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052163282X - Refugee Rights and Realities: Evolving International Concepts and Regimes

Edited by Frances Nicholson and Patrick Twomey

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Refugee Rights and Realities

Evolving International Concepts and Regimes

This volume on international refugee law and policy assesses the rights of refugees and asylum seekers and the often contrasting reality of state practice. It brings together contributions from seventeen experts, drawn from a variety of professions and disciplines, including lawyers, NGO advisors and political scientists. The first part of the book concerns the evolving refugee definition and some of its key conceptual elements, with chapters variously considering matters of theory as well as jurisprudential and treaty law developments, both historical and current. Later parts of the book are concerned with asylum regimes, in particular the roles of key actors in the refugee discourse, the Office of the United Nations High Commissioner for Refugees, nation states, and the embryonic regional asylum regime of the European Union. Permeating the latter parts is the relationship, and sometimes the gulf, between the reality of institutional and state action and the rights of refugees.

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Abbreviations

AALCC	Asian–African Legal Consultative Committee
All ER	<i>All England Law Reports</i>
APC	armoured personnel carrier
ARRVS	Afdeling Rechtspraak Raad van State (Netherlands Council of State, Judicial Section)
BBTG	Broad-Based Transitional Government (Rwanda)
BIA	Board of Immigration Appeals (USA)
CA	Court of Appeal (UK)
CAHAR	Committee of Experts on the Legal Aspects of Territorial Asylum, Refugees and Stateless Persons (Council of Europe)
CDR	Centre for Documentation and Research (of UNHCR, formerly called Centre for Documentation on Refugees)
CDR	Coalition for the Defence of the Republic (Rwanda)
CFSP	Common Foreign and Security Policy (EU Council of Ministers)
CICR	Comité international de la croix-rouge
CIPPDD	International Centre for Rights of the Person and of Democratic Development (Montreal)
CIREA	Centre for Information, Discussion and Exchange on Asylum (within EU)
CIREFI	Centre for Information, Discussion and Exchange on the Crossing of Frontiers and Immigration (with EU)
CIS	Commonwealth of Independent States
CLADHO	Liaison Committee of Associations in Defence of Human Rights in Rwanda
CLR	<i>Commonwealth Law Reports</i>
CMG	Change Management Group (within UNHCR)
CMLR	<i>Common Market Law Reports</i>

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CPRR	Commission permanente de recours des réfugiés (French-speaking refugee appeal board in Belgium)
CRA	Commission suisse de recours en matière d'asile (Swiss asylum appeals board)
CRR	Commission française de recours des réfugiés (French refugee appeals board)
CSCE	Conference on Security and Co-operation in Europe
DAC	Development Assistance Committee (of OECD)
DANIDA	Danish International Development Agency
DHA	Department of Humanitarian Affairs (within UN)
DLR	<i>Dominion Law Reports</i>
DPA	Department of Political Affairs (within UN)
DPKO	Department of Peace-Keeping Operations (within UN)
EC	European Community/European Communities
ECHO	European Community Humanitarian Office
ECHR	European Convention for the Protection of Human Rights and Fundamental Freedoms
ECOSOC	Economic and Social Council (of United Nations)
ECR	<i>European Court Reports</i>
ECRE	European Council on Refugees and Exiles
EEC	European Economic Community
EHRR	<i>European Human Rights Reports</i>
ERC	Emergency Relief Co-ordinator
ETS	<i>European Treaty Series</i>
EU	European Union
EURODAC	European Automated Fingerprinting Recognition System
EXCOM	Executive Committee of UNHCR
FCA	Federal Court of Appeal (Canada)
FIDH	Fédération internationale des droits de l'homme
FIS	Islamic Salvation Front (Algeria)
G8	Group of Eight industrialised countries
GA	General Assembly
GAO	General Accounting Office (USA)
GAOR	General Assembly Official Records
GIA	Armed Islamic Group (Algeria)
IASC	Inter-Agency Standing Committee (within UN)
IAT	Immigration Appeal Tribunal (UK)
ICCPR	International Covenant on Civil and Political Rights
ICJ	International Court of Justice
ICRC	International Committee of the Red Cross

