

Every day across the world people make the difficult decision to leave their homes. War, persecution and environmental disaster are just some of the reasons why a person might have to leave their family, community or country.

Who is a Refugee?

International law defines a “refugee” as a person who has fled from and/or cannot return to his/her country due to a well-founded fear of persecution, including war or civil conflict.

Refugees are people who have left their homeland because they fear that they will lose their lives or their freedom if they stay. People become refugees because one or more of their basic human rights has been violated or threatened and their government will not or cannot protect them.

Article I of *The 1951 Convention Relating to the Status of Refugees* says, “A refugee is a person who owing to a well-founded 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 to or, owing to such fear, is unwilling to avail himself of the protection of that country.”

Internally displaced persons

(IDPs) are those forced to move within their own country because of war, persecution or environmental disasters, rather than cross national borders. There are no specific international human rights laws to protect them. Many IDPs are in refugee-like situations and face the same problems as refugees. There are more IDPs in the world than refugees.

What is the UNHCR?

Protecting refugees is the core mandate of United Nations High Commissioner for Refugees (UNHCR). Globally, there are an estimated 33 million internally displaced persons (IDPs) and UNHCR helps 6.3 million of these.

How are refugees protected?

The 1951 Convention (formal agreement; treaty) relating to the Status of Refugees is the legal document in defining who is a refugee, their rights and the legal obligations of governments. The Convention was drafted in the context of the millions of refugees in post-war Europe, and only applied to European nationals. In 1967, a UN protocol extended the convention to cover any person, anywhere in the world, at any time.

Using the 1951 Geneva Refugee Convention, UNHCR ensures the basic human rights of vulnerable persons and ensures that refugees will not be returned involuntarily to a country where they face persecution. Longer term, the organization helps civilians return to their homeland, integrate in countries of asylum or resettle in third countries. It also seeks to provide at least a minimum of shelter, food, water and medical care in the immediate aftermath of any refugee exodus.

Governments normally guarantee the basic human rights and physical security of their citizens. But, when civilians become refugees this safety net disappears. UNHCR's main role is to ensure that countries are aware of, and act on, their obligations to protect refugees and persons seeking asylum (protection). Countries may not forcibly return refugees to a territory where they face danger or discriminate between groups of refugees.

A refugee has the right to safe asylum. Refugees should receive the same rights and basic help as any other foreigner who is a legal resident, including freedom of thought, of movement and freedom from torture and degrading treatment. Refugees should have access to medical care, schooling and the right to work.

The 1951 Geneva Convention does not specifically address the issue of civilians fleeing conflict, though in recent years major refugee movements have resulted from civil wars, ethnic, tribal, religious violence and even natural disaster. However, UNHCR considers that persons fleeing such conditions, and whose state is unwilling or unable to protect them, should be considered refugees.

The provisions of the Convention do not apply to a person if there are serious reasons for considering that: he/she has committed a crime against peace, a war crime, or a crime against humanity, as defined in the international instruments drawn up to make provision in respect of such crimes he/she has committed a serious non-political crime outside the country of refuge prior to his admission to that country as a refugee he/she has been guilty of acts contrary to the purposes and principles of the United Nations.

Asylum seekers are people who have crossed an international border and have submitted or will submit claims for refugee status; they have not been formally recognized as refugees. An asylum-seeker has asked for protection and the right not to be returned to a country where he/she would face danger. If refugee status is given to that person, he or she has the right to stay in the new country for as long as is needed.

Universal Declaration of Human Rights - Article 14

Everyone has the right to seek and to enjoy in other countries asylum from persecution.

This right may not be invoked in the case of prosecutions genuinely arising from non-political crimes or from acts contrary to the purposes and principles of the United Nations.

Resettled refugee is a person who has fled their country, is temporarily in a second country and then is offered a permanent home in a third country.

A **migrant** is a person who is outside their country of origin and moves from one place to another to live, and usually to work, either temporarily or permanently, with temporary status or no status at all in the country where they live. They may be forced to leave because they do not have access to adequate food, water or shelter, or in order to ensure the safety and security of themselves and their families. They may move to take up employment, because of an environmental disaster, or to be reunited with family members.

An **immigrant** is a person who has citizenship in one country but who enters a different country to set up a permanent residence. Just entering another country does not make you an immigrant. In order to be an immigrant you must have citizenship in one country, and you must have gone to a different country with the specific intention of living there. The United States has a legal process for an immigrant to seek legal residency and eventually citizenship.

A **political prisoner** is generally defined as a person who is imprisoned for his or her political activities, particularly those who oppose or criticize the government of their countries. There is no universally accepted definition for political prisoners. According to the Parliamentary Assembly of the Council of Europe, a person is a political prisoner if the detention violates basic guarantees in the Convention on Human Rights, particularly freedom of thought, conscience, and religion; freedom of expression and information; and freedom of assembly and association, the length or conditions of detention are out of proportion to the offense, he or she is detained in a discriminatory manner as compared to other persons, and the detention is the result of judicial proceedings that are clearly unfair and connected with the political motives of authorities.

People often have more than one reason for leaving their home. Whatever the reason, all have human rights.

KEY FACTS

- An estimated 232 million people live outside the country in which they were born -- about 3% of the global population of 7.2 billion
- The estimated number of forcibly displaced people worldwide is 51.2 million
- There are an estimated 16.7 million refugees in the world
- Children constitute about 41 percent of the world's refugees, and about half of all refugees are women.
- At least 10,000 unaccompanied children claim asylum in the European Union each year, while in the United States last year almost 25,000 unaccompanied children, most from Central America, were apprehended.
- The numbers of internally displaced persons are currently estimated to be around 33.3 million - approximately 0.4% of the world's population
- The majority of refugees and IDPs are in Asia and Africa, which between them host a total of 9.2 million refugees and 18.1 million IDPs
- Nearly 41 million immigrants lived in the United States in 2012.
- About 20 percent of all international migrants reside in the United States, which accounts for less than 5 percent of the world's population.

Sources: <http://www.amnestyusa.org>, <http://www.unhcr.org/cgi-bin/texis/vtx/home>, <http://www.unhcr.org.uk/about-us/key-facts-and-figures.html> and <http://learningtogive.org>.