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Research Article

Implementation of Non-Refoulement & Economic Burden Sharing in New World Order Under International Refugee Laws

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ABSTRACT

The increasing number of refugees is becoming a financial burden for the host countries. It impacts their economic prosperity and creates extra pressure to meet international regulations. This study describes how the doctrine of non-refoulment and burden sharing works in international refugee law to ensure the protection of all refugees. It discusses the rights of accommodation, education, food, protection, and all other economic rights within host countries. It also highlights the presence of proportionate refugee placement in various states and assesses the economic and social consequences of relocating refugees to host countries under international law. The recommendations of the study help to defend refugees from various other human rights violations and improve the burden-sharing process through the operationalization of international refugee laws.

Keywords: *International Law, Human Rights, Refugees, Burden Sharing, Non-Refoulment, Economic Prosperity, Financial Burden*

1. INTRODUCTION

We live in an era where states keep themselves busy by invading war with another state, due to which many citizens turn into refugees (Bauer, 2022). Non-refoulement is an international legal concept that prohibits host countries from sending back individuals who can be persecuted and tortured. Under Article 33, 1951's convention on refugees, this doctrine contains several exceptions (Millbank, 2000). In this study, three important areas: refugee law, human rights, and customary international law, are examined in a situation of non-refoulement in international law (Trevisanut, 2008). This doctrine has become a jus cogens norm. At the same time, non-refoulement is an international issue. It protects all refugees in every state of the world. So, it should be incorporated into local law to meet the requirement of a new world order to protect human rights (Prantl, 2022).

Seeking refuge is not a new phenomenon, but there has been an upsurge in the applicants for refugees and asylum worldwide in the previous two decades. It is painful that there are flaws in the international response to refugees seeking a safe haven. The vast majority of today's refugees live in "limbo" worldwide (Solanes Corella, 2013). There are now the highest levels of human displacement ever recorded. A total of 65.6 million people have been banished out of their homes worldwide, which is an unprecedented number. According to statistics, about 22.5 million refugees are recorded and, out of them, more than 50% are below 18 years of age. The number of refugees is growing day by day, which is currently posing a major difficulty for governments (Fujibayashi, 2022). Due to Russia's invasion, the refugees have recently encountered immigration issues in places. The worldwide refugees face the placement issues like Rohingya, Afghanistan, Kashmir, Syria, and Ukraine's most recent refugees. As per "Refugees UN High Commission", now in Europe, it is a rapidly emerging crisis after world war-2. Following are the statistic regarding refugees and host countries by the UN.

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Table 1: Details of Refugees and their Host Countries

Host Countries	Numbers of Refugees
Poland	1,294,903
Hungary	203,222
Slovakia	153,303
Russia	99,300
Romania	85,444
Moldova	82,762
Belarus	592
Other European Countries	(More than) < 235,000

