Refugees and asylum seekers: a guide to key electronic resources

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Contents

Introduction .................................................................................................................. 1
The Refugee Convention .......................................................................................... 2
The Office of the United Nations High Commissioner for Refugees .................. 2
  General information and statistics on refugees and the work of UNHCR............ 2
Internally Displaced People .................................................................................... 3
The United States Committee for Refugees and Immigrants (USCRI) ................. 4
Developments in the international refugee and asylum system ...................... 4
  Europe .................................................................................................................. 4
    The Council of Europe ..................................................................................... 5
    The European Commission ............................................................................ 5
    Sources on Developments in the European Commission ......................... 6
    Sources on asylum in Europe. ...................................................................... 7
International resources ........................................................................................... 8
Recent international commentary ........................................................................ 9
Refugee advocate organisations ........................................................................... 9
Country links ........................................................................................................ 10
  Australia ............................................................................................................. 10
    Parliamentary Inquiries .................................................................................. 10
    Australian Human Rights Commission (AHRC) ........................................ 11
    Parliamentary Library publications ............................................................ 11
    Refugee advocate groups .............................................................................. 12

1. This Background Note updates A Millbank and C Bohm, Refugees and asylum seekers: a guide to key resources and recent developments, E-brief, Parliamentary Library, Canberra, 2007.
Introduction

The global number of refugees reached an estimated 15.2 million persons at the end of 2008, according to the United Nations High Commissioner for Refugees (UNHCR) publication *2008 Global Trends: Refugees, asylum-seekers, returnees, internally displaced and stateless persons*. The total population under UNHCR’s responsibility stood at 34.4 million at the end of 2008. This figure includes refugees, asylum seekers, internally displaced people (IDPs), returned refugees and IDPs, stateless persons, and others of concern. This represented an increase of 8.5 per cent from the end of 2007, when the figure was 31.7 million.

Refugees from Afghanistan and Iraq account for almost half of the total number of refugees under UNHCR’s responsibility worldwide. Most of the world’s refugees (80 per cent) continue to be hosted by developing nations, with Pakistan hosting the largest number (1.8 million) followed by the Syrian Arab Republic (1.1 million) and the Islamic Republic of Iran (980 000). The ‘warehousing’ of refugees for many years in refugee camps or *protracted refugee situations* continues to be an issue of concern. During 2008, 604 000 refugees were repatriated voluntarily to their countries of origin, the lowest level since 2001 and the second lowest in the last 15 years. A total of 88 800 refugees were resettled in third countries in 2008, most of them in the United States, Australia and Canada. This represented an 18 per cent increase from 2007, and was the highest number of resettled refugees since 2001.

In 2008 at least 839 000 claims for asylum were lodged with governments or UNHCR offices worldwide. This represents a 28 per cent increase compared to 2007 (653 800 claims). South Africa received by far the highest number of asylum claims (207 000, compared to only 45 600 in 2007), followed by the United States (49 600) and France (35 400). Asylum seekers remain a politically salient issue in many countries. Despite efforts at the international level to shore up the international asylum system, increasingly restrictive measures have been adopted by many asylum receiving countries.

This background note provides web links to statistics and information about the world’s refugees, asylum seekers and others ‘of concern’. There are of course many electronic sites with information on refugee issues. This guide focuses on key agencies and materials that track recent developments and explore current issues. It aims to enable comparisons to be made between Australian and international refugee and asylum seeker responses and policies. Different countries vary widely in terms of standards of living, geography, political systems and migration traditions and cultures. The complexity of refugee situations and different ways of compiling statistics need to be taken into account when drawing comparisons.

