk and residency rights It focuses on two main issues of importance to current state practice the use of temporary forms of refugee status and residency and the legal criteria for cessation of refugee status under Article 1C 5 of the 1951 Refugee Convention In analysing this issue this book canvasses debates which are pertinent to many other contentious areas of refugee law including the relationship between the refugee definition and complementary protection application of the Refugee Convention in situations of armed conflict and the role of non state bodies as actors of protection It also illustrates some of the central problems with the way in which the 1951 Refugee Convention is implemented domestically in key asylum host states The arguments put forward in this book have particular significance for the return of asylum seekers and refugees to situations of ongoing conflict and post conflict situations and is therefore highly pertinent to the future development of international refugee law      Advancing Refugee Protection in South Africa Jeff Handmaker, Lee Anne De la Hunt, Jonathan

Klaaren,2008 Divided into three thematic parts to guide the reader this important volume documents the development and implementation of refugee policy in South Africa over a 10 year period from 1996 until 2006 In doing so it addresses issues of detention gender children and health as well as welfare policies for refugees The contributions all written by academics and practitioners of refugee protection vividly illustrate the tangible shifts and concerns of a process that is not only aimed at establishing policies and legislation but also practices concerning refugees      *Current Issues in U.S. Refugee Protection and*

*Resettlement* United States. Congress. House. Committee on International Relations. Subcommittee on Africa, Global Human Rights, and International Operations, 2006

**The Grounds of Refugee Protection in the Context of International Human Rights and Humanitarian Law** Mark R. von Sternberg, 2021-10-25 This volume examines the ways in which human rights and humanitarian law have influenced the development of the refugee definition as interpreted in the United States and Canada Analysis focuses on how these two significant jurisdictions have addressed refugee protection in a modern context The problem areas discussed include persecution during periods of upheaval resistance to the State in times of civil war opposition to coercive family planning programs and the diverse issues raised by gender based asylum claims The view is advanced that the grounds of refugee protection are not fixed but parallel discriminatory social and political attitudes towards defined groups The study also advocates that human rights and humanitarian law principles should continue to shape the evolution of refugee jurisprudence so as to achieve more effectively the Convention's goals This work will be of great interest to academics practitioners and policy makers in the refugee field as well as to scholars of international human rights and humanitarian law

**Refugee Protection in Southeast Asia** Susan Kneebone, Reyvi Mariñas, Antje Missbach, Max Walden, 2024-12-01 Despite being long term hosts to refugee populations Indonesia Thailand and Malaysia are not yet part of the 1951 Refugee Convention In all three states refugees are regulated as discretionary humanitarian exceptions to immigration legislation With contributions from scholars within and outside the region this book promotes new thinking on protection of refugees and on resolving tensions between states actors and institutions in the region It evaluates the key concepts of sovereignty security and humanitarianism in this context the different bases of protection by state and non state actors and the meaning of responsibility and regionalism in Southeast Asia

Asylum-Seeker and Refugee Protection in Sub-Saharan Africa Cristiano d'Orsi, 2015-08-11 It is not often acknowledged that the great majority of African refugee movement happens within Africa rather than from Africa to the West This book examines the specific characteristics and challenges of the refugee situation in Sub Saharan Africa offering a new and critical vision on the situation of asylum seekers and refugees in the African continent Cristiano d Orsi considers the international regional and domestic legal and institutional frameworks linked to refugee protection in Sub Saharan Africa and explores the contributions African refugee protection has brought to the cause on a global scale Key issues covered in the book include the theory and the practice of non refoulement an analysis of the phenomenon of mass influx the concept of burden sharing and the role of freedom fighters The book goes on to examine the expulsions of refugees and the historical role played by UNHCR in Sub Saharan Africa As a work which follows the persecution and legal challenges of those in search of a safe haven this book will be of great interest and use to researchers and students of immigration and asylum law international law human rights and African studies