Source: UN High Commissions of Refugees 2022

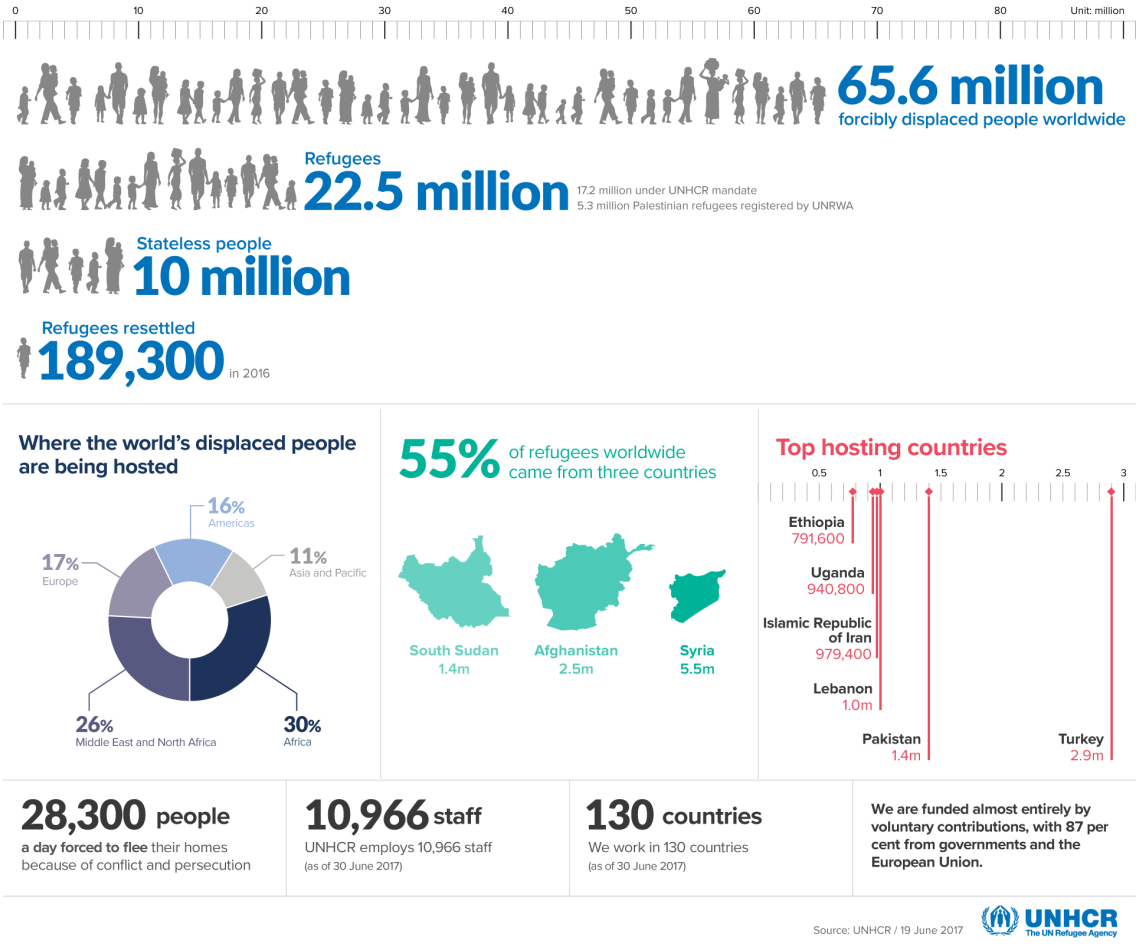


Figure 1: Displacement of Refugees

The doctrine of non-refoulment is essentially the tool that provides fortification to an individual or a group that does not have the protection of their home nation and is at the border of another state or has entered it in search of it (Bucan et al., 2020). Over the last fifty years, there has been a constant dispute about whether this principle (non-refoulement) qualified as an international rule of customary laws or not or whether it must be adept solely under ethical compulsion. That is why the current study emphasizes state conduct concerning the concept of non-refoulement. However, this doctrine is often criticized as a violation of the refugee rights related convention 1951 (Moodley, 2022).

The study also tries to provide suggestions to stop violations and make them more effective in improving and protecting the doctrine of non-refoulement by following a brief view of the international and local laws that

identify the non-refoulment principle, the practice of states in relation to doctrine, the influence of states practices and UNHCR (UN Human Rights Committee) monitoring machinery (UNCHR, 2007).

2. LITERATURE REVIEW

Many studies have addressed the issue of refugees' non-refoulement and its adverse financial and economic impacts. Karenga, (2022) stated that the immigration policies of the states are still not discussed, and there is no discussion concerning the 9/11 incident even though policy changed after that. Furthermore, no recommendations are given in this regard to deal with such incidents. The document is just a general discussion on the topic. In this document, a brief introduction is given about the refugees and the responsibility of the states to host, assist, and protect them (Roman, 2022). Then the impacts of refugees on the economy, environment and security of the hosting states are discussed shortly (Brunner, 2022). It is asserted in the document that the economic burden-sharing programs must be long term. Past burden-sharing actions taken on an international, regional and national level are discussed and also discussed by Bauer, (2022).

James Milner has mainly focused on the Macedonia case and no other state and current policies on burden-sharing and non-refoulment are discussed in his Tanzanian policy (Milner, 2000). Milner responded to recent efforts to address the deficiencies in the global response to mass migration. He argued that the international debate on economic burden-sharing currently focuses on the burdens of the double mandate and omits the safety burden. He also discussed Tanzania's hosting policy and the subsequent policy shift. Souter (2022) discussed that refugee burdens are distributed lopsidedly between western states that causing delinquent for states and the EU wholly (Souter, 2022). The author claims that although there are many problems, it is highly needed to develop a system of international burden-sharing to secure both refugees and states. The author has given three principal opportunities for refugee burden-sharing: harmonized policy, quotas, & market mechanism system. The policies of the countries are discussed from a different angle, and the effects of 9/11 on change of policy have been overlooked. A study by bFujibayashi (2022), focused on economic burden-sharing and national policies.

