

EU Policies in Determining Refugee Status

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Abstract : Human history is rife with conflict, and the question of refugee status determination and their rehabilitation has been up for debate since. Refugee Status Determination is the administrative or legal process by which UNHCR or governments determine whether a person seeking international protection or asylum can be identified as a refugee under international, regional, or national law. Refugee Status Determination is considered to be a vital process in aiding refugees' realization of their rights under international law. One of the major reasons why the refugee status determination is considered an "issue", and is one that is much debated upon annually, is the fact that the national bureaucratic systems are rigid and unbending. This is particularly concerning in the 21st century despite human advancement in policy and diplomacy, working in tandem with the United Nations and their charters and resolutions on human rights and dignity. The paper seeks to criticize the European member states' response to the refugee crisis and their inflexible and prejudiced bureaucratic systems when it comes to refugee status determination. The paper looks at multiple case studies as primary evidence and the alternate case studies where the system helped refugees, like those in Jordan, Pakistan, Turkey, and Lebanon. The main concern of the paper is to highlight the bias in the selected European systems, which do not stem from the Human Rights Charter but rather on the basis of geographical backgrounds, cultural and religious affiliations of those seeking refugee status or asylum in their respective countries. The paper hopes to not only create awareness about this issue but also provide a research background to advocacy programs to bring a change in the systems.

Keywords : refugee status determination, human rights, bureaucracy, United Nations, European Union

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