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| **COURSE UNIT ONE [1]:**  **INTRODUCTION TO REFUGEES AND FORCED MIGRATION**  **ATTEMPT QUESTION ONE [1]:**  **TRACE THE ORIGIN AND EVOLUTION OF REFUGEE PROTECTION LAW?**  **SUBMITTED BY:**  **OKETA DOMINIC LABOKE**  **INVOICE NO: 256/003/2019**  **ADMISSION NO: 256/2019**  **SUBMITTED TO:**  **MODERATOR: \_\_\_\_\_\_\_/\_\_\_\_\_\_ 2019.**  **SUBMISSION DATE: 04/05/2019; SIGNATURE:** |

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| **INTRODUCTION:**  The origin and evolution of the refugee protection law can be trace from the International humanitarian law and Human Right law in its history as periodic movement of great numbers of people or groups of people due to economic, political and natural disaster. The 1951 Convention relating to the Status of Refugees is the foundation of international refugee law. It defines the term “refugee” Who is a refugee under the 1951 Convention?, the establishes the principle that refugees should not be forcibly returned to a territory where their lives or freedom would be threatened (see box below: The principle of non‑refoulement), and sets out the duties of refugees and States’ responsibilities toward them. The Convention was drawn up shortly after the Second World War, and its authors were focused on refugee problems existing at that time. The definition of a refugee contained in the 1951 Convention refers to persons who became refugees as a result of events occurring before 1 January 1951, and States had to declare whether they would apply that definition only to events that took place in Europe or also to events in other parts of the world. As new refugee crises emerged around the globe during the 1950s and early 1960s, it became clear that the temporal and geographical scope of the 1951 Convention needed to be widened. The 1967 Protocol to the Convention was adopted to do this.  The movement of people between states, whether refugees or ‘migrants’, takes place in a context in which sovereignty remains important, and specifically that aspect of sovereign competence which entitles the state to exercise prima facie exclusive jurisdiction over its territory, and to decide who among non-citizens shall be allowed to enter and remain, and who shall be refused admission and required or compelled to leave. Like every sovereign power, this competence must be exercised within and according to law, and the state’s right to control the admission of non-citizens is subject to certain well defined exceptions in favour of those in search of refuge, among others.  Moreover, the state which seeks to exercise migration controls outside its territory, for example, through the physical interception, ‘interdiction’, and return of asylum seekers and forced migrants, may also be liable for actions which breach those of its international obligations which apply extra territorially.  When UNHCR first came into existence in 1951refugees were welcomed non-citizens in many countries. This was not least because in post war Europe, they came mainly in manageable numbers from neighboring countries with some ethnic affinities; their intake reinforced strategic objectives during the cold war; and as an added plus, they helped to meet labor shortages however today the term refugee has a certain stigma attached which has seriously complicated UNHCR’s responsibilities to ensure that international protection is available to them as a surrogate for the protection their national authorities, which they have lost, this is the time where policies of protection of refugee evolved.  The international law of refugee protection, which is the source of many such exceptions, comprises a range of universal and regional conventions and treaties, rules of customary international law, general principles of law, national laws, and the ever developing standards in the practice of states and international organizations, notably the Office of the United Nations High Commissioner for Refugees. While the provision of material assistance food, shelter, and medical care is a critically important function of the international refugee regime, the notion of legal protection has a very particular focus. Protection in this sense means using the legal tools, including treaties and national laws, which prescribe or implement the obligations of states and which are intended to ensure that no refugee in search of asylum is penalized, expelled, or refouled, that every refugee enjoys the full complement of rights and benefits to which he or she is entitled as a refugee; and that the human rights of every refugee are guaranteed. Protection is thus based in the law; it may be wider than rights, but it begins with rights and rights permeate the whole. Moreover, while solutions remain the ultimate objective of the international refugee regime, this does not mean that the one goal is automatically subsumed within the other. That is, protection is an end in itself, so far as it serves to ensure the fundamental human rights of the individual. Neither the objective of solutions nor the imperatives of assistance, therefore, can displace the autonomous protection responsibility which is borne, in its disparate dimensions by both states and United Nations High Commissioner for Refugee.  