



Asylum Under International Law: An Essay

*Amina Noor**

Abstract

This article reflects on man's quest for peace through seeking safe passage in the hour of need, which the religious, political, or racist genocides may trigger. International law proclaims that these rights can't be rejected. Article 3 of the Territorial Asylum 1967, 146 countries vowed in writing to the responsibility for people under persecution, and many non-signatories of the treaty still allowed people in, though the principle of non-refoulement doesn't bind them. This research employs doctrinal research methodology. The study explores how international law, through the United Nations High Commission for Refugees (UNHCR), protects the right of peoples to seek asylum. The right can be traced back to the Treaty of Lagash and 'The Hittite Treaty' of 1274 BC, with the 1951 Refugee Convention and the 1967 Declaration of Territorial Asylum proving to be important milestones. Some states have strict policies regarding refugees, ultimately denying the safe space to individuals under the threat of persecution, which in turn poses a threat to peace. It is suggested that moderate policies should be adopted, and states with better economic conditions should accommodate refugees more than states with an unstable economy.

Keywords: International Law, Human Rights, Asylum, Pak-Afghan Asylum, UNHCR.

Introduction

Home, away from home, is an urgency imposed on seekers of asylum by emergency or accidental inconvenience. The concept of 'home away from home' reflects the urgent need experienced by asylum seekers during crises. The term 'asylum' refers to the movement from one's homeland to another, often driven by the need for safety rather than personal preference (Oxford University Press,

107

* Advocate, Malik Ghazanfar Ali Law Firm, Gujrat, Pakistan. email: aamnanoorad@gmail.com

Article History: Received 05 June 2025; Received in revised form 25 July 2025; Accepted: 16 October 2025.

Available online: 20 October 2025

DOI: <https://doi.org/10.24312/ucp-jlle.03.02.575>



n.d.). Historically, the practice is believed to have originated under the notion of divine will and was institutionalised within religious sanctuaries (UNHCR, n.d.). Religious places were, therefore, regarded as safe havens, offering protection to those fleeing from danger. Religious places have a connection with divinity, which is why they're considered safe. The host of such religious places, the peacekeepers think of themselves as bound towards granting this safe passage. As time passed, the modified terms of 'asylum', 'refugee', and 'immigrants' made their way into International Law (Goodwin-Gill & McAdam, 2021).

Article 1 of the United Nations (UN) charter is a testament to its emphasis on the maintenance of international peace and security and to the development of friendly relations among nations (Bjereld, U., & Demker, M., 2017).

All this rhetoric of peace can be translated into practice by safeguarding fundamental human rights. One of such rights is the right to seek asylum against persecution. Article 14(1) of the Universal Declaration of Human Rights grants the right to refugees, stating 'Everyone has the right to seek and to enjoy in other countries asylum from persecution'. The 1951 Refugee Convention and the 1967 Protocol both give extensive rights to refugees. The 1954 Convention relating to the Status of Stateless Persons, the 1961 Convention on the Reduction of Statelessness and the 1967 Declaration on Territorial Asylum provide a handful of instructions in favour of people belonging to no state. These conventions can be interpreted in the context of people seeking safe conduct.

Various countries, from signatories of the refugee convention to non-signatories, have structured different policies for the sake of refugees and the rights of their local population. Establishing stringent yet accessible mechanisms for both refugees and host communities is essential to ensure that the right of asylum is not misused. Seeking Asylum is a right, granted on the settled criteria. There are selective and distinct policies to deal with the situation of displaced persons. However, the principle of extradition marks the point where the right of asylum ends, as this principle requires that an alleged offender be surrendered by one state to the other where the offence was committed (Shaw, 2017).

Asylum begins with peripheral protection, a type of safeguard that provides refugee status and is allocated to individuals who, although they do not meet the 1951 Convention standards, still

require international protection. This could involve individuals eloping, either due to the arbitrary impacts of the military or violence (UNHCR Office in Cyprus, 2017).

Historically, the right can be traced back to the Treaty of Lagash and ‘The Hittite Treaty’ of 1274 BC. The King of Kent, King Ethelbert, codified the right of sanctuary in 600AD (Sinha, 1971). Right of asylum is the modified form of his codification. The evolution of protection from churches to states indicates that religious asylum served as a precursor to state asylum. Many treaties, such as the Treaty of Westphalia 1648, inaugurated the concept of a state’s sovereignty and territorial asylum with the notion of ‘Every king is the emperor in his kingdom whose realm is his religion’. This historical evolution culminated in the legal developments of the 20th century, shaped by the lessons humanity learned from the First and Second World Wars.