The 1951 *UN Convention Relating to the Status of Refugees* is often described as a product of Europe: it grew out of the situation in Europe after the World War II; the majority of asylum claims worldwide are lodged in Europe; and much of the policy development in the international asylum system has happened in Europe. For this reason, there is a focus in this paper on developments in Europe.
The Refugee Convention

The 1951 UN Convention Relating to the Status of Refugees is the key legal document defining refugee status and rights and the legal obligations of signatory states. The 1967 Protocol removed geographical and temporal restrictions (the 1951 Convention applied to refugees in Europe following World War II). As at 1 October 2008, there were 144 States Parties to the 1951 convention and 144 to the 1967 Protocol. Australia ratified the Convention on 22 January 1954 and the Protocol on 13 December 1973. States that have not yet acceded to the 1951 Convention or its 1967 Protocol are mainly in Asia and the Middle East. The USA is not a signatory to the 1951 Refugee Convention, although it has signed the 1967 Protocol.

The two most widely known and applied articles in the Convention are articles 1 and 33. Article 1 defines a refugee as a person who:

… owing to wellfounded fear of being persecuted for reasons of race, religion, nationality, membership of a particular social group or political opinion, is outside the country of his nationality and is unable or, owing to such fear, is unwilling to avail himself of the protection of that country; or who, not having a nationality and being outside the country of his former habitual residence as a result of such events, is unable or, owing to such fear, is unwilling to return to it.

Article 33 spells out the key obligation, of non-refoulement, that is not to return someone to a country where they have a credible fear of persecution.

The Office of the United Nations High Commissioner for Refugees

The Office of the United Nations High Commissioner for Refugees (UNHCR) was established on December 14, 1950 by the United Nations General Assembly, with a mandate to lead and co-ordinate international action to protect refugees and resolve refugee problems worldwide. Under certain circumstances it is also expected to assist groups of people such as internally displaced people, asylum seekers and returnees (refugees who have returned to their own countries). The current High Commissioner is the former Portuguese Prime Minister, Antonio Guterres who was appointed on 25 May 2005. The UNHCR is guided in its activities by an Executive Committee (EXCOM), currently comprising delegates from 64 countries. EXCOM produces Conclusions on International Protection to provide guidance on refugee issues. The UNHCR is funded through annual donations—donor countries and donations are publicly listed. The USA is the largest donor country, followed by Japan and Sweden.

General information and statistics on refugees and the work of UNHCR

- Figures at a glance
- News from the UN refugee agency
Refugees and asylum seekers: a guide to key electronic resources

- **UNHCR Regional Office for Australia, New Zealand, Papua New Guinea and the South Pacific** includes publications and media on refugee and asylum issues in the region.

- **UNHCR Global Report** (an assessment of the year in review)

- **The State of the World’s Refugees 2006** provides a more detailed look at trends and issues, against the broader political context of the effects of national security concerns and migratory flows on asylum seekers, refugees and internally displaced people worldwide.

- **UNHCR Statistical Online Population Database**

- **2008 Global Trends: Refugees, asylum-seekers, returnees, internally displaced and stateless persons** provides more detailed statistics on refugees, asylum-seekers, internally displaced people, stateless persons and other persons of concern to UNHCR.

- **Asylum levels and trends in industrialized countries 2008: Statistical overview of asylum applications lodged in Europe and selected non-European countries** provides statistics on asylum applications lodged in 51 industrialised countries, including Australia.

- **Protecting refugees and the role of UNHCR 2007–08** contains information about the resettlement of refugees under UNHCR auspices including refugee children.

- **Refugee resettlement handbook** describes the role of resettlement in the resolution of refugee situations and resettlement criteria. This includes country chapters where the resettlement programs of different countries are described.

**Internally Displaced People**

The definition of ‘refugee’ in the 1951 Refugee Convention does not cover internally displaced people (IDP), and the UNHCR’s original mandate did not extend to IDPs. IDPs have traditionally attracted less attention than international refugees, although their plight may often be worse. The UNHCR does now provide assistance to IDPs, but those under its protection account for only just over half of the total number of IDPs worldwide (14.4 million out of an estimated 26 million worldwide).