The modern law on refugees protection can now be traced back nearly 100 years, to legal and institutional initiatives taken by the League of Nations, first, in the appointment of a High Commissioner for Refugees in 1921, and then in agreement the following year on the issue of identity certificates to ‘any person of Russian origin who does not enjoy or no longer enjoys the protection of the Government of the Union of Soviet Socialist Republics and who has not acquired another nationality’.  After the Second World War, the refugee question became highly politicized, and the UN’s first institutional response to the problem the International Refugee Organization (IRO), a specialized agency was opposed by the Soviet Union and its allies, remaining funded by only 18 of the 54 governments which were then members of the United Nations. Notwithstanding the politics of the day, tens of thousands of refugees and displaced persons were resettled under International Refugees Organization auspices, through government selection schemes, individual migration, and employment placement.  In 1951, the International Refugees Organization was replaced by a new agency, an initially non-operational subsidiary organ of the UN General Assembly charged with providing ‘international protection’ to refugees and seeking permanent solutions. The Statute of the United Nations High Commissioner for Refugees was adopted on 14 of December 1950, and the Office came into being on 1st, January 1951. Its mandate was general and universal, including refugees recognized under earlier arrangements, as well as those outside their country of origin who were unable or unwilling to return there owing to well-founded fear of persecution on grounds of race, religion, nationality, or political opinion. Once a temporary agency, United Nations High Commissioner for Refugees was put on a permanent basis in 2003, when the General Assembly renewed its mandate ‘until the refugee problem is solved’.  From the start, UNHCR’s protection responsibilities were intended to be complemented by a new refugee treaty, and the 1951 Convention relating to the Status of Refugees was finalized by states at a conference in Geneva in July 1951; it entered into force in 1954. Notwithstanding the intended complementarity, there were already major differences between UNHCR’s mandate, which was universal and general, unconstrained by geographical or temporal limitations, and the refugee definition forwarded to the Conference by the General Assembly.  This reflected the reluctance of states to sign a ‘blank cheque’ for unknown numbers of future refugees, and so was to those who became refugees by reason of events occurring before 1 January 1951; the Conference was to add a further option, allowing states to limit their obligations to refugees resulting from events occurring in Europe before the critical date restricted.  The difficulty of maintaining a refugee definition bounded by time and space was soon apparent, but it was not until 1967 that the Protocol relating to the Status of Refugees helped to bridge the gap between UNHCR’s mandate and the 1951 Convention. The Protocol is often referred to as ‘amending’ the 1951 Convention, but in fact it does no such thing. States parties to the Protocol, which can be ratified or acceded to without becoming a party to the Convention, simply agree to apply Articles 2 to 34 of the Convention to refugees defined in Article 1 thereof, as if the dateline were omitted (Article I of the Protocol). Cape Verde, the United States of America, and Venezuela have acceded only to the Protocol; Madagascar and St Kitts and Nevis remain party only to the Convention; and Madagascar and Turkey have retained the geographical limitation. The Protocol required just six ratifications and it entered into force on 4 October 1967.  The understanding of refugee definition in the convention of 1951; the convention defined refugee in Article 1A(1) of the 1951 Convention applies the term ‘refugee’, first, to any person considered a refugee under earlier international arrangements. Then, Article 1A (2), read now together with the 1967 Protocol and without time or geographical limits, offers a general definition of the refugee as including any person who is outside their country or origin and unable or unwilling to return there or to avail themselves of its protection, owing to well-founded fear of persecution for reasons of race, religion, nationality, membership of a particular social group (an additional ground not found in the UNHCR Statute), or political opinion. Stateless persons may also be refugees in this sense, where country of origin (citizenship) is understood as ‘country of former habitual residence’.  