Human beings are among the most insatiable species on earth; their continual striving and desire for more have often contributed to psychological distress and social conflict. The outbreak of the Second World War provides a striking historical example of this unrestrained desire. Adolf Hitler’s annexation of Austria and subsequent territorial ambitions illustrate how the hunger for expansion can escalate into global catastrophe (Kershaw, 2008). Throughout history, ideological and religious convictions have often provoked similar tensions. When core beliefs are challenged, societies frequently respond with hostility or conflict. While all belief systems deserve respect, they must also be interpreted in light of modern rationality and human rights principles.

Religious orthodoxy, though historically a source of moral order, can also foster political rigidity. For instance, some Islamist movements seek to restore the form of governance established by the Prophet Muhammad in Medina over fourteen centuries ago, while certain Jewish groups in Israel aspire to reconstruct the ancient Temple of Yahweh in Jerusalem, replacing the Al-Aqsa Mosque. These competing religious and political aspirations have contributed to repeated conflict since the establishment of Israel in 1948, resulting in more than 6,400 fatalities as of September 2023 (United Nations Office for the Coordination of Humanitarian Affairs [UNOCHA], 2023).

As Alfred Nobel once remarked, “*God’s wishes alone will not ensure peace*” (Feldman, 2010, p. 87). Sustainable peace, therefore, demands human wisdom, restraint, and dialogue grounded in reason rather than unbridled desire or dogma.

The persistent human inclination toward dominance and ideological rigidity has historically translated into wars and persecution, creating the need for protective mechanisms such as asylum. Asylum, therefore, functions as a safeguard against the consequences of human excess, providing refuge to those displaced by the very conflicts that arise when ambition and belief override compassion and coexistence.

‘Asylum’ is defined by Oppenheim as, ‘Shelter and active protection extended to a political refugee from another state by a state which admits him on his request’ (Lauterpacht, 1955). After the Second World War, the number of people seeking protection exceeded, which is why an international agreement providing safe passage was signed by 146 countries, the Refugee Convention of 1951. However, numerous countries hosting large populations of refugees, such as Lebanon, Pakistan, and Jordan, are not even signatories to the Refugee Convention; nevertheless, they have demonstrated to be great hosts.

As per recent statistics, 122.6 million people are displaced, of which 37.9 million are refugees, while 8 million are asylum seekers (Refugee Data Finder, 2024). Article 3 of the Declaration on Territorial Asylum 1967 provides that, ‘No rejection at the frontier or expulsion from the country where he seeks asylum and has already entered will be expelled in the territory of persecution’. Read in conjunction with Article 14 of the *Universal Declaration of Human Rights*, this provision affirms the right to seek asylum, which cannot be construed as an unfriendly act by any other state (Bjereld, U., & Demker, M., 2017). The Convention on Reduction of Stateless Persons 1961 came after digesting the conclusion of World War II. On the one hand, the Universal Declaration of Human Rights protects the rights of stateless persons, recommending that states treat them like their own nationals. Conversely, the convention seeks to provide a legal framework for minimising statelessness, taking into consideration each state’s own welfare, economic resources, and the broader objective of maintaining global peace and stability.

Passage of Safe Conduct under International Law

Whenever a person is seeking passage of safe conduct, urged by fear of racism, religious or political persecution, war, violence, or forced displacement, international law requires states to allow them to seek shelter within their territory. As stated in Article 1A of the 1951 Convention concerning the Status of Refugees a refugee is defined as someone who is “outside their country of nationality or habitual residence; has a well-founded fear of persecution due to their race, religion, nationality, membership of a specific social group, or political opinion; and is unable or unwilling to seek the protection of that country, or to return there, due to fear of persecution.” The Refugee Convention 1951 provides for the refuge of only those refugees who meet these parameters. Neither a war criminal nor a serious non-political crime offender is protected under the convention (United Nations, 1951). UNHCR’s main role is to ensure that states are aware of their obligations to protect refugees seeking asylum (UNHCR, n.d.). UNHCR is not a substitute of any country’s law and its liabilities towards refugees. Asylum seekers are required to adhere to the laws and regulations of the nation that provides them refuge. People who escape persecution often reach their asylum country without their family members. Once their status as refugees is confirmed, they can apply to bring their immediate family members. Nonetheless, they frequently stay apart for extended durations because of regulations that hinder or postpone family reunification (UNHCR Office in Cyprus, 2017).