An alternative source of comprehensive and up to date information and statistics on internal displacement is provided by the Geneva-based Internal Displacement Monitoring Centre’s (IDMC) interactive Global IDP Database, maintained by the Norwegian Refugee Council (NRC). The IDMC publication *Internal Displacement: Global Overview of Trends and Developments in 2008* estimates the global total of internally displaced people at the end of 2008 at 26 million, the highest level since the early 1990s.
Refugees and asylum seekers: a guide to key electronic resources

The United States Committee for Refugees and Immigrants (USCRI)

The United States Committee for Refugees and Immigrants (USCRI) also provides an alternative (from the UNHCR) source of information and estimates on refugee numbers worldwide. The USCRI was founded in 1958 to coordinate US participation in the UN International Refugee Year (1959). The USCRI World Refugee Survey 2009 put the total number of refugees and asylum seekers at the end of 2008 at 13.6 million. USCRI counts not only people officially recognised as refugees (until a durable solution is available) but also asylum seekers awaiting initial determinations, beneficiaries of more general forms of protection granted for similar reasons, and others in refugee-like situations. USCRI Country Reports provide information on refugee situations and issues in individual countries. USCRI also publishes Refugee Reports.

Developments in the international refugee and asylum system

Following a decade of rapid increase in the number of asylum claims in Western countries, the continuing viability of the 1951 Refugee Convention has been questioned in recent years (a typical example is an address given by Dr Alexander Casella, a former UNHCR regional director, at a migration conference in Sydney, 2002).

The UNHCR organised a series of Global Consultations on International Protection, culminating in a conference in Geneva in December 2001 at which representatives of 156 governments, including Australia, unanimously reaffirmed the commitment of the international community to the 1951 Refugee Convention. The Global Consultations process involving governments, non-government organisations, other groups and experts continued into subsequent years with an Agenda for Protection - a series of activities designed to strengthen refugee protection and adherence to the Convention.

Europe

More asylum claims are lodged within European countries than in any other part of the world, and asylum law and policy in European nations and the EU influences the development of such laws and policies in many other countries. Western European countries have a long tradition of providing political asylum; the right to seek asylum is guaranteed by the EU’s Charter of Fundamental Rights. Over the last decade however commitment to the Refugee Convention has co-existed with increasing determination by governments to reduce the number of claims lodged within their territories. The comments on 28 February 2006 of the Secretary of the UK Home Office Tony McNulty illustrate this—Asylum Applications at Lowest Level for More Than a Decade.

A number of European countries (such as the UK, Norway and Denmark) have begun employing accelerated asylum processing, whereby people arriving at the border claiming asylum are held at the border and given a very short period of time (from 24 hours to several days) in which to prove their identity and their claim for asylum. If it is decided that their
Refugees and asylum seekers: a guide to key electronic resources

claims are manifestly unfounded, or their identity cannot be proved, their claim is denied and they are sent home. In many countries accelerated asylum processes are applied to nationals of particular states which are deemed to be ‘safe’. In these cases, asylum claims from nationals of those countries are assumed to be unfounded unless the claimant can prove otherwise in the short time permitted.

These kinds of accelerated procedures have been widely criticised by human rights and refugee advocacy groups. An analysis of accelerated asylum procedures in the EU can be found in the 2007 paper Accelerated Procedures for Asylum in the European Union: Fairness versus Efficiency by Sharon Oakley from the University of Sussex.

The Council of Europe

The Council of Europe’s interest in the situation of refugees, asylum seekers and displaced people is reflected in the various treaties and recommendations of the Committee of Ministers and of the Parliamentary Assembly. Several of these texts are based on the case-law of the European Court of Human Rights.

The Ad Hoc Committee of Experts on the Legal Aspects of Territorial Asylum, Refugees and Stateless Persons (CAHAR) works on the legal aspects of territorial asylum, refugees and stateless persons to ensure that European laws and practices related to refugees and asylum seekers are co-ordinated. It drafts conventions and recommendations which may be adopted by the Committee of Ministers. CAHAR also aims to harmonise asylum policy in the Council of Europe.