Moodley (2022) discussed how UNHCR has responded in the situations of border closure by the states in case of mass influx . He has firstly discussed the legal framework and political interests of the states, and secondly, five different case studies have been discussed and how UNHCR responded to these cases. The role of UNHCR has been discussed beautifully, but there is no discussion about the role of UNHCR after the incident of 9/11 (Prantl, 2022). Organization (2022) discusses the immigration policies of the USA after the incident of 9/11 that badly affected the asylum seekers, mainly from Muslim and Arab countries. The rationale for the USA government was that these people potentially support terrorism. The effects of these restrictions on different communities are also discussed. But he did not mentioned the problems and issues of the refugees and the policies of USA in detail, and just provide an overview of the situation in general.They did not suggest any direction for the future framework of the refugees, where the government should work to improve the well-being of them (Balestrino, 2022).

A study by Charlton et al. (1988) examines Muslim nations' refugee and asylum admissions and how they may have altered since 2001. Prejudice complaints have been submitted, and evidence of systemic discrimination against Muslim candidates has been found (Charlton et al., 1988). Asylum and refugee policies are often regarded as humanitarian admittance categories that impacted by geostrategic issues in the United States. During the Cold War. The United States was known for accepting refugees from communist countries, despite indications of a foreign policy bias towards allied or friendly states (Maurer et al., 2021). It is probable that immigration policies discriminated against people from Muslim nations after 9/11 due to security concerns raised by individuals linked to militant groups like Al-Qaeda. Although there is ample proof that Muslims are discriminated against and made the target of every discriminatory policy, the scholars often argue that there is only minor discrimination (Bauer, 2022). All of these factors contribute to our ability to assess the historical context and formulate future policy.

No-refoulement is an international legal concept that prohibits countries from sending back individuals where they can be persecuted (Duffy, 2008). Doctrine set out under Article 33, 1951's Convention on refugees contains several exceptionsThe current study tries to discuss three important areas: refugee law, human rights and Customary international laws in the situation of non-refoulement in international law (Bucan et al., 2020). But while the ban on refoulement forms part of international human and international law, it is less than

convincing to show that this doctrine has become a jus cogens norm. therefore, this study examines that while non-refoulement is an international law subject, it must be incorporated into local law as in the new global order. Everything affects all else, we live in a global village (Radoslav, 2015). It will protect all refugees in every state of the world.

Scholars stressed to look from three perspectives: refugee rights, human rights & international customary laws—the situation of non-refoulment in international law. While international Human Rights & international customary law prohibit repatriations; it is less than convincing to show that repatriation is a jus cogens norm (Nikodinovska Krstevska, 2022). Zhang et al., (2022)sets the framework for us to understand that, while not refoulement is an international law issue, we live in the new world order in a global village, where all the rest has an impact. Therefore, each country protects refugees.

According to Reinhard Marx's study, States have failed to create a cooperative shared responsibility system to carry out their duties under Reinhard Marx's international refugee law. There are no special provisions to identify the state that offers sustainable protection (Marx, 1995).

Whitaker, (2001) depicts the genuine picture of refugees in this piece, showing how they are denied their rights in the name of international law-enforced security. In the 1990s, the Western world's doors were closing against refugee claims. While there are a number of reasons for the decrease in the generosity of refugees, concerns are particularly widespread that refugees pose a safety risk for host countries. According to historical evidence, Cold War security and propaganda concerns led to the so-called "golden age" of post-war refugees that lasted from the 1940s through the mid-1970s. The conclusion of the Cold War, combined with the pressure from refugee immigration, has re-formed western refugee discourse in the Third World and the former communist bloc countries (Aloisi & De Stefano, 2021). The importer of external political conflicts in Western countries is increasingly viewed as refugees.