The refugee must be ‘outside’ his or her country of origin, and having crossed an international frontier is an intrinsic part of the quality of refugee, understood in the international legal sense. However, it is not necessary to have fled by reason of fear of persecution, or even actually to have been persecuted. The fear of persecution looks to the future, and can emerge during an individual’s absence from their home country, for instance, as a result of intervening political change. Persecution and the Reasons for Persecution Although central to the refugee definition, ‘persecution’ itself is not defined in the 1951 Convention, ‘’articles 31 and 33 refer to threats to life or freedom, so clearly it includes the threat of death, or the threat of torture, or cruel, inhuman, or degrading treatment or punishment’’.  A comprehensive debate analysis requires the general notion to be related to developments within the broad field of human rights, and the recognition that fear of persecution and lack of protection are themselves interrelated elements. The persecuted do not enjoy the protection of their country of origin, while evidence of the lack of protection on either the internal or external level may create a presumption as to the likelihood of persecution and to the well-foundedness of any fear. However, there is no necessary linkage between persecution and government authority.  A Convention refugee, by definition, must be unable or unwilling to avail him-or herself of the protection of the state or government, and the notion of inability to secure the protection of the state is broad enough to include a situation where the authorities cannot or will not provide protection, for example, against persecution by non -state actors. The Convention does require that the persecution feared be for reasons of ‘race, religion, nationality, membership of a particular social group, or political opinion’.  This language, which recalls the language of non-discrimination in the Universal Declaration of Human Rights and subsequent human rights instruments, gives an insight into the characteristics of individuals and groups which are considered relevant to refugee protection. These reasons in turn show that the groups or individuals are identified by reference to a classification which ought to be irrelevant to the enjoyment of fundamental human rights, while persecution implies a violation of human rights of particular gravity; it may be the result of cumulative events or systemic mistreatment, but equally it could comprise a single act of torture  The Convention does not just say who is a refugee, but also sets out when refugee status comes to an end (Article 1C; for example, in the case of voluntary return, acquisition of a new, effective nationality, or change of circumstances in the country of origin). For political reasons, the Convention also puts Palestinian refugees outside its scope (at least while they continue to 23 receive protection or assistance from other UN agencies; Article 1D); and it excludes those who are treated as nationals in their state of refuge (Article 1E).  Finally, the Convention definition categorically excludes from the benefits of refugee status anyone who there are serious reasons to believe has committed a war crime, a serious non-political offence prior to admission, or acts contrary to the purposes and principles of the United Nations (Article 1F). From the beginning, therefore, the 1951 Convention has contained clauses sufficient to ensure that the serious criminal and the terrorist do not benefit from international protection. Non-Refoulement Besides identifying the essential characteristics of the refugee, states party to the Convention also accept specific obligations which are crucial to achieving the goal of protection, and thereafter an appropriate solution.  Foremost among these is the principle of non-refoulement. As set out in the Convention, this prescribes broadly that no refugee shall be returned in any manner whatsoever to any country where he or she would be at risk of persecution. The word refoulement derives from the French refouler, which means to drive back or to repel. The idea that a state ought not to return persons to other states in certain circumstances was first referred to in Article 3 of the 1933 Convention relating to the International Status of Refugees. It was not widely ratified, but a new era began with the General Assembly’s 1946 endorsement of the principle that refugees with valid objections should not be compelled to return to their country of origin. An initial proposal that the prohibition of refoulement be absolute and without exception was qualified by the 1951 Conference, which added a paragraph to deny the benefit of non-refoulement to the refugee whom there are ‘reasonable grounds for regarding as a danger to the security of the country or who, having been convicted by a final judgment of a particularly serious crime, constitutes a danger to the community of that country.’  Apart from such limited exceptions, however, the drafters of the 1951 Convention made it clear that refugees should not be returned, either to their country of origin or to other countries in which they would be at risk; they also categorically rejected a proposal allowing for ‘cancellation’ of refugee status in cases of criminal or delinquent behaviour after recognition. Today, the principle of non-refoulement is not only the essential foundation for international refugee law, but also an integral part of human rights protection, implicit in the subject matter of many such rights, and a rule of customary international law.  