The European Commission

With freedom of movement within the EU, all EU countries are affected by the asylum policies and practices of any other country, hence there are efforts to coordinate or ‘harmonise’ policies and practices. The European Commission has been specifically tasked to develop a Policy towards a Common European Asylum System. The EU Council of Ministers agreed in Tampere, Finland (October 1999) to harmonise European asylum policy and practice ‘based on the full application of the 1951 United Nations Geneva Convention on the status of refugees’.


On 18 February 2003, the EU Council of Ministers adopted Directive 343/2003/EC establishing a series of criteria which, in general, allocate responsibility for examining an asylum application to the member state that permitted the applicant to enter or to reside in the territories of the member states of the EU. That member state is responsible for examining the
application according to its national law and is obliged to take back applicants who are irregularly in another member state. This is known as the **Dublin Regulation**.

The second stage of EU policy development towards a common European asylum system, formally adopted in November 2004 as the **Hague Programme**, is focused on the issues of common minimum standards and procedures for the granting of refugee status and subsidiary protection (such as temporary humanitarian resident status). In April 2004, the Council adopted **Directive 2004/83/EC** on minimum standards for the qualification and status of third-country nationals or stateless persons as refugees or as persons who otherwise need international protection and the content of the protection granted. This Directive sets out the two separate but complementary statuses of international protection, namely refugee status and subsidiary protection status. In December 2005, the Council adopted **Directive 2005/85/EC** on minimum standards on procedures in member states for granting and withdrawing refugee status.

EU countries, in cooperation with the UNHCR, are presenting the Hague Programme as a significant reform of the international asylum system because of its ‘external dimensions’ and goal of reducing ‘spontaneous movements’ to European countries. The Hague Programme focuses on strengthening capacity to protect and process asylum seekers in their regions of origin, or in transit countries (such as Libya or Morocco in North Africa). The target date for adoption is 2010. Latest updates on work under the Hague Programme can be found on the European Commission’s web site for the **Policy towards a Common European Asylum System**.

**Sources on Developments in the European Commission**

- European Commission, Justice and Home Affairs, Asylum policy in the EU provides information and links relating to developments, legislation and documents including Commission Communications

- European Commission, Justice and Home Affairs press releases

- The European Union Policy towards a Common European Asylum System

- European Commission Press Room

- European Commission Eurostat provides statistical data and documents on international migration and asylum

- the European Refugee Fund (ERF) was established via a Council of Europe Decision of 28 September 2000 (referred to as Decision 2000/596/EC) which stated that implementation of actions to support refugees through the fund was to be devolved to individual member states. The general objective of the fund is ‘to support and improve the efforts of member states to grant reception conditions to refugees, displaced people and beneficiaries of subsidiary protection, to apply fair and effective asylum procedures and to promote good
practices in the field of asylum so as to protect the rights of persons requiring international protection and enable member states asylum systems to work efficiently.’

Sources on asylum in Europe

- European Migration Network includes annual policy reports on asylum and migration in many countries
- UNHCR, European Union Asylum Law and Policy web page provides links to commentary and analysis from UNHCR on developments in asylum law and policy in the EU
- UNHCR, Asylum in the European Union: A study of the implementation of the qualification directive, November 2007
- EU, Studies in asylum policy in the EU, 2007
- C Phuong, ‘Controlling asylum migration to the enlarged EU: The impact of EU accession on asylum and immigration policies in Central and Eastern Europe’ from G Borias and J Crisp, Poverty, international migration and asylum, chapter 18, Palgrave Macmillan, New York, 2005, looks at how newly-admitted members of the EU are responding to increasing asylum migration
Refugees and asylum seekers: a guide to key electronic resources


### International resources

- **EurAsylum Ltd**, provides research, evaluation and consulting services dedicated solely to issues of immigration control and asylum policy in Europe and internationally.