When "foreigners" struggle to find decreasing employment and declining social services, the growing resentment in Europe and North America has fueled the anti-immigrant political movement (Kawamura, 2021). The governments of Western Europe can partially react to these pressures by establishing barriers and increasing safety constraints on refugees. The European police and security alliance have been retooled to provide a foundation for newly post-Cold War support on migration & safety of refugees, depriving a need for a new framework for supranational institutions (Sgobba, 2021).

Jarausch, (2021) identified some of the prerequisites for the operation of an effective international refugee policy, using Rwanda as an example. However, it is in this context that the concept of international burden-sharing becomes critical if the system of even minimal protection not collapse. an obligation of non-expulsion upon States in relation to any individual whose life or liberty would be jeopardized by expulsion.

A study by Lahav, (2016) focuses solely on the believes that the involvement of radicalized foreigners and worldwide networks is more prevalent than the terrorist attacks in Paris on November 13, 2015, and the attack on America on September 11, 2001. “Immigration is the most pressing issue confronting Europe this decade.” Emerging dangers such as human mobility, fundamentalism, environmental degradation, smuggling, and terrorism have been highlighted by the "new security" paradigm—global issues that cut across borders. He lays up a viable redistribution strategy to address the large migration of refugees attempting to be in Europe (Gallego & Kurer, 2022). Both attempts to create international policy cooperation on migration and refugee flows were shattered by what looked to be knee-jerk reactions across Western liberal nations to shut down civil society, restrict rights and privileges, and breach their own treaties and laws. National security & "public order" concerns trumped labor, commerce, and humanitarian concerns. He only discusses the Paris attacks and European measures in this piece.

The principle of non-refoulement under international law: Its inception and evolution in a nutshell:

Here provides an outline regarding creation and growth of non-refoulement in international law in this article. various interpretations for asylum & human rights lectured and associated, with proper consideration for conjunctions that have emerged as a result of legal advances. However, we must focus on putting the prohibition of refoulement into practice (Molnár, 2016). Understanding the consequences that arise from the basic humanitarian legal principles, of which the duty of non-refoulement is a part, in the current unprecedented times of migrant flows may be aided by identifying the concept's contours and defining its substance and repercussions (Rahmatullah et al., 2022).

Scope of the principle of non-refoulement in contemporary border management: Evolving areas of law. The current border control efforts of EU Member States create challenging problems about their non-refoulement commitments, necessitating further legislative clarity.– within third world countries, on the high seas & at EU borders – to see how they might play out. Each scenario is presented along with the applicable legal framework, existing practises are briefly sketched, and reasons for and against establishing a violation of non-refoulement are outlined (Trevisanut, 2008).

Violations to the Principle of Non-Refoulement Under the Asylum Policy of the United States: By: Shirley Llain Arenilla. This paper explores violation of doctrine of non-refoulement established in Article 33 of 1951's Convention & 1967's Protocol by United States as largest recipient of asylum claims in the industrialized world. Shirley Llain Arenilla focuses on treating asylum seekers approaching USA by sea or other means as well as speedy removal processes, anti-terrorism measures as exemptions from the Non-Refoulement Principle, and on a narrow interpretation of refugee. however, only snapshot of the subject and does not go into detail.

3. RESEARCH METHODOLOGY

The current study uses secondary data sources: codified law, conventions and protocols, books, articles, magazines, research papers and international judicial decisions. The methodology adopted for this work is reviewing black letter law and policy documents, explained by historical context and existing circumstances.

3.1 DOCTRINE OF NON-REFOULEMENT

"Non-refoulement," as in an enemy that fails to violate its defences, is the French term "refouler" (refoulement), whereas the equals are English in adjectives such as "repulse" "repeal," and "drive back." This notion is the keystone for the protection of refugees in international law. Refoulement, on the other side, refers to the extradition of any person to a state wherever an individual may bear persecution. The doctrine of non-refoulement is violated when refugees are refouled or deterred.In Article 33(1) Convention dealing with Refugee's Rights of 1951, non-refoulement is defined as "signatory state shall not, in any way on behalf of its own membership, nationality religion and race of a certain social and political opinion, refugees expel return ("refouler") to the frontier of regions where they and their existences, as well as freedom, is endangered.