Historically, the right of people to move across the boundaries of their body politic or political entity is regarded as one of the most ancient exercises of human freedom. The legal delimitation of the length and breadth of this freedom remained largely beyond the control of those moved or displaced and contingent upon the national interest of the refuge. Pursuant to this right to cross-border freedom of movement, when a person is forced to flee his/her state of origin or nationality as a victim of circumstances caused by certain extraneous factors and seeks sanctuary in a foreign country, he/she is considered as an involuntary migrant or asylum-seeker who does not currently receive the legal protection of any state. Such a person has always been in a vulnerable position warranting support and protection. Customary international law that prevailed prior to the First World War afforded protection to individual only by the state to which they belong as national. It imposed no obligation on states to protect the nationals of other states, even when in the territory of the former. Their protection was at the mercy of the foreign state of refuge, which could expel them at will and any time. Individuals fleeing their own state to escape intolerable or life-threatening circumstances ‘found themselves totally bereft of protection at international law’.  However, forcible cross-border movement of people took a dramatic turn at the aftermath of the First World War. Their marginalized and inhumane plight came to the forefront of the post-war international community, which underscored the urgency of devising a protection regime specifically to face the prevailing refugee crisis. This was the beginning of the subsequent evolution of international refugee law as a means of institutionalizing societal concern for the well-being and protection of refugees.  The purpose was to safeguarding the otherwise powerless vulnerable individuals, who should be entitled to adequate protection beyond the whims of their state of refuge. This quest for international legal protection notwithstanding and regardless of their state of refuge, refugees over the history has always been confronting insurmountable practical and extra-legal barriers in receiving the intended protection. This gulf between theory and practice is attributable partly to the outdated notion of refugee retained in the regime and partly due to the failure of states to live up to their commitments and legal obligations toward refugees. As a result, the intended protection capability of the regime remains underutilized and subservient to political expediencies.  This question is to traces the genesis and evolution of international refugee law since its institutionalization at the end of the First and Second World Wars through to its current paradigm till to date. It highlights and comments upon the driving-force, legislative imperatives, and politics of cooperation behind various phases of development. Its evolution and application since inception has consistently been dominated by national interests of states and their politico-economic expediencies. Consequently, refugees have always been facing unwelcoming, if not hostile, environment everywhere and inordinate difficulties accessing protection by virtue of law. As it stands now, international refugee law is grossly inadequate to deal with the complexities and diversities of modern refugees problems and cover wide-ranging refugee-producing circumstances, which underscores the need for further evolution.  Nevertheless the development of Refugees protection law was due to Persecution and the Reasons for Persecution that was not stipulated in either 1951 refugee convention or 1954 Refugee convention. Although centrality to the refugee definition, ‘persecution’ itself is not defined in the 1951 Convention. Articles 31 and 33 refer to threats to life or freedom, so clearly it includes the threat of death, or the threat of torture, or cruel, inhuman, or degrading treatment or punishment. A comprehensive analysis requires the general notion to be related to developments within the broad field of human rights, and the recognition that fear of persecution and lack of protection are themselves interrelated elements. The persecuted do not enjoy the protection of their country of origin, while evidence of the lack of protection on either the internal or external level may create a presumption as to the likelihood of persecution and to the wells-foundedness of any fear.  However, there is no necessary linkage between persecution and government authority.  