



# Sudan & the Anti-Refugee Laws

# Refugee Law In The Sudan

**A Loxley**



## **Refugee Law In The Sudan:**

**The Rights of Refugees under International Law** James C. Hathaway, 2021-04-22 The only comprehensive analysis of international refugee rights anchored in the hard facts of refugee life around the world

**Refugee Law** Colin Yeo, 2022-04-26 The word refugee is both evocative and contested it means different things to different people For lawyers the main legal reference point is the UN Refugee Convention of 1951 This concise and engaging book follows the structure of the Convention to explore international refugee law Including an introduction to the historical and legal context Colin Yeo draws on his experience as an immigration barrister to explain the present day legal framework for global refugee protection Chapters consider well founded fear persecution the loss of refugee status and exclusion the rights of refugees and state responses to refugee claims The book includes studies of key legal cases reviews the successes and failures of the Convention and looks ahead to the future including the impact of climate change and the Global Compact on Refugees Communicating important legal concepts in an approachable way this is an essential guide for students lawyers and non specialists

**The Oxford Handbook of International Refugee Law** Cathryn Costello, Michelle Foster, Jane McAdam, 2021-06-02 The Oxford Handbook of International Refugee Law is a comprehensive critical work which analyses the state of research across the refugee law regime as a whole Drawing together leading and emerging scholars the Handbook provides both doctrinal and theoretical analyses of international refugee law and practice It critiques existing law from a variety of normative positions with several chapters identifying foundational flaws that open up space for radical rethinking Many authors work directly in the field and their contributions demonstrate how scholarship and practice can mutually inform each other Contributions assess a wide range of international legal instruments relevant to refugee protection including from international human rights law international humanitarian law international migration law the law of the sea and international and transnational criminal law Geographically contributors examine regional and domestic laws and practices from around the world with 10 chapters focused on specific regions This Handbook provides an account as well as a critique of the status quo and in so doing it sets the agenda for future academic research in international refugee law

**Refugee Law in India** Shuvro Prosun Sarker, 2017-08-08 This book considers refugee protection mandates and addresses how legal scholarship can articulate a comprehensive and humane response to the contemporary refugee problem Analyzing philosophical discourses and India's policies and practices on refugee protection including judgments of Indian Courts in refugee related cases it examines how organizational efforts can make these policies and practices equal for every refugee in India It also surveys prevailing discriminative protection standards and entitlements developed through Conventions Declaration and Directives and compares and contrasts national refugee legislations in South Africa Brazil and Canada A key read for scholars and practitioners interested in the legal and policy implications of refugee protection this text identifies various practices of nation States from across the North South divide and provides key insights into the evolving nature of protection agendas

**The Regional Law of Refugee Protection in Africa** Marina Sharpe, 2018-07-19 This book analyses the legal framework for refugee protection in Africa including both refugee and human rights law as well as treaty and institutional elements The regime is addressed in two parts Part One analyses the relevant treaties the 1951 Convention relating to the Status of Refugees the 1969 Organization of African Unity Convention Governing the Specific Aspects of Refugee Problems in Africa and the 1981 African Charter on Human and Peoples Rights The latter two regional instruments are examined in depth This includes the first fulsome account of the African Refugee Conventions drafting an interpretation of its unique refugee definition and original analysis of the relationships between the three treaties Significant attention is devoted to the systemic relationship between the international and the regional refugee treaties and to the discrete relationships of conflict and complementary relationships between the two refugee instruments as well as to the relationships between the African Refugee Convention and African Charter Part Two focuses on the institutional architecture supporting the treaty framework The Organization of African Unity is addressed in a historical sense and the contemporary roles of the African Union the African Commission on Human and Peoples Rights and the current and contemplated African human rights courts are examined This book is the first devoted to the legal framework for refugee protection in Africa 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 Internally Displaced Persons and International Refugee Law Br       N            , 2022-03-15 Internally Displaced Persons IDPs are persons who have been forced to leave their places of residence as a result of armed conflict violence human rights violations or natural or human made disasters but who have not crossed an international border There

are about 55 million IDPs in the world today outnumbering refugees by roughly 2:1. Although IDPs and refugees have similar wants, needs, and fears, IDPs have traditionally been seen as a domestic issue and the international legal and institutional framework of IDP protection is still in its relative infancy. This book explores to what extent the protection of IDPs complements or conflicts with international refugee law. Three questions form the core of the book's analysis: What is the legal and normative relationship between IDPs and refugees? To what extent is an individual's real risk of internal displacement in their country of origin relevant to the qualification and cessation of refugee status? And to what extent is the availability of IDP protection measures an alternative to asylum? It argues that the IDP protection framework does not, as a matter of law, undermine refugee protection. The availability of protection within a country of origin cannot be a substitute for granting refugee status unless it constitutes effective protection from persecution and there is no real risk of refoulement. The book concludes by identifying current and future challenges in the relationship between IDPs and refugees, illustrating the overall impact and importance of the findings of the research and setting out questions for future research.

**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.

*International Refugee Law and Socio-Economic Rights* Michelle Foster, 2007-07-12. Publisher Description.