*Refugee Protection in Brazil and Latin America - Selected Essays* Liliana Lyra Jubilut, 2018-05-05 Refugees and their protection have started to be a part of daily conversation in recent years New flows from Africa to Europe new crisis in Asia

and in the Americas and record numbers since the Second World War for instance have paved the way for news reports in the media political discourses on the topic and debates on how to actually protect these persons In a world scenario of increasingly i closed borders ii association of migration to security issues iii lack of political will to ascertain human rights and iv disregard for migration as a right in se the challenges on and for refugees protection have been progressing as have the need for international protection of persons fleeing well founded fear of persecution due to their race religion nationality political opinion or membership to a social group i e refugees Regional approaches and national practices gain relevance especially if they can be seen as good practices even if not without flaws What are the main challenges and opportunities regarding Refugee Protection in Latin America and in Brazil The book offers a very convincing response The essays by Liliana Jubilut reflect rigorous academic research and years of practical experience on supporting asylum seekers and refugees The author is certainly one of the most influential scholars in Brazil working in the Forced Migration field and the essays provide a comprehensive view of Refugee Protection in Brazil and Latin America Gabriel Gualano de Godoy PhD UNHCR Chief of Mission in the Dominican Republic and former Head of UNHCR Protection Unit in Brazil This book shed clear lights on the development of refugee protection in Latin America for the years to come Liliana Jubilut is already a leading scholar on refugee protection in Latin America and her articles reflect a long myriad of issues related to refugee protection since status determination resettlement local integration and the remarkable humanitarian visas for the Syrian refugees She shows the developments and setbacks and recover the most important developments since the Cartagena Declaration with a sharp eye and historical perspective This book will soon become an essential bibliography for anyone trying to understand the particular and innovative refugee protection initiatives in this troubled but generous region Wellington Pereira Carneiro PhD UNHCR Senior Official having worked in Brazil and Colombia for UNHCR and in Panama prior to joining the UN States, the Law and Access to Refugee Protection Maria O'Sullivan, Dallah Stevens, 2017-03-23 This timely volume seeks to examine two of the most pertinent current challenges faced by asylum seekers in gaining access to international refugee protection first the obstacles to physical access to territory and second the barriers to accessing a quality asylum procedure which the editors have termed access to justice To address these aims the book brings together leading commentators from a range of backgrounds including law sociology and political science It also includes contributions from NGO practitioners This allows the collection to offer interdisciplinary analysis and to incorporate both theoretical and practical perspectives on questions of immense contemporary significance While the examination offers a strong focus on European legal and policy developments the book also addresses the issues in different regions Europe North America the Middle East Africa and Australia Given the currency of the questions under debate this book will be essential reading for all scholars in the field of asylum law

Exclusion from Protection as a Refugee Yao Li, 2017-09-11 In Exclusion from Protection as a Refugee Yao Li analyses Article 1F of the 1951 Refugee Convention She argues that the exclusion clause is a quasi punitive provision and must

therefore be interpreted with due regard to International Criminal Law Having developed an interpretation approach to consider external legal notions Li provides a solution for all the relevant issues in the context of Article 1F based on a harmonizing interpretation The study therefore not only comprehensively examines the exclusion clause at the intersection of International Refugee Law and International Criminal Law but also contributes to anti fragmentation efforts in International Law

**Protecting Human Security in Africa** Ademola Abass,2010-09-23 Protecting Human Security in Africa discusses some of the most potent threats to human security in Africa It deals especially with those threats to the security of African people which are least understood or explored In themes varying from corruption the proliferation of small arms and light weapons food security the devastation of internal displacement in Africa the link between natural resources and human security to the problems of forced labour threats to women s security and environmental security the book examines the legal and policy challenges of protecting human security in Africa This work also analyses the role of NGOs and the civil society in advocating human security issues in Africa It considers the role of regional human rights mechanisms and judicial bodies such as the African Commission for Human Rights and the African Court of Human and Peoples Rights in seeking to guarantee human security in Africa Finally with particular reference to the Somalia Zimbabwe Kenya and Darfur crises the book studies the role of African regional organizations especially the African Union in protecting the human security of Africans Written by leading experts on its various themes this is an indispensable book for all those seeking to learn more about the real challenges facing Africans and African organizations