A Convention refugee, by definition, must be unable or unwilling to avail him-or herself of the protection of the state or government, and the notion of inability to secure the protection of the state is broad enough to include a situation where the authorities cannot or will not provide protection, for example, against persecution by non-state actors. The Convention does require that the persecution feared be for reasons of ‘race, religion, nationality, membership of a particular social group, or political opinion’. This language, which recalls the language of non-discrimination in the Universal Declaration of Human Rights and subsequent human rights instruments, gives an insight into the characteristics of individuals and groups which are considered relevant to refugee protection. These reasons in turn show that the groups or individuals are identified by reference to a classification which ought to be irrelevant to the enjoyment of fundamental human rights, while persecution implies a violation of human rights of particular gravity; it may be the result of cumulative events or systemic mistreatment, but equally it could comprise a single act of torture.  The Convention does not just say who is a refugee, but also sets out when refugee status comes to an end (Article 1C; for example, in the case of voluntary return, acquisition of a new, effective nationality, or change of circumstances in the country of origin). For political reasons, the Convention also puts Palestinian refugees outside its scope (at least while they continue to 23 receive protection or assistance from other UN agencies; Article 1D); and it excludes those who are treated as nationals in their state of refuge (Article 1E).  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The word refoulement derives from the French refouler, which means to drive back or to repel. The idea that a state ought not to return persons to other states in certain circumstances was first referred to in Article 3 of the 1933 Convention relating to the International Status of Refugees. It was not widely ratified, but a new era began with the General Assembly’s 1946 endorsement of the principle that refugees with valid objections should not be compelled to return to their country of origin.8 An initial proposal that the prohibition of refoulement be absolute and without exception was qualified by the 1951 Conference, which added a paragraph to deny the benefit of non-refoulement to the refugee whom there are ‘reasonable grounds for regarding as a danger to the security of the country...or who, having been convicted by a final judgment of a particularly serious crime, constitutes a danger to the community of that country.’ Apart from such limited exceptions, however, the drafters of the 1951 Convention made it clear that refugees should not be returned, either to their country of origin or to other countries in which they would be at risk; they also categorically rejected a proposal allowing for ‘cancellation’ of refugee status in cases of criminal or delinquent behaviour after recognition. Today, the principle of non-refoulement is not only the essential foundation for international refugee law, but also an integral part of human rights protection, implicit in the subject matter of many such rights, and a rule of customary international law.  Notably the convention provide standards of treatment and protection of the refugees for the states to ratify and accede to;Every state is obliged to implement its international obligations in good faith, which often means incorporating international treaties into domestic law, and setting up appropriate mechanisms so that those who should benefit are identified and treated accordingly. The 1951 Convention is not self-applying, and while recognition of refugee status may be declaratory of the facts, the enjoyment of most Convention rights is necessarily contingent on such a decision being made by a state party. A procedure for the determination of refugee status thus goes a long way towards ensuring the identification of those entitled to protection, and makes it easier for a state to fulfil its international obligations.9 In addition to the core protection of non-refoulement, the 1951 Convention prescribes freedom from penalties for illegal entry (Article 31), and freedom from expulsion, save on the most serious grounds (Article 32). Article 8 seeks to exempt refugees from the application of exceptional measures which might otherwise affect them by reason only of their nationality, while Article 9 preserves the right of states to take ‘provisional measures’ on the grounds of national security against a particular person, but only ‘pending a determination by the Contracting State that that person is in fact a refugee and that the continuance of such measures is necessary in the interests of national security’. States have also agreed to provide certain facilities to refugees, including administrative assistance (Article 25); identity papers (Article 27), and travel documents (Article 28); the grant of permission to transfer assets (Article 30); and the facilitation of naturalization (Article 34). Given the further objective of a solution (assimilation or integration), the Convention concept of refugee status thus offers a point of departure in considering the appropriate standard of treatment of refugees within the territory of contracting states. It is at this point, where the Convention focuses on matters such as social security, rationing, access to employment and the liberal professions, that it betrays its essentially European origin; it is here, in the articles dealing with social and economic rights, that the greatest number of reservations are to be found, particularly among developing states.  