Home gives the notion of safety, but when miseries visit people, they opt to seek passage of safe conduct due to fear of the unforeseen. The difference between the asylum-seeker and refugee is their position; a refugee applies for refuge from overseas, and once confirmed, they may get legal status in the country, while asylum seekers ask for asylum while standing on the territory, though in some cases, the procedure takes years. Although the deadline and policies for applying for asylum may vary from country to country, asylum Seekers who are seeking protection in the United States must apply for safe passage or protection within one year of arriving (U.S. Citizenship and immigration services, n.d.).

The term *asylum* refers to a formal legal process through which a state grants protection and residence to individuals fleeing persecution, under established national and international procedures. Article 14 of the Universal Declaration of Human Rights states that everyone has the right to leave any country, either of their own, and to return to their country. International laws recognise different types of Asylum, such as territorial asylum and extra-territorial asylum. Territorial asylum is designed to be assigned within the territory of the states; criminals falling under the definition of Extradition are the exception to this kind. It is usually allotted to offenders of high treason or political offenders, according to Article 13. Territorial Asylum Convention, 1976 provides that a Person's request for asylum can't be turned away even when the government runs out of resources, the government must take proper steps to grant it, and other states are required to honour that asylum. Extra-territorial asylum is granted outside of the state's territory, also known as diplomatic asylum, usually given within embassies, legations, consulates, warships, and merchant vessels (Encyclopaedia Britannica, n.d.). This kind of asylum has been under a controversial debate after a failed uprising against the communist government of Hungary in 1956. According to Andreopoulos (n.d.), the United States controversially granted diplomatic asylum to József Mindszenty of Hungary, who spent 15 years in the U.S. embassy. Terms for asylum within embassies are generally settled through agreements between states. Although the principle of asylum is recognised in international law, states are not always legally obliged to grant it. Under Article 33 of the 1951 Refugee Convention, the principle of non-refoulement prohibits the return of refugees to territories where they may face persecution; however, exceptions exist when a refugee poses a threat to national security or public order.

Methodology of States

Under Article 33 clause 2, Countries, irrespective of their being signatories to the Refugee Convention, aren't bound by the principle of non-refoulement under customary international law. States at times offer 'temporary protection' when they face a sudden mass influx of people and their regular asylum systems become overwhelmed, as happened during the conflict in the early 90s in

former Yugoslavia. Although it is considered an accessory, as it can't replace the safety measures as illustrated under the 1951 Refugee Convention (UNHCR Office in Cyprus, 2017). There are only 146 countries that are signatories to the Refugee Convention, but still, there are many countries that welcome asylum seekers despite not being part of the treaty.

UAE is not a party to the Refugee Convention, but still respects international refugee protection standards. As of 2019, there were between 1,247 and 2,800 refugees and 7,270 asylum seekers (United Arab Emirates, 2017). Pakistan, not being a signatory, hosted many of the refugees. The Strength of refugees reached its peak in 2023, with statistics of 1,988,231 refugees during 2023 (Statista, n.d.). Lebanon is also not an ally of the refugee convention; apart from that, it belongs to the league of underdeveloped countries, with a population of 6.8 million, and it still hosts approximately 1.5 million Syrian refugees. The accurate statistics are hard to trace, as by 2015, UNHCR stopped registering new refugees (Human Rights Watch, 2016; UNHCR, 2023). European Union law designates which country of asylum should be referred to, based on the applications and criteria outlined in the contract. The Dublin Regulation establishes a mandatory framework for 28 Member States of the European Union and four affiliated nations. Formal criteria are fulfilled, such as having close relatives who are already refugees, possessing a residence permit or a recently granted visa from a Member State, or experiencing relatively lenient border control (UNHCR Office in Cyprus, 2017). The Dublin Convention helps manage the safe passage of asylum seekers from aimlessly drifting across the world, looking for asylum, and filing petitions in various member states. Germany continues to be the greatest host of refugees in the European Union, as it grants financial benefits similar to those of their citizens to the refugees with a standard rate of 502 Euro, which certainly varies as per a person's marital status and age, with the only condition of not extending their Visa (Bathke, 2023).

Amnesty International is another Human rights organisation with a headquarters in the United Nations. It not only protects the refugee rights by keeping an eye on the concerned state's laws and its responsibility towards such refugees as per international laws, but also promotes the idea of peace by stressing that the true concern for the international community is the reason that propelled these

people to cross the frontier and the ways people receive them upon arrival. We must launch an initiative for governments to respect the status quo while entertaining the claim of asylum so that everyone can reach the destination of safety rather than ending up dead at the border or imprisoned in detention centres (Amnesty International, n.d.). Resettlement is a process where, if the refugees are deemed to meet the vulnerability criteria, which is confirmed by the state officials, refugees themselves and the UNHCR, and it is admitted that they require urgent protection, resettlement is granted. It is usually granted in cases of high risks of harm, such as abuse, sexual violence, and torture. Canada, during 2015-2016, showed hospitality towards 25,000 Syrian refugees, who reached Canada via plane. This was possible only because availability of the resettlement solution, which every regime can open up the safe passage, especially in emergencies, with caution, providing a home for displaced persons in times of crisis, such as the Syrian refugee crisis (Amnesty International, 2016).

