

# THE RIGHTS OF REFUGEES UNDER INTERNATIONAL LAW

*Second Edition*

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# Rights Of Refugees Under International Law

**James C. Hathaway**



## **Rights Of Refugees Under International Law:**

**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

**The Rights of Refugees under International Law** James C. Hathaway, 2021-04-22 Do states have a duty to assimilate refugees to their own citizens Are refugees entitled to freedom of movement to be allowed to work to have access to public welfare programs or to be reunited with family members Indeed is there even a duty to admit refugees at all This fundamentally rewritten second edition of the award winning treatise presents the only comprehensive analysis of the human rights of refugees set by the UN Refugee Convention and international human rights law It follows the refugee s journey from flight to solution examining every rights issue both historically and by reference to the decisions of senior courts from around the world Nor is this a purely doctrinal book Hathaway s incisive legal analysis is tested against and applied to hundreds of protection challenges around the world ensuring the relevance of this book s analysis to responding to the hard facts of refugee life on the ground

**The Refugee in International Law** Guy S. Goodwin-Gill, Jane McAdam, 2007 Millions of people are forced to flee their homes as a result of various forms of persecution The instruments to secure international protection are the 1951 Convention Relating to the Status of Refugees and its 1967 Protocol This book examines challenges to the Convention

*Migration, Trafficking, Human Rights and Refugees Under International Law* Muhammed Tawfiq Ladan, 2004 Includes statistical tables

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

Mass Refugee Influx and the Limits of Public International Law Ann Vibeke Eggli, 2021-11-15 Situations of mass refugee influx represent by their very size and urgency daunting evidence of human suffering and cruelty Consequently the level and quality of refugee protection in times of crisis is tested The choices to be made have to take into due consideration the prevalent conditions and restraints They will probably always result in compromises The question is whom or what the compromises are about The focus in the present volume has been set on a detailed examination of some legal preconceptions commonly found in situations of mass refugee in migration The author concludes that situations when refugees arrive en masse do not as a rule qualify as a public emergency that threatens the life of the nation under contemporary international human rights law and that mass expulsion of refugees as an emergency measure is prohibited at all times when this entails the risk of violating rights immune to derogation

*UNHCR and International Refugee Law* Corinne Lewis, 2012 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.

**Balancing State Sovereignty with Refugees Rights under International Law** Martin Nimbom, 2024-04-03  
Essay from the year 2024 in the subject Law Public Law Constitutional Law Basic Rights language English abstract The global refugee crisis has presented a formidable challenge to the traditional understanding of state sovereignty and the control of national borders. While sovereignty affords States the right to control their borders and protect their nationals, States also have a humanitarian obligation to respect the human rights and dignity of refugees who are often people fleeing from persecution, violence and abject poverty. This research explores the complex interplay between state sovereignty and humanitarian obligations in the context of refugee protection by exploring the legal, ethical and political dimensions of the issue. It argues that sovereignty should not be seen as an absolute or fixed concept but rather as a dynamic and relational one that is shaped by the changing realities and norms of the international community. By balancing sovereignty with the humanitarian obligation to protect refugees, this research also proposes a balanced approach that respects the rights of sovereign states while addressing the urgent needs of refugees. The research concludes that the legal framework which governs refugees continues to be characterized on the one hand by the principles of state sovereignty and related territorial supremacy, self defense and self preservation and on the other hand by competing humanitarian principles derived from general international law including the purposes and principles of the United Nations and treaty law.

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      *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      *International Refugee Law* Hélène 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      *International Law & Trade Perspective*, 1990      **Nordic Journal of International Law**, 1995

*International Refugee Law* Mohammad Naqib Ishan Jan, Ashgar Ali Ali Mohamed, Muhamad Hassan Ahmad, 2017

**Monash University Law Review** Monash University. Faculty of Law, 2007      **ISIL Year Book of International Humanitarian and Refugee Law** Indian Society of International Law, 2006      **Victoria University of Wellington Law Review**, 2006      *Cornell International Law Journal*, 1991      *The Yale Journal of International Law*, 1997      *Asylum and the European Convention on Human Rights* Nuala Mole, 2010 Political upheavals economic reforms social instability and civil war have all been factors contributing to changes in the mixed flows of migrants both to and within Europe Many of those in need of international protection are forced to seek it in Europe and the new member states of the enlarged Council of Europe are now also experiencing the arrival of asylum seekers This revised edition considers the substantial body of case law of the European Court of Human Rights which has examined the compatibility of the Convention with measures taken by states in relation to all aspects of the asylum process It also observes the role of subsidiary protection offered by the Strasbourg organs in protecting those at risk of prohibited treatment In addition the study considers the increasingly relevant provisions of EU law developments in the field as well as measures taken in the context of terrorist threats both of which have had a significant impact on the practical circumstances and law on refugees and asylum seekers back cover

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