**Latin America and Refugee Protection** Liliana Lyra Jubilut,Marcia Vera Espinoza,Gabriela Mezzanotti,2021-08-13 Looking at refugee protection in Latin America this landmark edited collection assesses what the region has achieved in recent years It analyses Latin America s main documents in refugee protection evaluates the particular aspects of different regimes and reviews their emergence development and effect to develop understanding of refugee protection in the region Drawing from multidisciplinary texts from both leading academics and practitioners this comprehensive innovative and highly topical book adopts an analytical framework to understand and improve Latin America s protection of refugees

*The Legal Protection of Refugees with Disabilities* Mary Crock,Laura Smith-Khan,Ron McCallum,Ben Saul,2017-08-25 This ground breaking book focuses on the forgotten refugees detailing people with disabilities who have crossed borders in search of protection from disaster or human conflict The authors explore the intersection between one of the oldest international human rights treaties the 1951 Convention relating to the Status of Refugees with one of the newest the Convention on the Rights of Persons with Disabilities CRPD Drawing on fieldwork in six countries hosting refugees in a variety of contexts Malaysia Indonesia Pakistan Uganda Jordan and Turkey the book examines how the CRPD is or should be changing the way that governments and aid agencies engage with and accommodate persons with disabilities in situations of displacement The timeliness of the book is underscored by the adoption in mid 2016 of the UN Charter on Inclusion of Persons with Disabilities in Humanitarian Action

adopted at the World Humanitarian Summit      **Human Rights and the Protection of Refugees Under International Law** John P. Humphrey, Canadian Human Rights Foundation, 1988 The Nature of the Problem      **International Refugee Law and the Protection of Stateless Persons** Michelle Foster, H       Lambert, 2019-04-04 International Refugee Law and the Protection of Stateless Persons examines the extent to which the 1951 Convention relating to the Status of Refugees protects de jure stateless persons While de jure stateless persons are clearly protected by the 1954 Convention relating to the Status of Stateless Persons this book seeks to explore the extent to which such persons are also entitled to refugee status The questions addressed include the following When is a person without a nationality for the purpose of the 1951 Refugee Convention What constitutes one's country of former habitual residence as a proxy to one's country of nationality When does being stateless give rise to a well founded fear of persecution for reasons specified in the 1951 Refugee Convention and or UNHCR mandate What are the circumstances under which statelessness constitutes persecution or inhuman or degrading treatment How are courts assessing individual risk or threat to stateless persons The book draws on historical and contemporary interpretation of international law based on the travaux pr  paratoires to the 1951 Refugee Convention and its antecedents academic writing UNHCR policy and legal documents UN Human Rights Council resolutions UN Human Rights Committee general comments UN Secretary General reports and UN General Assembly resolutions It is also based on original comparative analysis of existing jurisprudence worldwide relating to claims to refugee status based on or around statelessness By examining statelessness through the prism of international refugee law this book fills a critical gap in existing scholarship      **Refugee Protection and Civil Society in Europe** Margit Feischmidt, Ludger Pries, Celine Cantat, 2018-09-29 This volume analyses civil society as an important factor in the European refugee regime Based on empirical research the chapters explore different aspects structures and forms of civil society engagement during and after 2015 Various institutional collective and individual activities are examined in order to better understand the related processes of refugees movements reception and integration Several chapters also explore the historical development of the relationship between a range of actors involved in solidarity movements and care relationships with refugees across different member states Through the combined analysis of macro level state and European policies meso level organization's activities and micro level individual behaviour Refugee Protection and Civil Society in Europe presents a comprehensive exploration of the refugee regime in motion and will be of interest to scholars and students researching migration social movements European institutions and social work



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