Some countries have tried to secure both protection and peace for asylum seekers as well as their citizens by formulating different policies, such as detention centres for asylum seekers, immigrants and refugees, because of the pending decision of their status. Australia is known for such policies (Babacan & Babacan, 2008). It is considered the cruellest host, particularly for making strict policies, specifically for people on vessels. The policy was introduced by a conservative prime minister, John Howard, following the Tampa rescue. In August 2001, an Indonesian boat, carrying 433 asylum seekers, was heading towards Australia's Christmas Island when its engine malfunctioned in international waters. The Australian Coast Guard called on a Norwegian freighter nearby to conduct a rescue operation. Many on board were Afghans who were fleeing persecution from the Taliban (Lees, 2021). The Nauru Island was turned into a detention centre, which is known as the Pacific Solution (Amnesty International, 2002). In Australia, anyone who does not have a valid visa is required to be detained. It illustrated the notion that people who seek passage of safe conduct usually go through detention (Refugee Council of Australia, 2020). As of 31 March 2023, the longest time a person was held in detention was 5,766 days - nearly 16 years. Usually, people are held in detention for 457 days. This represents a reduction from the earlier 719-day requirement, following a High Court decision in

NZYQ (Statistics on people in detention in Australia, 2025). The International Criminal Court called out these Australian standards but concluded that these standards did not meet the threshold to warrant prosecution before the International Criminal Court (Doran, 2020).

Case Laws

A significant part of the laws relating to asylum and refugees is based on international customs, applied by the International Court of Justice by virtue of Article 38(1) of the Statute of the ICJ, 1945. The existence of an international custom on the right to grant asylum came into question in *The Asylum Case* (1950) between Colombia and Peru. Haya de la Torre, a political leader, was accused of having instigated a military rebellion, which became the cause of dispute between Peru and Colombia (*Colombia v Peru*, 1950). At its embassy, Colombia granted him diplomatic asylum. Later, when the strife brought the case before the International Court of Justice, the Court, by fourteen votes to two, declared that Colombia was not entitled to qualify unilaterally and in a manner binding upon Peru, the nature of the offence; by fifteen votes to one, it declared; that the Government of Peru was not bound to deliver a safe-conduct to the refugee. On the other hand, the Court rejected by fifteen votes to one the Peruvian contention that Haya de la Torre was accused of common crimes; the Court noted that the only count against Haya de la Torre was that of military rebellion, and military rebellion was not, in itself, a common crime. Colombia defended its position on the basis that Haya de la Torre was supposed to enjoy safe passage because the nature of his crime was political, not ordinary, and that his asylum was a commonplace practice in Latin America. Hence, the asylum was granted.

The debate surrounding the nature of international law often centres on its character as a *convention* rather than an absolute *law*. International law largely lacks an enforceable mechanism of sanctions, except in cases such as war crimes. This limitation becomes particularly evident in matters concerning state sovereignty and humanitarian obligations, such as the right of asylum. The *Corfu Channel Case* (*United Kingdom v. Albania*, 1949) illustrates this tension between sovereignty and international accountability. In this case, the United Kingdom alleged that

Albania had unlawfully attacked British warships passing through the Corfu Channel, while Albania accused the United Kingdom of violating its territorial sovereignty. The International Court of Justice (ICJ) held Albania responsible for failing to warn of naval mines in its waters but also found that Britain's subsequent intervention breached Albanian sovereignty. The case underscored a persistent dilemma in international law: while states are bound by legal norms, enforcement depends on consent and cooperation rather than coercion. Similarly, in the context of asylum, states invoke sovereignty to determine who may enter or remain within their territory, often limiting the protection of refugees despite international conventions that call for humanitarian responsibility.

After revealing highly classified U.S. cyber tech information, Edward Snowden fled the country in 2013, took refuge in Russia and received Russian citizenship later on. His intended destination was Ecuador, but he was left stranded in Russia and was prevented from continuing his journey because the U.S. government accused him of breaching the Espionage Act of 1917. Snowden said in an interview, "We refrain from paying attention to particular terrorists; rather, we started watching everyone just in case they became terrorists, and this was not something affecting Indonesia,..." (Myre, 2023).

