

Basic Facts about Refugees

Who Is a Refugee?

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.

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. 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."

The most important parts of the refugee definition are:

- Refugees have to be outside their country of origin;
- The reason for their flight has to be a fear of persecution;
- The fear of persecution has to be well-founded, i.e. they have to have experienced persecution or be likely to experience it if they return;
- The persecution has to result from one or more of the five grounds listed in the definition;
- They have to be unwilling or unable to seek the protection of their country.

What Is the UNHCR?

Protecting refugees is the core mandate of UNHCR (United Nations High Commissioner for Refugees). Refugees are people who have fled their countries, while internally displaced persons (IDPs) are those who are still in their country's territory but are not living in their home area.

How are refugees protected?

Using the 1951 Geneva Refugee Convention as its major tool, 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. 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. Are persons fleeing war or war-related conditions such as famine and ethnic violence refugees?

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

How does UNHCR distinguish between a refugee and an economic migrant?

An economic migrant normally leaves a country voluntarily to seek a better life. Should he or she elect to return home, he or she would continue to receive the protection of his or her government. Refugees flee because of the threat of persecution and cannot return safely to their homes in the prevailing circumstances.

How is the term "refugee" misused?

The term has slipped into common usage to cover a range of people, including those displaced by natural disaster or environmental change. Refugees are often confused with other migrants.

In international law, the term "refugee" has a specific meaning and is NOT to be confused with:

- **Economic Migrant**
- **Illegal Immigrant**
- **Environmental Migrant**

The accurate description of people who leave their country or place of residence because they want to seek a better life is "economic migrant." Migrants make a conscious choice to leave their country of origin and can return there without a problem. If things do not work out as they had hoped or if they get homesick, it is safe for them to return home.

Under Article 14 of the *Universal Declaration of Human Rights*, everyone has the right



to seek and enjoy asylum. In addition, Article 13 of the *1951 Convention Relating to the Status of Refugees* states that countries should not impose penalties on individuals coming directly from a territory where their life or freedom is threatened on account of their illegal entry. Often governments refuse to issue passports to known political dissidents or imprison them if they apply. Refugees may not be able to obtain the necessary documents when trying to escape and may have no choice but to resort to illegal means of escape. Therefore although the only means of escape for some may be illegal entry and/or the use of false documentation, if the person has a well-founded fear of persecution they should be viewed as a refugee and not labeled an "illegal immigrant."

There are currently 12 million refugees around the world. There are approximately double that number of people who have fled because of floods, famine and other environmental disasters. Although there are similarities between the two groups, the most obvious being the forced nature of their flight and then their need for material assistance and permission to live elsewhere, there are also important differences too. Refugees cannot turn to their own governments for protection because states are often the source of persecution and they therefore need international assistance, whereas those fleeing natural disasters continue to enjoy national protection whatever the state of the landscape. Therefore, those fleeing for environmental reasons should be considered "environmental migrants."

Who are Internally Displaced Persons?

An Internally Displaced Person (IDP) may have been forced to flee his home for the same reasons as a refugee, but has not crossed an internationally recognized border. Many IDPs are in refugee-like situations and face the same problems as refugees. There are more IDPs in the world than refugees. Globally, there are an estimated 20-25 million so-called internally displaced persons (IDPs) and UNHCR helps 6.3 million of these.

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