Whereas as per Article :1,2 of 1951's Convention Related to Refugee's Rights, "Refugees" refers to anyone outside his country due to race, faith, nationality, affiliation with any ethnic group, either political, social or religious, not willing to seek refuge in that country because of this terror; or who is not a national, and who, due to this fear, is outside of the country (Öberg, 2005).

3.2 DEVELOPMENT OF PRINCIPLE

Governments, non-governmental organizations, and others consider the concept of non-refoulement, which states that any state shall not send back refugees at any cost to any such territory where refugees would face persecution, to be a cornerstone of refugee regulation. manifestation of the 1951 Refugee Convention, contribute a major part in determining how countries should tackle refugees with applicants who seek asylum (Rodger, 2001)." This principle essentially forbids a state's government from returning refugees to their native country, where they are threatened by persecution and are in severe hazard.

The notion that a country should not return people to other countries in specific situations is a relatively new one. Until the 1930s, international law had not included this principle (Öberg, 2005). It is also required and beneficial to look at the circumstances and causes for the formation of this principle to comprehend it. They were sending back the refugees to the regions which are their origin where they were not found themselves protected or secure. It was regarded wrong during the first half of the 20th century. This may exist in formal agreements between states at the time and the statutes that were in effect at the time. Such a notion was initially stated at the international level in the 1933 Refugee Convention, which was adopted by only a few countries (Charlton et al., 1988).

The massive number of refugees brought on due to calamities of the 2nd World War that led many countries to reconsider their refugee policies. Before WWII, states considered it was their moral obligation to grant refugee protection, but only temporarily. Following WWII, the United Nations was preoccupied with refugee issues. During 1946, resolutions that dealt with refugees issue issued by the General Assembly of the

United Nations, which had reasonable objections, should not be returned. Finally, in 1951 this issue helped sign the Convention of United Nations that deals with Refugee status.

3.3 UN Convention and Status of Refugees, 1951

1950 a resolution passed by the General Assembly of UN, the United Nations ('Geneva') Convention Relating to Refugee's status, was approved in December 1951 and enforced in April 1954 (Millbank, 2000). This Convention, which is the core instrument of refugee law, deals with several legislation issues relating to refugees. It has set up a structure to protect persons facing persecution in their home nations (Millbank, 2000). It was documented that some states bear a greater burden than many others in terms of refugee flows, necessitating the adoption of an international approach to this issue. 1951 convention specified who qualifies as a refugee, his rights and responsibilities, and the type of protection he should get. A protocol revised the Convention in 1967.

Convention's Article:33 has rudimentary importance for the purposes of this paper. Any contracting state is not permitted to eject the refugees to the boundaries of territory where their existences, liberty due to their racism, nationality, spiritual faith, association of a specific social and political group and their belief is endangered, according to Article :33 (1) . The concept of non-refoulement appears to be absolute in nature from this clause, yet the next clause of the same Article gives an exception to the principle and limits its reach Article:33 (2) specifies: The advantage of the contemporary provision, however, may not be requested by a refugee who has reasonably assumed danger for the safety of such state where he is or who, having been imprisoned of a specified major offence by a final judgement, poses a hazard to the community of that state.

3.4 Other Instruments

Non-refoulement was formerly revealed in the Convention of 1951. Nut, later on, the doctrine of non-refoulement, was incorporated in multiple national treaties due to this convention. International Covenant on Civil & Political Rights (ICCPR) Article:13 stated that an alien by law present in the territory of a state party to the present covenant might be ejected only on the basis of legal adjudication and shall, Unless there are strong national security grounds to the contrary, be permitted to submit reasons for his expulsion, have his case assessed by the responsible authorities, and be represented before it (Millas Villarrubia, 2021).

Under Article 13 likewise protect the doctrine of non-refoulement and other laws expulsion without due process of law, but exception is there, and it priorities state sovereignty over individual rights. However, in this article, precise measures that have to be done to eject anybody from the state are stated. "No country shall eject, reoccurrence ("refouler")/ extradite any individual to another country if sufficient reasons exist to trust that he might be subjected to anguish," as per Article: 3 (1) of CAT (Convention Against Torture). Because refugees and torture have a tight association, it is expressly forbidden under the CAT to resend any individual in such state where his life is under threat. Because it is absolute in nature, this Article gives broader protection than the 1951 convention, yet it is limited in that it only provides protection or applies in cases of torture. Many regional documents also include the doctrine of non-refoulement. Here we have a few illustrations:"No person should be anguish or cruel or humiliating handling or punishment," says Article 3 of the European Convention on Human Rights (Solanes Corella, 2013)."