The case of Tibet further exemplifies the complex intersection between sovereignty, international law, and the right of asylum. Historically, Tibet was an independent region with its distinct cultural and religious identity, governed under Buddhist principles by the Dalai Lama. However, following China's consolidation of control over Tibet in 1959, tensions between the Chinese authorities and the Tibetan Buddhist community escalated. In the aftermath of the Lhasa uprising, widespread persecution and political repression compelled the Dalai Lama, along with thousands of his followers, to seek refuge in India (Lopez, 2025). His exile remains one of the most enduring instances of political asylum, symbolising how humanitarian protection operates within the constraints of state sovereignty and geopolitical interests.

Different case laws emphasise that the concept of asylum is not novel but rather has roots both in customs and laws. In *Rahil Aziz v the State & Others* (2023), the Foreigner was held for the offence of entering Pakistan illegally. The High Court of Pakistan set aside the order of the lower court, holding that seeking refuge to

preserve one's life does not constitute an illegal act. The Court further observed that applying for asylum in a third country does not fall within the ambit of a criminal offence under Article 14(2) of the Foreigners Act, which pertains to foreigners without valid permission to stay in Pakistan or whose deportation has been arranged with the consent of the government or the court. Instead, such cases should be addressed in accordance with Article 31 of the 1951 Refugee Convention, which provides that "*The Contracting States shall not impose penalties, on account of their illegal entry or presence, on refugees who, coming directly from a territory where their life or freedom was threatened, enter or are present in their territory without authorisation.*" The state may impose limitations on refugees until their situation in the country is stabilised or they gain entry into another country. The Contracting States will grant these refugees a reasonable time and all the essential resources to gain entry into a different country. The High Court prescribed to equip refugees to get registered in UNHCR for the purpose of seeking asylum in a third country (*Rahil Aziz v State*, 2023).

Pak-Afghan Refugee Refoulement

The 'Refugee Convention 1951' is an inspirational work following the consequences of World War II, signed by 146 countries as signatories. Pakistan was not a signatory to the convention, but still hosted Afghan refugees since the Soviet invasion of Afghanistan in 1979. Statistic shows that 4 million Afghan refugees are undocumented (Shah, 2023).

Article 33 of the Refugee Convention forbids Refoulement, but it still provides the conditions under which the expulsion of a refugee is permitted in the interest of the country's security. Pakistan has various organisations working in different cities that assist in getting Afghan refugees registered as asylum seekers, such as SHARP (Society for Human Rights and Prisoners Aid) in Islamabad and Karachi, in Quetta, and UNHCR (United Nations High Commissioner for Refugees) in Peshawar. According to UNHCR, such registration cards provide the Afghan refugees with temporary legal status in Pakistan. Pakistan, as an underdeveloped state, continues to grapple with persistent economic crises and security challenges that have compounded since the Soviet invasion and subsequent waves of terrorism. Despite these hardships, the country

has consistently demonstrated generosity in hosting Afghan refugees. However, the burden of prolonged displacement has intensified Pakistan's internal struggles, ranging from economic strain to national security concerns. Initially, undocumented Afghan nationals were instructed to return, yet the government later extended leniency by permitting those awaiting resettlement in third countries to remain for an additional two months (Hussain, 2023). In an effort to alleviate tensions among Afghan communities, Pakistan further announced that holders of Proof of Registration (POR) cards would be allowed to stay for another year, thereby safeguarding the residency rights of approximately 1.5 million Afghans (Hussain, 2024). Approximately 3 million people were confronted with refoulement after Prime Minister Shehbaz Sharif launched the 3-phase plan in October 2024. Pakistan has ramped up the forced mass deportation of Afghan refugees and migrants, with nearly 60,000 having crossed the border since the start of April (Al Jazeera, 2025). It has been emphasised that ample time has already been provided for their respectful return. It is highlighted that no individual will face mistreatment during the repatriation process, and provisions for food and medical care for returning foreigners have also been established (Reuters, 2025).