Otherwise, however, the Convention proposes, as a minimum standard, that refugees should receive at least that treatment which is accorded to non-citizens generally. In some contexts, ‘most-favored-nation’ treatment is called for (Articles 15, 17(1)), in others, ‘national treatment’, that is, treatment no different from that accorded to citizens (Articles 4, 14, 16, 20, 22(1), 23, 24(1), 29) 28 treaty’, to be approached as a living instrument, evolving to meet the needs and challenges of the day. Given the subject matter and the inescapable linkage between human rights violations and forced displacement, this descriptive language is understandable. The Convention, however, is not like most other human rights treaties, and it is styled a convention relating to the status of refugees, rather than one on the rights of refugees. Moreover, it does not frame ‘refugee rights’ in terms of what ‘every refugee’ shall enjoy and ‘no refugee’ shall be denied; in this sense its approach differs markedly from that later adopted in the 1966 Covenants, the 1989 Convention on the Rights of the Child, or the 2006 Convention on the Rights of Persons with Disabilities.  Whereas later human rights treaties tend to identify the individual as the point of departure, whether simply by virtue of being human, or a child, a woman, a worker, or someone with a disability the practice of states and international organizations has itself helped to bring the concept of refugee rights into the foreground of international legal protection doctrine.  The 1951 Convention remains quite ‘state-centric’, in the sense that it represents undertakings and obligations, accepted between the parties, to respect, protect, or accord certain rights and benefits. Sometimes a right may be stated simply, unqualified other than by reference to the refugee’s lawful presence (Article 32), but at others, it has to be implied ‘the refugee shall be allowed.’: Article 32(2), or must be assumed as the reverse side of a qualification to the competence of the state, rather than a right strictly correlative to duty (contracting states ‘shall not expel a refugee save on grounds of national security or public order’: Article 32(1); ‘shall not impose penalties’ Article 31; ‘shall issue identity papers’ Article 27; and ‘No contracting State shall expel or return (“refouler”) a refugee’ Article 33(1).  In addition to the ‘protection gap’ between the principle of non-refoulement and asylum in the sense of solution, there are further doctrinal gaps between the Convention/Protocol refugee regime and the seemingly broader regime, or regimes, of human rights protection.  The 1969 Vienna Convention on the Law of Treaties provides no answer, for example, to the question of how far the general prohibition of discrimination in Article 26 of the 1966 International Covenant on Civil and Political Rights is to be applied to refugees; or how, if at all, their specific entitlements under the 1951 Convention are to be ‘updated’ or ‘expanded’ in the light of parallel systems of protection which seem to be simultaneously applicable. The practice of states at present provides no clear answers, save that states themselves appear to want to maintain the specific, refugee-focused approach of the 1951 Convention. The fundamental principles of refugee protection, particularly refuge, non-return, or ‘non-refoulement’, are necessarily common material to both fields, but reports of human rights undermining the refugee protection regime are likely exaggerated or premature, or just plain academic speculation.  **CONCLUSION**  The origin and evolution of the international refugees protection law developed from the 1950, when UNHCR was established, the problem presented was essentially on of dealing with the approximately one million individuals who had first fled Nazism, and later communism in Europe. The UNHCR’s work was mainly of a legal nature, to ensure entry and ease integration in accordance with the 1951 convention. The 1951 Convention is sometimes portrayed today as a relic of the Cold War, inadequate in the face of ‘new’ refugees from ethnic violence and gender based persecution, insensitive to security concerns, particularly terrorism and organized crime, and even redundant, given the protection now due in principle to everyone under international human rights law. The 1951 Convention does not deal with the question of admission, and neither does it oblige a state of refuge to accord asylum as such, or provide for the sharing of responsibilities (for example, by prescribing which state should deal with a claim to refugee status). The Convention does not address the question of ‘causes’ of flight, or make provision for prevention; its scope does not include internally displaced persons, and it is not concerned with the better management of international migration. At the regional level, and notwithstanding the 1967 Protocol, refugee