According to Article 22 (8) of the American Convention on Human Rights, no alien may be expelled or returned to a country, whether or not it is his country of origin if his right to life or personal freedom is threatened there because of his race, nationality, religion, social status, or political opinions (Crawshaw & Holmström, 2001). Both of the regional agreements listed above restrict the deportation and resent any individual in such a place where he is not out of danger. Both belief in the non-refoulement concept.

4. STATE PRACTICES

It is mandatory to analyze that non-refoulement is international customary law before evaluating state behaviour in this regard. It must be compared to the parameters of the customary international law to do so. The doctrine of non-refoulement is accepted in state practice, including non-rejection at the border, and its essential character is not significantly interrogated. UNHCR believes the concept of non-refoulement achieved normative status, now its international customary law (Grabova, 2016).

4.1 Practice of State in Mass Influx Situation

To discuss state practice in the face of mass influx, the phrase "mass influx" must first be defined. Mass Influx: The entrance/entry/flow of a big number of people at one time is referred to as mass influx. It generally happens during times of war. The doctrine of non-refoulement is stated in the 1951 Convention & bans return, the expulsion of refugees without specifying whether it applies just to individual cases or instances of mass influx. Because Convention is silent on the subject, it can be understood to cover both scenarios (Grabova, 2016). The states have challenges as a result of the enormous influx, and at times they violate the doctrine of non-refoulement by resenting refugees to places where their lives are in grave danger or by refusing to let them into their territory. Occasionally, states will allow a large influx to enter their territory, provide temporary protection, and then force the inflow to return home. Refugees are often refused entry or deported back to countries where they fear persecution.

The closure of the Kosovo-Macedonian border during the NATO bombing of Yugoslavia is one example. According to an AFP report from May 26, 1999, Yugoslavia closed its border with Macedonia on Wednesday. The High Commissioner (UNHCR) has abruptly halted a flow of ethnic Albanian refugees from Kosovo (UNHCR). Macedonia stated that it would not be able to accept any more refugees." Another example can be Rwandan Refugees; in 1996, about 1.3 million Rwandan migraters were expelled. After more than two years in exile, many of them returned under dubious circumstances. However, in a culture where ethnic pressures delayed the repercussions of the state's 1994 genocide, the enormity and suddenness of the homecoming faced massive resettlement and reintegration issues (McCaffrey & Sinjela, 1998). In current years, there hasbeen a change in state attitudes toward refugees & asylum seekers. Immigration policies of the European Union & the United States are discussed in this study.

4.2 Policy of European Union Policy to Handle Refugees & Asylum Seekers

Before 1970s, Europe held a forgiving approach to refugee concerns; however, rising refugee numbers in 1970 resurrected the need to confront refugee issues (Johansson, 2006). The topic was taken seriously by Europeans, who held conversations about it. The major expansion at the EU level occurred in October 1997, when 15 EU Member countries recognized Amsterdam Treaty, which establishes standards & provides procedures for developing visa, asylum, and immigration policies (Johansson, 2006). Following this, the Tampere Conclusion underlined the total respect for the right to seek refuge necessity to uphold the doctrine of non-refoulement in its entirety. Later, the EU enacted the Dublin Regulation, which is now enforced in 25 March 2003 (Johansson, 2006). Dublin Regulation has 2 parts: 1st , it establishes standards to determine which state is accountable for examining asylum applications submitted by 3rd state nationals who are not EU citizens, and second, it establishes criteria for transferring and returning asylum seekers to their "1st state of asylum (Johansson, 2006)." The notion of burden-sharing was included in Dublin Directive; however, UNHCR believes that it will result in major inequities throughout the EU. The main issue with Dublin Directive is that when asylum seekers or applicants are asked to apply for asylum in 3rd state, and there is a high probability of their application being rejected, they have no choice but to go back where they are subject to refoulement, which eventually transpire back to the same state from which they fled. Even if an asylum seeker is not refouled, his freedom in the first nation of asylum is jeopardized since he may be detained. As a result, the aforementioned documents "do not breach customary international law in their provisions and regulations, on the other hand, defend substantial regulation entrenched through ratification in international law, treaties & practice of states (Johansson, 2006)."Inadequate protection, imprisonment of asylum seekers, and insufficient treatment of them under the documents as mentioned above strongly validate the doctrine of non-refoulement, being violated (El-Enany, 2007).