Critical Analysis

International law provides the right of asylum to the seekers and refuge to the refugees who risk their lives because of persecution. Seeking shelter in another country could not only be inconvenient for the seekers but also for the locals of that state, especially when that state is an underdeveloped country. Though 146 countries are under an obligation to consider asylum seekers' requests, still, states generally respect the seekers' urge and the emergency of circumstances. Certainly, peace is the one reason for people to flee their homes. Some people criticise it by considering it a blessing in disguise because many countries, like Germany, along with Finland, allot financial assistance to the asylum seekers (Nordic Welfare Research, 2024). Though the strict detention policies in countries like Australia prompt critical reflection on whether the asylum seekers should flee their homeland for the sake of protection or remain exposed to life-threatening circumstances. Australian Nauru Island is highly criticised for being a detention

centre rather than a place of refuge. Japan and South Korea, being the third-largest economic countries, accepted only six asylum seekers' applications for refugee status out of 3,777 cases (0.1 per cent approval rate), the lowest number in 16 years, in 2013 (Deutsche Welle, 2014). South Korea and Japan have the overall lowest recognition rate among developed countries (Domínguez, 2014). China, being the most stable country, entertained only 296 asylum applications in 2023 (Macrotrends, n.d.). They received a large number of Syrians as labour immigrants, but these have not been granted refugee status (Christophersen, 2023). As 123 years ago Alfred Nobel said, 'Good wishes alone will not ensure peace', so states with richer economies need to take more part in establishing peace by providing the seekers their need for safe passage (Nobel Foundation, n.d.). The border control policies employed by countries should strike a balance between the acceptance of genuine asylum requests and the denial of entry on account of misrepresentation or fraud. There is always a lot of risk while accepting the asylum requests; still making them as strict as the Australian detention center, or the cases like Sarah and her family who fled bombing in her home city of Homs trying to cross the border between Syria and Turkey, and were shot at by the Turkish police (Human Rights Watch, 2016) is beyond justification.

An impediment to the enjoyment of family life and a dignified existence is the reduced treatment granted to individuals under subsidiary protection, a status that applies to nearly all Syrians who have sought asylum in Cyprus. The Cyprus Refugee Law denies them the right to bring and live with dignity with their family members. UNHCR holds that individuals in comparable situations ought to be treated similarly (UNHCR, 1988). A child, woman, or man granted subsidiary protection has the same family reunification needs as someone with refugee status (UNHCR Office in Cyprus, 2017). If a country is providing asylum, then the protection should be afforded fully without any discrimination based on race, etc. Some people consider refugees a burden because the government malfunctions in maintaining the status quo on both sides of the story. Local nationals, at times, feel neglected. Apart from their insecurity, they have real concerns about sharing culture, homes, and jobs with strangers. If you can go on holiday in the country you have fled, you might as well stay there. Our income tax is not for migrants'

‘everything-in-Europe-is-for-free’-lifestyle (Gessler, T., Tóth, G., & Wachs, J., 2021).

Conclusion

Asylum is not a new concept; it started with the right of sanctuary from using religious places as shelter to states providing shelter with different terms recognised by law, such as ‘Asylum seekers’, ‘Refugee’, and ‘immigrant’. Under International law, different treaties and organisations, such as UNHCR, are made as a guardian of safe passage for the seekers, though only 146 countries have signed that treaty; still, many countries provide shelter on humanitarian grounds. Article 3 of the Declaration on Territorial Asylum 1967 grants the right to seek asylum, forbidding the rejection, yet people are dying wandering for a safe shelter to live in. There are some policies stricter than the usual, and often unbearable, such as the Australian detention centre, and it is justified on the grounds of the prevention of right of asylum from being misused or forged. Different countries have different policies of providing asylum, while most of them have structured their rules according to the needs of the time, such as countries like Finland and Germany provide financial assistance and accommodation to the people, along with the passage of safe conduct. Article 33 is a warranty of safeguarding the rights of refugees, as it says the Expulsion of a refugee is prohibited, with an exception to the state’s own safety and security being in danger. The procedure of getting asylum or refugee status requires a lot of documentation, which is good if we are concerned with the safety of the state’s well-being, but for a person who fled their country under fear of persecution or war, it is inconvenient. It is suggested that moderate policies should be adopted, and states with better economic conditions should accommodate refugees more than states with an unstable economy, as the states with weaker economic and security conditions often struggle to meet the basic needs of their own people. There is a need for a coordinated global framework with burden sharing and a support mechanism to curtail instability and alleviate suffering.

References

Al Jazeera. (2025, April 15). *Pakistan accelerates deportation of Afghans*: UN.

