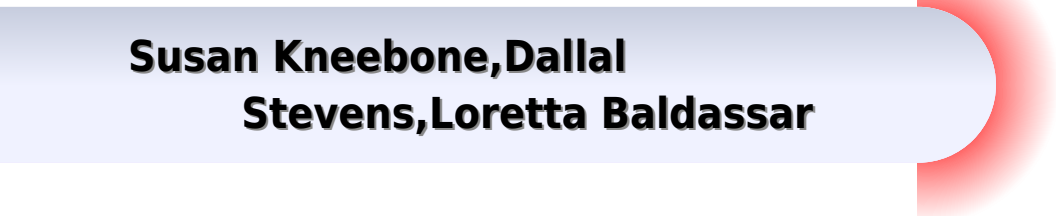


Refugee Rights in International Law



Refugee Protection In International Law

**Susan Kneebone, Dallal
Stevens, Loretta Baldassar**



Refugee Protection In International Law:

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

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 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

UNHCR and International Refugee Law Corinne Lewis, 2012-06-25 This book considers the United Nations High Commissioner for Refugees contribution to international refugee law since the establishment of UNHCR by the United Nations General Assembly in 1951 The book explores the historical and statutory foundations that create an indelible link between UNHCR and international refugee law This book charts the significant evolution that has occurred in the organisation's role throughout the last sixty years looking at both the formal means by which UNHCR's mandate may be modified and the techniques UNHCR has used to facilitate the changes in its role thereby revealing a significant evolution in the organisation's role since the onset of the crisis in refugee protection in the 1980's UNHCR itself has demonstrated its organizational autonomy as the primary agent for the adaptation of its responsibilities and work related to international refugee law The author does suggest however that UNHCR needs to continue to extend and strengthen its role related to international refugee law if UNHCR is to ensure a stronger legal framework for the protection of refugees as well as a fuller respect for refugees rights in practice UNHCR and International Refugee Law should be of particular interest to refugee lawyers as well as academics and students of refugee law and international law and anyone concerned with the important role that UNHCR plays in the protection of refugees today

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

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.

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, Helle 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?

The Refugee Definition in International Law Hugo Storey, 2023-09-21

In international law, the refugee definition enshrined in Article 1A(2) of the Refugee Convention and its 1967 Protocol is central. Yet seven decades on, the meaning of its key terms are widely seen as unclear. *The Refugee Definition in International Law* asks whether we must continue to accept this or whether a systematic legal analysis can shed new light on this important term. The volume addresses several framework questions concerning approaches to definition, interpretation, ordering, and the interrelationship between the definition's different elements. Each element is then analysed in turn, applying Vienna Convention of the Law of Treaties rules in systematic fashion. Each chapter evaluates the main disputes that have arisen and seeks to distil basic propositions that are widely agreed, as well as certain suggested propositions for resolving ongoing debates. In the final chapter, the basic propositions are assembled to demonstrate that in fact there is now more clarity about the definition than many think, and that considerable progress has been made toward achieving a working definition.

The UNHCR and the Supervision of International Refugee Law James C. Simeon, 2013-08-15

Analyses UNHCR's supervision of international refugee law and

compliance with international standards in helping to ensure and advance refugee rights

Human Rights and the Refugee Definition Bruce Burson, David James Cantor, 2016-02-02 Does human rights law help us to define who qualifies as a refugee If so then how These deceptively simple questions sit at the heart of an intense contemporary debate over whether or how interpretation of the refugee definition in the Refugee Convention should take account of human rights law In *Human Rights and the Refugee Definition* Burson and Cantor bring a fine grained comparative perspective to this debate For the first time they collect together in one edited volume over a dozen new studies by leading scholars and practitioners that explore in detail how these legal dynamics play out in a range of national and international jurisdictions and in relation to particular thematic challenges in refugee law *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

Reconceiving International Refugee Law James C. Hathaway, 1997-09-17 2 2 The Refugee Family *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

How Interpretation Makes International Law Ingo Venzke, 2012-09-06 Challenging the classic narrative that sovereign states make the law that constrains them this book argues that treaties and other sources of international law form only the starting point of legal authority Interpretation can shift the meaning of texts and in its own way make law In the practice of interpretation actors debate the meaning of the written and customary laws and so

contribute to the making of new law In such cases it is the actor's semantic authority that is key the capacity for their interpretation to be accepted and become established as new reference points for legal discourse The book identifies the practice of interpretation as a significant space for international lawmaking using the key examples of the UN High Commissioner for Refugees and the Appellate Body of the WTO to show how international institutions are able to shape and develop their constituent instruments by adding layers of interpretation and moving the terms of discourse The book applies developments in linguistics to the practice of international legal interpretation building on semantic pragmatism to overcome traditional explanations of lawmaking and to offer a fresh account of how the practice of interpretation makes international law It discusses the normative implications that arise from viewing interpretation in this light and the implications that the importance of semantic changes has for understanding the development of international law The book tests the potential of international law and its doctrine to respond to semantic change and ultimately ponders how semantic authority can be justified democratically in a normative pluriverse

Evaluating the Effectiveness of International Refugee Law M. R. Alborzi, 2006 This book is an evaluation of the international response to a major protracted humanitarian situation As such it is the first comprehensive account and assessment of the effectiveness of international law in dealing with Iraqi refugees during the regime of Saddam Hussein

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

States, the Law and Access to Refugee Protection Maria O'Sullivan, Dallal 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

Human Rights and the Protection of Refugees Under International Law John P. Humphrey, Canadian Human Rights Foundation, 1988 The Nature of the Problem [The Protection of General Interests in Contemporary International Law](#) Massimo Iovane, Fulvio M. Palombino, Daniele Amoroso, Giovanni Zarra, 2021-08-04 This book analyses three key concepts global public goods global commons and fundamental values as tools geared towards the protection of the general interests of the international community After providing an overview of these

concepts the book examines how international law has responded to them in a wide range of fields and investigates how global governance has improved or worsened this response Contributions from a group of experts explore the legal foundations of general interests and discuss which interests have or have not been deemed to deserve the protection of international law Other chapters focus on whether and to what extent it is appropriate that international law intervenes to regulate such interests considering the interplay between multiple actors including states international and regional organisations and non state actors The book explores how states and other actors have used international law to protect general interests what lessons can be learned from these efforts and what significant challenges still need to be addressed

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

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