- the Migration Policy Institute, an independent think tank based in Washington, tracks developments in ‘thinking, law and practice in the realm of refugee protection’ through its website pages on [Refugee Protection and International Humanitarian Response](#).

- **Forced Migration Online** provides access to a wide variety of online resources dealing with the situation of forced migrants and displaced people worldwide. It is coordinated by the University of Oxford’s Department of International Development.

- the **Centre for Immigration Studies**, also based in Washington, provides a comprehensive international news service and produces reports and articles on refugee and asylum seeker issues as well as immigration.

- **The International Journal of Refugee Law** contains analytical articles on refugee and asylum seeker legal issues and case law.

- **AsylumSupport.info** is a UK based non-government organisation that provides a directory of online resources relating to asylum and refugees.
Recent international commentary


Refugee advocate organisations

- UNHCR, the UN refugee agency
- Amnesty International’s Refugees, Migrants and Internally Displaced Persons site and its individual country reports cover refugee and asylum seeker as well as other human rights issues
- Refugees International focuses on the situation of refugees and displaced people in developing countries
- Human Rights Watch reports through its individual country reports on human rights abuses and has a refugee page for reports on refugee issues worldwide
- the International Organization for Migration (IOM) is the leading international organisation that promotes the interests of migrants while also working with governments on issues such as assisted voluntary returns and reintegration. The IOM produces reports on such issues as trafficking and publishes the quarterly journal International Migration
The European Council on Refugees and Exiles (ECRE) is a pan-European network of refugee-assisting non-governmental organisations. It provides an overview of asylum developments in the EU.

Country links

- Migration Policy Institute Migration Information Source and Country Resource Pages
- US Committee for Refugees World Refugee Survey and Country Reports
- Europe Country of Origin Information network

Australia

- Department of Immigration and Citizenship
- Seeking asylum within Australia
- Assistance for asylum seekers in Australia
- People smuggling
- Processing unlawful boat arrivals
- Border control
- Immigration detention
- Humanitarian program
- The Refugee Review Tribunal

Parliamentary Inquiries

- Joint Standing Committee on Migration, Immigration Detention in Australia, 2008–09
- Senate Legal and Constitutional Affairs Committee, Provisions of the Migration Amendment (Designated Unauthorised Arrivals) Bill 2006, June 2006
- Senate Select Committee for an inquiry into a certain maritime incident, October 2002
- Joint Standing Committee on Foreign Affairs, Defence and Trade, Report on visits to immigration detention centres, June 2001


Australian Human Rights Commission (AHRC)

• [Immigration, Asylum seekers and Refugees page](#)

• *2008 Immigration Detention Report*

• *National Inquiry into Children in Immigration Detention, 2004*

Parliamentary Library publications

• J Phillips and H Spinks, *Boat arrivals in Australia since 1976, Background Note*, 2009–10

• H Spinks, *Australia’s settlement services for migrants and refugees, Research Paper* no. 29, 2008–09

• A Millbank, *Asylum seekers on Bridging Visa E, Research Brief* no. 13, 2006–07

• S Harris Rimmer, *Migration Amendment (Designated Unauthorised Arrivals) Bill 2006, Bills Digest*, no. 138, 2005–06


• S Harris Rimmer, *Recent developments in refugee and immigration law, E-brief*, 2005

• M Coombs, *Excising Australia: Are we really shrinking?, Research Note* no. 5, 2005–06

• J Phillips, *Australia’s humanitarian program, Research Note* no. 9, 2005–06


• B York, *Australia and refugees, 1901–2002: Annotated chronology based on official sources, A summary* is also available (*Chronology* no. 2, 2002–03)

• K Carrington, S Sherlock and N Hancock, *The East Timorese asylum seekers: legal issues and policy implications ten years on, Current Issues Brief* no. 17, 2002–03
Refugees and asylum seekers: a guide to key electronic resources