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IDP	internally displaced person
IFA	internal flight alternative
IFOR	Implementation Force (NATO-led force in the former Yugoslavia)
IFRC	International Federation of Red Cross and Red Crescent Societies
IGC	Inter-governmental Consultations on Asylum, Refugee and Migration Policies in Europe, North America and Australia
IHRR	<i>International Human Rights Reports</i>
IIDH-ACNUR	Instituto Interamericano de Derechos Humanos (Inter-American Institute of Human Rights)/Alto Comisionado de Naciones Unidas para los Refugiados (UNHCR)
IISS	International Institute for Strategic Studies (London)
ILC	International Law Commission
ILM	<i>International Legal Materials</i>
ILO	International Labour Organisation
ILPA	Immigration Law Practitioners' Association (UK)
Inter-Am CHR	Inter-American Commission for Human Rights
IOM	International Organisation for Migration
IRIN	UN Integrated Regional Information Network
IRO	International Refugee Organisation
IRP	involuntarily relocating person
IRR	Institute of Race Relations (UK)
IUSSP	International Union for the Scientific Study of Population
JHA	Justice and Home Affairs (EU Council of Ministers)
JICRA	Jurisprudence et informations de la Commission suisse de recours en matière d'asile
LNTS	<i>League of Nations Treaty Series</i>
LTTE	Liberation Tigers of Tamil Eelam (Sri Lanka)
MRNDD	National Republican Movement for Democracy and Development (Rwanda)
MSF	Médecins sans frontières
NATO	North Atlantic Treaty Organisation
NGO	non-governmental organisation
NIF	neutral international force (in Rwanda)
OAS	Organisation of American States
OAU	Organisation of African Unity

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OCHA	Office for the Co-ordination of Humanitarian Affairs (within UN)
OECD	Organisation for Economic Co-operation and Development
OERC	Office of the Emergency Relief Co-ordinator (within UN)
OFPRA	Office français de protection des réfugiés et apatrides (France)
OJ	<i>Official Journal of the European Communities</i>
ONG	Organisation non-gouvernementale (NGO)
ONU	Organisation des nations unies (UN)
OSCE	Organisation for Security and Co-operation in Europe
P100M	Interdisciplinary Research Programme on Root Causes of Human Rights Violation (Leiden, Netherlands)
PKK	Kurdistan Workers' Party (Turkey)
PLO	Palestine Liberation Organisation
RAB	Refugee Appeals Board (Denmark)
RFE/RL	Radio Free Europe/Radio Liberty
RPF	Rwandese Patriotic Front
RSC	<i>Revised Statutes of Canada</i>
SCR	<i>Supreme Court Reports (Canada)</i>
SFOR	Stabilisation Force (in former Yugoslavia)
SFRY	Socialist Federal Republic of Yugoslavia
SFS	Swedish Code of Statutes
SHAEF	Supreme Headquarters, Allied Expeditionary Force
TEU	Treaty on European Union
UDHR	Universal Declaration of Human Rights
UIDH	Inter-African Union of Human Rights (Ouagadougou)
UN	United Nations
UNAMIR	UN Assistance Mission to Rwanda
UNCITRAL	United Nations Commission on International Trade Law
UNDP	United Nations Development Programme
UNDRO	United Nations Disaster Relief Organisation
UNECE	United Nations Economic Commission for Europe
UNESCO	United Nations Educational, Scientific and Cultural Organisation
UNFPA	United Nations Population Fund
UNHCR	United Nations High Commissioner for Refugees
UNHRFOR	United Nations Human Rights Field Operation for Rwanda

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UNICEF	United Nations Children's Emergency Fund
UNPA	United Nations Protected Areas
UNPREDEP	United Nations Preventive Deployment Force (in the former Yugoslav republic of Macedonia)
UNPROFOR	United Nations Protection Force in the former Yugoslavia
UNREO	United Nations Rwanda Emergency Operation
UNTS	<i>United Nations Treaty Series</i>
USSR	Union of Soviet Socialist Republics
VBC	Vaste Beroepscommissie voor Vluchtelingen (Flemish refugee appeals board in Belgium)
WFP	World Food Programme
WHO	World Health Organisation