movements have necessitated more focused responses, such as the 1969 OAU Convention and the 1984 Cartagena Declaration; while in Europe, the development of protection doctrine under the 1950 European Convention on Human Rights has led to the adoption of provisions on ‘subsidiary’ or ‘complementary’ protection within the legal system of the European Union. Nevertheless, within the context of the international refugee regime, which brings together states, UNHCR, and other international organizations, the UNHCR Executive Committee, and non-governmental organizations, among others, the 1951 Convention continues to play an important part in the protection of refugees, in the promotion and provision of solutions for refugees, in ensuring the security and related interests of states, sharing responsibility, and generally promoting human rights. Ministerial Meetings of States Parties, convened in Geneva by the government of Switzerland to mark the 50th and 60th anniversaries of the Convention in December 2001 and December 2011, expressly acknowledged, ‘the continuing relevance and resilience of this international regime of rights and principles, and reaffirmed that the 1951 Convention and the 1967 Protocol ‘are the foundation of the international refugee protection regime and have enduring value and relevance in the twenty-first century’. In many states, judicial and administrative procedures for the determination of refugee status have established the necessary legal link between refugee status and protection, contributed to a broader and deeper understanding of key elements in the Convention refugee definition, and helped to consolidate the fundamental principle of non-refoulement. While initially concluded as an agreement between states on the treatment of refugees, the 1951 Convention has inspired both doctrine and practice in which the language of refugee rights is entirely appropriate. The concept of the refugee as an individual with a well-founded fear of persecution continues to carry weight, and to symbolize one of the essential, if not exclusive, reasons for flight.  The scope and extent of the refugee definition, however, have matured under the influence of human rights law and practice, to the point that, in certain well-defined circumstances, the necessity for protection against the risk of harm can trigger an obligation to protect. Refugees only began to receive some measure of protection at international law when millions of people became stateless because of the devastation of war and the disintegration of multi-ethnic empires. As these displaced people scattered throughout Europe in search of homes, European states were confronted with the emergence of large refugee populations that threatened regional security and stretched their scarce resources to the limit. Therefore the focus of the international legal protection regime for refugee, from its very inception, was Euro-centric. Predominantly European states designed international legal standards.   |  | | --- | | Works Cited: |   **Gill Loescher’s, (1994)** “The International Refugee Regime: Stretched to the Limit?” Journal of International Affairs 47 (1994): 353.  **Erika Feller,** the evolution of the international refugee protection regime, WASH. UJ.L& POLY 129(2001) VOL.5  **Christopher J.** Greenwood; 2nd 1986. The Legal source of Refugee protection law 105-125-130,in collaboration with Michael Bothe, Horst Fischer, Peter Gasser  **A guide to international refugee protection**: This publication is jointly published by the Inter-Parliamentary Union and the United Nations High Commissioner for Refugees. Authors: Frances Nicholson and Judith Kumin. Joint inter-agency editorial committee: Cornelis Wouters, Ariel Riva, Alice Edwards, Madeline Garlick (UNHCR Division of International Protection); members of the IPU Committee to Promote Respect for International Humanitarian Law, in particular Senator Gabriela Cuevas Barron (Mexico), Senator Philippe Mahoux (Belgium) and Kareen Jabre, Secretary of the Committee.  **Goodwin-Gill 2011** & Moreno Lax 2011-2012, ‘’state which seeks to exercise migration controls outside its territory, for example, through the physical interception, ‘interdiction’, and return of asylum seekers and forced migrants’’  **Universal Declaration on Human Rights 1984;** “everyone has the rights to seeks and enjoy protection in other countries’’  **The 1951 Convention** relating to the status of refugees Articles 4,14,16,20, 22(1), 23, 24(1) & 2s9 treatment of refugees.  **The 1969 OAU** “adopted the convention on the specific aspects of refugees’ problem, articles 1(1) incorporates the 1951 convention definition of refugees”  **The Cartagena Declaration of 1984**  **McAdam 2007(16).** “risks of serious harm if returned to their country of origin”  **The 1969** **Vienna** Convention on the Law of treaties, Hathaway 2005; Goodwin-Gill & McAdam 2007.  **The 1967 Protocol** relating to the Status of Refugees helped to bridge the gap between UNHCR’s mandate and 1951 Convention.  **L. HOLBORN 1946-1952, 311-28 of 1956)** (International Refugee Organization (IRO). This is "legal and political protection". |