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Question: Do you think that developed countries in Europe and North America are protecting the rights of refugee?

Rights are defined as something that one may legally or morally claim. Rights emanate from the combination of claim and duty. Hence, rights are privileges a person is entitled to, although rights also put impositions on individuals to respect the rights of other persons. According to the UN High Commissioner for Refugee, refugee refers to someone who has been forced to flee his or her country because of persecution, war, violence. A refugee is one who is proven to be at risk of persecution based on race, nationality, political opinion or membership in a peculiar social group. Refugee rights refer to those liberties a refugee, asylum seekers, and displaced people are entitled to , as stipulated in the 1951 Refugee Convention and the 1967 Protocol, to ensure that the dignity of refugees are respected and allow for fair hearing of the refugee claims.

The controlling international convention on refugee law is the [1951 Convention relating to the Status of Refugees](http://www.unhcr.org/en-us/protection/basic/3b66c2aa10/convention-protocol-relating-status-refugees.html) (1951 Convention) and its [1967 Optional Protocol relating to the Status of Refugees](http://www.unhcr.org/en-us/protection/basic/3b66c2aa10/convention-protocol-relating-status-refugees.html) (1967 Optional Protocol). The 1951 Convention establishes the definition of a refugee as well as the principle of non-refoulement and the rights afforded to those granted refugee status. Although the 1951 Convention definition remains the dominant definition, regional human rights treaties have since modified the definition of a refugee in response to displacement crises not covered by the 1951 Convention.

The rights being protected by these conventions and treaties include: non-refoulement, freedom of movement, right to liberty and security of the person, right to family life. Non-refoulement refers to the basic principle of refugee law, it refers to the obligation of States not to refoule, or return, a refugee to “the frontiers of territories where his life or freedom would be threatened on account of his race, religion, nationality, membership of a particular social group or political opinion. The rights are closely related, since the inability to return to one’s country is the basis of an asylum claim while the ability to leave one’s country is a prerequisite for claiming refugee status under the 1951 Convention. The right to liberty and security of the person is important in the context of how asylum seekers are treated within the intended country of refuge. The family is seen as the natural and fundamental group unit of society and is entitled to protection by society and the State.

The 1951 Convention does not define how States parties are to determine whether an individual meets the definition of a refugee. Instead, the establishment of asylum proceedings and refugee status determinations are left to each State party to develop. This has resulted in disparities among different States as governments craft asylum laws based on their different resources, national security concerns, and histories with forced migration movements. Despite differences at the national and regional levels, the overarching goal of the modern refugee regime is to provide protection to individuals forced to flee their homes because their countries are unwilling or unable to protect them.