Complementary Protection in International Refugee Law

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Key Features:

• The first dedicated study of the protection offered to asylum seekers who fall outside the legal definition of a refugee

• Traces the historical development of the legal framework from its origins before the 1951 Refugee Convention through to its contemporary application, illustrated with regional examples

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This book represents an exciting new contribution to the field of refugee law and human rights law. It considers the legal obligations which countries have to people who do not meet the legal definition of a 'refugee', but who have nonetheless been forcibly displaced from their homes, whether due to war, generalized violence, humanitarian disaster or torture, inhuman or degrading treatment or punishment. This is known as 'complementary protection', because it complements the central international instrument in this area, the 1951 Refugee Convention. The book analyses international human rights law to discern where such legal obligations to protect might arise, and considers the legal status which countries ought to provide to such people. It provides a comprehensive overview of States' current responses to this issue, and offers original and thoughtful suggestions for protecting such persons within the international legal framework.

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See further: J McAdam, Complementary Protection in International Refugee Law, ch. 2. For a comprehensive list of notable articles or studies on the Qualification Directive see: H Storey, ‘EU Refugee Qualification Directive: a Brave New World?’, International Journal of Refugee Law, March 2008, 20, at footnote 4. See also select list of materials on the EU Qualification Directive in Part III of this research paper. 3. The term ‘complementary protection’ describes States’ protection obligations arising from international legal instruments and custom that complement or supplement the 1951 Refugee Convention. It is, in effect, a shorthand term for the widened scope of non-refoulement under international law. 14. The principle of non-refoulement.