- N Hancock, *Refugee law: recent legislative developments*, *Current Issues Brief* no. 5, 2001–02
- A Millbank, *The detention of boat people*, *Current Issues Brief* no. 8, 2000–01

Refugee advocate groups

- *Refugee Council of Australia*—has 130 organisational members including church groups, migrant resource centres, human rights groups and refugee action collectives
- *A Just Australia*
- *Children Out of Detention (Chilout)*
- *Project SafeCom*
- *Rural Australians for Refugees*

Canada

- *Citizenship and Immigration Canada (CIC)*, the Canadian Refugee System
- *Immigration and Refugee Board*
- *Amnesty International Canada*
- *Canadian Council for Refugees*

Denmark

- Ministry of Refugees, Immigration and Integration Affairs, *Asylum, family reunification and immigration statistics*
- Ministry of Refugees, Immigration and Integration Affairs, *Asylum Processing*
- *Danish Refugee Council*

Finland

- Finland Immigration Service, *Refugees and Asylum Seekers*
Refugees and asylum seekers: a guide to key electronic resources

- Ministry of the Interior, Migration Affairs
- Ministry of Labour, Migration Issues in 2006
- Finnish Refugee Council

France
- Collectif de soutien des exilés du 10ème arrondissement de Paris, Claiming Asylum in France
- Ministère des Affaires étrangères et européennes (French Ministry of Foreign and European Affairs), The right of asylum in France, 2007

Germany
- Federal Ministry of the Interior, Immigration and refugees portal
- Asylum statistics

Italy
- Italian Council for Refugees
- Italia News

Netherlands
- Ministry for Immigration and Naturalization, Asylum Processing
- Ministry for Immigration and Naturalization, Brochures and Fact Sheets including on asylum processing and refugee resettlement
- Ministry for Immigration and Naturalization, Report on the asylum system 3 November, 2006
- Ministry of Justice Press Releases

New Zealand
- Immigration New Zealand
- Immigration New Zealand, Refugee statistics
- Refugee Council of New Zealand
- New Zealand Refugee Law

Norway
- Norwegian Directorate of Immigration, Refugees and Asylum
- Statistics Norway, Refugees
- Norwegian Refugee Council

Sweden
- Swedish Migration Board, Asylum Seekers and Refugees

United Kingdom

Home Office
- UK Border Agency
- Research Development Statistics on Immigration and Asylum
- Asylum Process
- Asylum Policy and Law
- Immigration Law

Other UK Sources
- Asylum and Immigration Tribunal
- UK Refugee Council
- Asylum support crisis response website includes country data, trafficking and human rights links
- Amnesty International, United Kingdom: Seeking asylum is not a crime: Detention of people who have sought asylum, 20 June 2005
Refugees and asylum seekers: a guide to key electronic resources

- **BBC Asylum and Migration news**

**United States**

- Department of State, [Bureau of Population, Refugees and Migration](#)
- Department of State, [Country Background Notes](#)
- Department of State, [Country Reports on Human Rights Practices](#), includes information on protection of refugees
- Bureau of Population, Refugees and Migration [Fact Sheets](#)
- Department of State, [Framework for the cooperation between the Office of the United Nations High Commissioner for Refugees and the Bureau of Population, Refugees, and Migration, U.S. Department of State, for the Year 2009](#)
- Department of State, [Refugee Statistics 2008](#)
- [Citizenship and Immigration Services](#)
- Department of Homeland Security
  - Department of Homeland Security, [Refugees and Asylees 2008](#) provides statistics on persons admitted to the US as refugees or granted asylum in the US in 2008
- [US Committee for Refugees and Immigrants](#)
- [The National Network for Immigrant and Refugee Rights (NNIRR)](#), a national organisation composed of local coalitions and immigrant, refugee, community, religious, civil rights and labour organisations and activists.