<https://www.aljazeera.com/news/2025/4/15/pakistan-accelerates-deportation-of-afghans-un>

Amnesty International. (2002). *Australia-Pacific: Offending human dignity – The Pacific Solution*. Amnesty International. <https://www.amnesty.org/en/documents/asa12/009/2002/en/>

Amnesty International. (2016, March). *Refugee resettlement changes lives*. <https://www.amnesty.org/en/latest/campaigns/2016/03/why-does-refugee-resettlement-change-lives/>

Amnesty International. (n.d.). *Refugees, asylum seekers, and migrants*. <https://www.amnesty.org/en/what-we-do/refugees-asylum-seekers-and-migrants/>

Andreopoulos, G. J. (n.d.). *Asylum | Definition, rights & processes*. In Encyclopaedia Britannica. <https://www.britannica.com/topic/asylum>

Babacan, A., & Babacan, H. (2008). *Detention Downunder: New Directions in the Detention of Asylum Seekers in Australia*. *Review of International Law and Politics*, 4(15), 137-148. <https://vuir.vu.edu.au/id/eprint/3492/>

Bathke, B. (2023, February 7). *Germany's support for refugees: What benefits do asylum seekers receive?* InfoMigrants. <https://www.infomigrants.net/en/post/46962/germanys-support-for-refugees-what-benefits-do-asylum-seekers-receive>

Bjereld, U., & Demker, M. (2017). *The legacy of Dag Hammarskjöld in international peacekeeping*. Oxford University Press.

Colombia v Peru. (1950). ICJ. <https://www.icj-cij.org/sites/default/files/case-related/7/11973.pdf>

Christophersen, M. (2023, May 10). *Syrian labor migrants in Lebanon still face hardship*. ReliefWeb. <https://reliefweb.int/report/lebanon/syrian-labor-migrants-lebanon-still-face-hardship>

Deutsche Welle. (2014, April 11). *No country for refugees? Japan and South Korea's tough asylum policies*. DW. <https://www.dw.com/en/no-country-for-refugees-japan-and-south-koreas-tough-asylum-policies/a-18037765>

Doran, M. (2020, February 19). *Offshore detention conditions may constitute a breach of international law, but Australia won't be prosecuted*. ABC News. <https://www.abc.net.au/news/2020-02-19/australia-offshore-detention-breach-international-law/11976328>

Domínguez, G. (2014, July 1). *Why Japan and South Korea accept so few refugees*. DW. <https://www.dw.com/en/why-japan-and-south-korea-accept-so-few-refugees/a-17748934>

Encyclopaedia Britannica. (n.d.). *Asylum (law)*. In *Encyclopaedia Britannica* , <https://www.britannica.com/topic/asylum>

Feldman, L. (2010). *Peace and progress: The legacy of Alfred Nobel*. Oxford University Press.

Greg Myre. (2023, June 4). A decade on, Edward Snowden remains in Russia, though U.S. laws have changed. <https://www.npr.org/2023/06/04/1176747650/a-decade-on-edward-snowden-remains-in-russia-though-u-s-laws-have-changed>

Goodwin-Gill, G. S., & McAdam, J. (2021). *The refugee in international law* (4th ed.). Oxford University Press.

Gessler, T., Tóth, G., & Wachs, J. (2021). *No country for asylum seekers? How short-term exposure to refugees influences attitudes and voting behavior in Hungary*. *Political Behavior*; 44(4), 1813–1841. <https://doi.org/10.1007/s11109-021-09682-1>

Hussain, S. (2023, December 2). *Pakistan extends deadline for Afghan refugees awaiting resettlement*. Dawn. <https://www.dawn.com/news/1793767>

Human Rights Watch. (2016, January). *I just wanted to be treated like a person: How Lebanon's residency rules facilitate*

abuse of Syrian refugees. Human Rights Watch.
https://www.hrw.org/sites/default/files/report_pdf/lebanon0716web_0.pdf

Human Rights Watch. (2016, May 10). *Turkey: Border guards kill and injure asylum-seekers.*
<https://www.hrw.org/news/2016/05/10/turkey-border-guards-kill-and-injure-asylum-seekers>

Justia Law. (n.d.). *Corfu Channel case (United Kingdom v. Albania), International Court of Justice (1949).*
<https://law.justia.com/cases/foreign/international/1949-icj-rep-4.html>

Kershaw, I. (2008). *Hitler: A biography.* W. W. Norton & Company.

Lees, A. (2021, August 19). *Afghan refugees flee Taliban advance.* BBC News. <https://www.bbc.com/news/world-asia-58283142>

Lopez, D. S. Jr. (1998). *Prisoners of Shangri-La: Tibetan Buddhism and the West.* University of Chicago Press.

Lopez, D. S. (2025). *Tibet and the Dalai Lama: A historical overview of exile and resistance.* Cambridge University Press.

Lauterpacht, H. (Ed.). (1955). *L. Oppenheim's international law: A treatise* (8th ed., Vol. 1). Longmans, Green and Co.

