

# HUMANITARIAN & REFUGEE LAW

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**Introduction-** The term refugee has derived from a french word *refugie* which means to flee for safety.

A refugee is referred to those persons who leave their states in which they have permanent residences to escape persecution or military action.

# Definition

- ▣ Customary International law did not define the term refugee but the Convention relating to the status of refugees of 1951 defines refugees under Article 1.
- ▣ A refugee is someone who is unable or unwilling to return to their country of origin owing to a well-founded fear of being persecuted for reasons of race, religion, nationality, membership of a particular social group, or political opinion.

There is a difference between  
refugee, stateless person,  
Internally displaced person  
and asylum seeker.

# Stateless person

- ▣ A stateless person is someone who is not a citizen of any country.
- ▣ Citizenship is the legal bond between a government and an individual, and allows for certain political, economic, social and other rights of the individual, as well as the responsibilities of both government and citizen.
- ▣ A person can become stateless due to a variety of reasons, including sovereign, legal, technical or administrative decisions or oversights.
- ▣ The Universal Declaration of Human Rights underlines that “Everyone has the right to a nationality.”

# Internally Displaced person

- ▣ An internally displaced person, or IDP, is someone who has been forced to flee their home but never cross an international border.
- ▣ These individuals seek safety anywhere they can find it—in nearby towns, schools, settlements, internal camps, even forests and fields.
- ▣ IDPs, which include people displaced by internal strife and natural disasters, are the largest group that UNHCR assists.
- ▣ Unlike refugees, IDPs are not protected by international law or eligible to receive many types of aid because they are legally under the protection of their own government.

# Asylum Seeker

- ▣ When people flee their own country and seek sanctuary in another country, they apply for asylum – the right to be recognized as a refugee and receive legal protection and material assistance.
- ▣ An asylum seeker must demonstrate that his or her fear of persecution in his or her home country is well-founded.