**Global Security Watch—Sudan** Richard A. Lobban Jr., 2010-09-02. This book provides an overview of contemporary issues in Sudan, Africa's largest nation, examining the country's history and current scene to help readers develop a deeper understanding of how much Sudan matters in today's world. With deep connections to the Sahel and savanna to the west, the African world to the south, the Horn of Africa to the east, and the Middle East to the north, Sudan is important strategically, legally, geopolitically, and militarily but too often overlooked or underestimated. Sudan, the country of residence of Osama bin Laden for six years, has played and will continue to play a significant role in worldwide security matters. An analysis of the causes, resolutions, and implications of the ongoing Sudanese conflicts, including the genocide in Darfur, this book is essential reading for policymakers, researchers, and students alike. This book considers Sudan's historical foundations, examining how the agendas of countries to the south, east, and north have influenced Sudan's people and government. The author also explains the origins and context of the Darfur conflict, laying out possible steps toward a resolution. Questions concerning Sudanese oil: where is it, how much is there, to whom does it belong? help focus any discussion of Sudan's emerging importance in the contemporary world. Other issues such as the influence of Islamism or the Sudanese activities of the Arab League, China, or the African Union underline the uncertainties that confront the people of Sudan today.

**Rights in Exile** Guglielmo Verdirame, Barbara E. Harrell-Bond, 2005. Of the estimated 12

million refugees in the world more than 7 million have been confined to camps effectively warehoused in some cases for 10 years or more Holding refugees in camps was anathema to the founders of the refugee protection regime Today with most refugees encamped in the less developed parts of the world the humanitarian apparatus has been transformed into a custodial regime for innocent people Based on rich ethnographic data Rights in Exile exposes the gap between human rights norms and the mandates of international organisations on the one hand and the reality on the ground on the other It will be of wide interest to social scientists and to human rights and international law scholars Policy makers donor governments and humanitarian organizations especially those adopting a rights based approach will also find it an invaluable resource But it is the refugees themselves who could benefit the most if these actors absorb its lessons and apply them Guglielmo Verdirame is a Lecturer in Law at the University of Cambridge and a Fellow of Corpus Christi College He is also the author of a forthcoming book on the accountability of the United Nations Barbara Harrell Bond Founding director of the Refugee Studies Centre University of Oxford has after retirement been Visiting Professor at Makerere University and at the American University in Cairo In 1996 she received the Distinguished Service Award of the American Anthropological Association She is the author of Imposing Aid Oxford 1986

**Immigration and Asylum Law** Gina Clayton, Georgina Firth, 2021 The definitive textbook for this fast moving area of law expertly guiding students through the key issues of immigration and asylum in the modern world Clear analysis and commentary on the political and social impact of the law encourages the reader to develop a critical mindset

Reconceiving International Refugee Law James C. Hathaway, 2023-07-24 Violence and other human rights abuses continue to force desperate people to migrate in search of protection Yet because the political and economic reasons that induced an historical openness to the arrival of refugees have largely withered away there is no longer a guarantee that any state will be prepared to receive these involuntary migrants Governments of both North and South are withdrawing from the international legal duty to provide potentially indefinite protection to any and all refugees who arrive at their borders The challenge is to reconceive refugee protection in a way that is reconcilable with the legitimate concerns of modern states yet which does not sacrifice the critical right of at risk people to seek asylum The essays in Reconceiving International Refugee Law offer a response to the concerns of many states that refugee protection has become no more than a back door route to permanent immigration and that its costs are not fairly apportioned among states Drawing on the research of leading migration scholars from around the world and vetted through dialogue with senior officials and non governmental experts this volume explores the potential for a shift to a robust and empowering system of temporary asylum supported by a pragmatic system of guarantees to share both the costs and human responsibilities of refugee protection

**Final Report of the Select Commission on Immigration and Refugee Policy** United States. Congress. Senate. Committee on the Judiciary. Subcommittee on Immigration and Refugee Policy, 1981

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 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

#### **Textbook on Immigration and Asylum Law**

Gina Clayton, Caroline Sawyer, 2014 This volume examines the law and system of control which govern immigration and asylum in the UK It begins with the historical and legal context explains who is subject to immigration control and describes the legal and administrative structure of the system

#### **Education and Training on Refugee Law in the Sudan**

Fawzi Abdelmageed, 1986

*The Readmission of*

*Asylum Seekers under International Law* Mariagiulia Giuffr ,2020-02-20 This monograph could not be more timely as discourses relating to refugees access to territory rescue at sea push back and push back by proxy dominate political debate Looking at the questions which lie at the junction of migration control and refugee law standards it explores the extent to which readmission can hamper refugees access to protection Though it draws mainly on European law notably the European Convention on Human Rights it also examines other international frameworks including those employed by the United Nations and instruments such as the Refugee Convention Therefore this book is of importance to readers of international law refugee law human rights and migration studies at the global level It offers an analysis of both the legal and policy questions at play and engages fully with widely disputed cases concerning readmission agreements deportation with assurances and interception at sea By so doing this book seeks to clarify a complex field which has at times suffered from partiality in both its terminology and substance

*The Internal Protection Alternative in Refugee Law* Jessica Schultz,2018-12-10 Under what circumstances can a state refuse refugee status to a person whose risk of persecution exists in only part of her country of origin This book is the first monograph to examine the treaty basis and criteria for the internal protection alternative IPA an exception to refugee status increasingly invoked by state parties to the 1951 Refugee Convention and its 1967 Protocol Through a critical analysis of the relationship between refugee law and related fields Schultz finds that the legal scope for IPA practice is narrower than is commonly claimed Since persons subject to an IPA analysis have a well founded fear of persecution within their countries of origin any limit on their right to refugee status must involve a careful balancing of the impact of continued displacement against the state s interest in preserving its restricted protection resources She argues that the doctrine of implied limits in human rights law can provide analytic structure to the IPA concept and reduce the risk of overly broad application



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