4.3 United States Policy for Treatment of Asylum Seekers and Refugees

In recent years, the United States has made modifications to its rules regarding refugees and asylum seekers. The United States has been supporting a significant number of immigration applications. Still, it has become clear that these immigrants are putting a strain on the state, and many of the immigration applications have been revealed to be fraudulent. As a result of these circumstances, it was determined that policy reforms were required. To deal with immigration petitions, the United States in 1996 approved (IIRAIRA) Illicit Immigration

Reform & Immigrant Responsibility Act. This Act is seen as a significant reform in the law governing refugees and asylum seekers.

Following 9/11, policies and procedures have been tightened, and many applications have been denied due to a threat to internal safety and law & orders. To enter in the USA, a candidate must overcome numerous obstacles. Asylum seekers are sometimes granted temporary protection before being compelled to leave. Changes made by IIRAIRA to the exceptions of the doctrine of non-refoulement are frequently construed broadly by the USA government and courts. The IIRAIRA list of major crimes is created, and it includes that a felony punishable by five years in prison is a severe crime, and the guilty individual is denied protection, notwithstanding the risk of persecution to his life.

Following the discussion, it can be concluded that the 1951 Convention's concept of non-refoulement became customary international law. States embrace the idea and protect refugees and asylum seekers, although their attitudes have shifted in recent years, as seen by their actions. The policies are tight, and the non-refoulement exceptions are read in such a way that it is considered a violation of the doctrine of non-refoulement.

5. RECOMMENDATIONS

The study tries to establish the right of refugees, to be accommodated by negibouring countries as host without any hasitation regarding social and financial burden under the legal framework for non-refoulement responsibilities under the international refugee laws. Non-refoulement, is the core concept of refugee law and customary international law. It is under jeopardy because refugees and asylum seekers face several challenges and are compelled to live in dread of persecution due to states' policies. This circumstance demands that the world community pay attention to the crisis and take action to protect refugees' lives and lead them to a life free of terror. The goal of this is to present some suggestions and recommendations for improving the security and effectiveness of the refugee system.

5.1 CONCEPT OF BURDEN OF SHARING SHOULD BE PROMOTED:

One of the issues is that some countries are responsible for a large number of refugees and asylum seekers while not others. Although the concept of economic burden-sharing exists, it needs to be promoted. A significant number of refugees should not be the responsibility of a few states. All countries and UNHCR should facilitate them with substantial and economical help and offers of resettlement from all other countries, then neither the countries nor the refugees suffer

5.2 NEW PROVISION OF NON-REFOULEMENT:

The 1951 Convention was enacted in the aftermath of World War II to shield war refugees; nevertheless, it became outmoded. It is urgently re-framed; the concept of non-refoulement, was enacted by enacting a new provision that considers the demands and requirements and challenges of the present moment. Although extensive negotiations and labour are required to create a new provision, time is of the essence when refugees are protected from persecution and threaten to life.

5.3 PERSON IS A REFUGEE OR NOT – TEST APPLICABLE:

It is an assessment to determine whether or not an individual meets the criteria of refugee. In most of the cases, the state misled the concept and refused to grant refugees refugee status. Every state should not have a setlist of who are refugees or not; globally recognized criteria must be used to determine their status.

5.4 ILLICIT REFOULEMENT BOTH, DIRECT AND INDIRECT:

In 1951's convention makes the concept of refoulement unlawful and includes the idea of non-refoulement; however, this only refers to non-refoulement in general. It does not mention direct or indirect refoulement. Most countries implicitly reject refugees through impermanent protection, the concept of a safe third world nation, and border rejection. As a result, a clear rule should be established, and both indirect and direct refoulement in international refugee law should be professed illicit.

