

The Convention Refugee Definition-from Universal to Regional: A Systematic Review

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Abstract : This article traces the broadening of the refugee definition from the early 1970s onwards. It first discusses Article 1A(1), the core universal legal definition of 'refugee' provided by the 1951 Geneva Convention. It then focuses on Article 1A(2), read together with the 1967 Protocol, which without time or geographical limits, offers a general definition of the refugee as including any person who is outside their country or origin and unable or unwilling to return there or to avail themselves of its protection, owing to a well-founded fear of persecution for reasons of race, religion, nationality, social group or political opinion. It then shifts to the contemporary alternative refugee definitions adopted in regional areas, namely Africa, Latin America, and Europe. By looking deeply into the 1969 OAU Convention, the 1984 Cartagena Declaration, and ECtHR, the assertion is that while the appearance of new definitions may lead to a more responsive international environment, it may also undermine the consistency of the international refugee regime.

Keywords : refugee definition, 1951 Geneva Convention, 1969 OAU Convention, 1984 Cartagena Declaration

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