Macrotrends. (n.d.). *China refugee statistics: Historical data 1966–2023.* Macrotrends. Retrieved October 15, 2025, from <https://www.macrotrends.net/countries/CHN/china/refugee-statistics>

Myre, G. (2023, June 9). *10 years later, how Edward Snowden changed the world.* NPR.
<https://www.npr.org/2023/06/09/1181203074/edward-snowden-nsa-leaks-anniversary>

Nobel Foundation. (n.d.). *Alfred Nobel quotes: “Good wishes alone will not ensure peace.”* Nobel Foundation. Retrieved

October 16, 2025, from
<https://www.alfrednobel.org/p/alfred-nobel-quotes.html>

Nordic Welfare Research / Institute for Social Research. (2024). *Integration benefits in Finland, Germany and Denmark* [Report]. Nordic Welfare Research.
<https://nordicwelfare.org/integration-norden/wp-content/uploads/sites/2/2024/02/NIBR-Report-2023-8.pdf>
NVC

Oliver Lees. (2021, August 25). How an Afghan refugee crisis at sea transformed Australia policy. *ALJAZEERA*.
<https://www.aljazeera.com/news/2021/8/25/how-an-afghan-refugee-crisis-at-sea-transformed-australia-policy>

Oxford University Press. (n.d.). *Asylum*. In *Oxford English Dictionary*. <https://www.oed.com>

Rahil Azizi v. The State & Others, W.P. No. 1666 of 2023. (2023). Islamabad High Court.
<https://mis.ihc.gov.pk/attachments/judgements/161521/1/W.P. No. 1666 of 2023 Rahil Azizi Vs. The State 63828 2052901135229.pdf>

Refugee Council of Australia. (2020). *Immigration detention in Australia*. <https://www.refugeecouncil.org.au/immigration-detention-in-australia/>

Reuters. (2025, March 7). *Pakistan asks illegal foreigners, Afghan Citizen Card holders to leave by March 31*. Reuters.
<https://www.reuters.com/world/asia-pacific/pakistan-asks-illegal-foreigners-afghan-citizen-card-holders-leave-by-march-31-2025-03-07/>

Shaw, M. N. (2017). *International law* (8th ed.). Cambridge University Press.

Shah, S. (2023, October 31). *What to know about Pakistan's deportation deadline for Afghan refugees*. Time.
<https://time.com/6330122/pakistan-afghanistan-refugees/>

Statista. (n.d.). *Refugee population in Pakistan from 2012 to 2023*. <https://www.statista.com/statistics/734316/pakistan-refugee-population/>

Statistics on People in Detention in Australia. (2025). *Australian Department of Home Affairs*. <https://www.homeaffairs.gov.au/reports-and-pubs/immigration-detention-statistics>

Sinha, M. K. (1971). *Asylum and international law*. Martinus Nijhoff.

UNHCR. (n.d.). *The 1951 Refugee Convention*. <https://www.unhcr.org/about-unhcr/overview/1951-refugee-convention>

UN Refugee Agency. (n.d.). UNHCR Pakistan. <https://www.unhcr.org/pk/>

UNHCR. (n.d.). *Islam and refugees*. <https://www.unhcr.org/protection/hcdialogue%20/50ab90399/islam-refugees.html>

UNHCR (1988). *Note on family reunification*. UNHCR. <https://www.unhcr.org/publications/note-family-reunification>

UNHCR the UN Refugee Agency. (2025). <https://www.unhcr.org/refugee-statistics>

UNHCR Office in Cyprus. (2017). *Protecting refugees*. https://www.unhcr.org/cy/wp-content/uploads/sites/41/2018/05/UNHCR_Brochure_EN.pdf

UNHCR. (2023). *Syria Regional Refugee Response: Lebanon*. <https://data.unhcr.org/en/situations/syria/location/71>

UNHCR. (2024). *Refugee data finder*. <https://www.unhcr.org/refugee-statistics/>

UNITED ARAB EMIRATES. (2021, September 13). *Migrants & Refugees Section*. <https://migrants-refugees.va/country-profile/united-arab-emirates/>

United Nations. (1951). *Convention relating to the Status of Refugees, 28 July 1951* (UN TS, Vol. 189, p. 137).
<https://treaties.un.org/doc/publication/mtdsg/volume%20i/chapter%20v/v-2.en.pdf>

United Nations Office for the Coordination of Humanitarian Affairs. (2023). *Occupied Palestinian territory: Humanitarian dashboard – September 2023*.
<https://www.ochaopt.org/content/humanitarian-dashboard-september-2023>

U.S. Citizenship and Immigration Services. (n.d.). *Asylum*.
<https://www.uscis.gov/humanitarian/refugees-and-asylum/asylum>