5.5 USE OF EXCEPTION OF NON-REFOULEMENT IN STRICTO SENSO:

Typically, states interpret non-refoulement exclusions broadly and abuse these provisions to their advantage. Today's states deny refugee's status and protection. Those who pose a threat to their country's internal safety and harmony. As a result, there should be a clear-cut regulation regarding the utilization of non-refoulement

exclusions. Such exceptions should only be utilized in the strictest sense to benefit and protect refugees. It should not be allowed to be interpreted in a larger sense.

5.6 Mass Influx Situation – New Provision:

When there is a large influx of people, the doctrine of non-refoulement is often broken. In times of enormous influx, states close their borders. A substantial number of refugees are left without protection and fear persecution as a result of violations in the mass influx situation. As a result, a contingency should be made in the event of a large-scale influx. Even in cases of mass immigration, refoulement should be made illegal, and other countries should be forced to assist the country dealing with the influx.

5.7 Temporary Protection – New Provision:

More and more countries are using the momentary protection formula to coup-up with the refugee disaster in today's world. For the time being, states provide temporary refuge in the form of a safe third nation, with the intention of forcing repatriation later. Typically, states grant temporary protection to demonstrate that they abide by international law, and then later reject refugees with excuses. So there should be a provision for temporary protection. It should be assured that refugees will be protected and that no forced repatriation will take place until they find a safe location to live freely and safely or until the situation in their home country returns to normal.

5.8 Improvement In Supervisory Mechanism:

In order to improve the following mechanism of both 1951's Convention & 1967's Protocol, A model is offered that is based on independent expert systems and policy evaluations by organization member nations.

- The standing subcommittee for evaluation & monitoring, composed Executive Committee by the members of those States that are the signatory of 1951's Convention and 1967's Protocol, must be established within the Executive Committee.
- The Refugee Protection Reviews would be carried out by another committee on review and monitoring, which would look at explicit conditions of refugee movements or certain nations in order to:
    - Monitoring the 1951 Convention & 1967 Protocol's implementation;
    - Classifying roadblocks to these instruments' complete execution; and
    - Using real-life examples to overcome difficulties and improve the effectiveness and deployment.

Circumstances or states to be revised would be recognized using transparent and objective criteria, such as an impartial terrestrial distribution, in the presence of specific issues or barriers to complete execution. The following aspects will be included in the review system.

- UNHCR would detect circumstances that needed to be evaluated & construct a team of reviewers who are experts chosen from the state, which are a signatory of 1951's Convention &1967's Protocol.
- The governments of the states impacted by a specific refugee crisis would prepare a memorandum outlining the critical elements of their strategy, as well as the foremost issues that come across, the hurdles of complete enforcement of the 1951's Convention & 1967's Protocol, and then compete to be successful.
- The countries involved would invite the review team to examine the situation on the ground and undertake conversations with government authorities and agencies, members of parliament, civil society and non-governmental organizations (NGOs), and refugees to get firsthand knowledge.

Review's statement, combined with the Sub-views, Committee's would be sent to all the parties of states with an open dissemination policy (Boldrin & Levine, 2008)."

5. CONCLUSION

Through refugees are locked into a system in which the responsibility of the states to provide protection is not clearly defined, we learned through this work that we need to continuous working. In complex notion, 'host country' has a decisive part in this case. States may consider the safety economic condition of refugees as a bilateral issue. Forced refugee displacement is likely to have multiple economic implications than voluntary migration. For example, refugees come in huge numbers and in perilous conditions, are traumatised by conflict, and lose whatever assets they can't transfer to the host country. Most of the time, the absence of clear regulation of their status and ambiguity about the length of their stay make their integration into local economies even

more complex and limit their human capital investments. Because 85 percent of refugees seek asylum in underdeveloped countries, their job prospects are typically concentrated in the informal sector. As a result of the large influx of refugees, host economies may experience severe economic shocks due to changes in output and pricing and changes in informal economic activity. It has become a significant reason why most countries do not encourage it. However, refugee law represents an integral element of human rights law which puts the individual at the heart of any strategy to tackle the problems of people forced to flee. The proper processing of any particular claim by the asylum seeker, whether on the merits of its entitlement or the situations of a given third state is required to represent the intrinsic human rights component of the legislation relating to the refugee. Individuals need to be able to assert the rights, either social or economic, that they have lost within their domestic institutional system.

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