



## REFUGEE STATUS IN MODERN TIMES

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<b>Received:</b> August 11 <sup>th</sup> 2023 <b>Accepted:</b> September 10 <sup>th</sup> 2023 <b>Published:</b> October 11 <sup>th</sup> 2023	This article discusses the international protection of refugees, those in charge of their protection. This article describes the problems that arise in the process of protection and their solutions.
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The refugee problem is one of the most important problems of the world community. Refugees are among the most vulnerable and disadvantaged people forced to fight for survival in extreme conditions. A refugee is a person who "owing to a well-founded fear of being persecuted for based on race, religion, citizenship, membership in a particular social group or political opinion is outside the country of his nationality and cannot or does not wish to enjoy the protection of this country to benefit from such protection because of such fears; or, without a specific nationality and being outside the country of his former usual place as a result of such events, unable or unwilling to return to it due to such fears".

The problem of ensuring and protecting the rights of refugees appeared at the beginning of the 20th century and still remains relevant. In 2013, under the authority of the Department UN High Commissioner for Refugees (UNHCR) there were 10.4 million refugees. Another 4.8 million refugees found refuge in 60 camps in the Middle East created by the UN, as well as the Middle East UN agency to assist Palestinian refugees and organize works. Millions of refugees are a consequence of military interstate conflicts, international problems, systematic violations of human rights in some countries, etc. Leaving their home, their country, refugees fleeing conflict and persecution face a huge number of problems, ranging from human rights violations to lack of humanitarian aid. Refugees trying fleeing war and persecution often find themselves in a very vulnerable position. They can not enjoy the protection of their state. After all, it often happens that their own country threatens them persecution. The person who became a refugee will likely retain this status for many years. He will live in a refugee camp or illegally in a foreign country. Up to 70% of refugees under the protection of the United Nations High Commissioner for Refugees (UNHCR) remain in this situation for more than five years. Governments of sovereign states guarantee respect for and protection of fundamental human rights and the physical safety of citizens. But when citizens become refugees, guarantees disappear. Without having any legal status, having no protection from the state, these

people particularly vulnerable to exploitation and other forms of ill-treatment, as well as prison imprisonment and deportation.

The rights and responsibilities of refugees are defined rules of international law and are regulated international documents. Chief among these are the UN Convention relating to the Status of Refugees 1951 and 1967 Protocol relating to the status refugees, Organization of African Unity Convention on Refugees in Africa and the Cartagena Declaration of 1984. These documents define the minimum standards of legal refugee status.

In accordance with the 1951 Convention, states undertake to provide refugees with the legal regime enjoyed by foreigners. Besides general rights, refugees should be given special rights such as the right to choose a seat residence and free movement within the territory of the country of refuge. 1951 Convention exempts refugees from punishment for illegal entry into the territory of another state, however, they are obliged to appear without delay to the authorities with an explanation of their illegal entry. The Convention prohibits collective expulsion refugees to a country where their lives are in danger. Refugees, in turn, are required to comply with the laws of the host country. On September 1 2008, 144 states out of 192 UN members participate in the 1951 Convention.

In recent years, the number of refugees in the world has increased sharply. According to the High Commissioner UNHCR António Guterres, this was facilitated by two factors: "On the one hand, the number of countries where conflicts are occurring is growing. Since the beginning of 2011, Côte d'Ivoire has been on this list, Libya, Yemen, Syria, among African countries. The horns are Somalia, and more recent examples are the conflict between Sudan and South Sudan and in Mali. At the same time, old conflicts do not subside in Afghanistan, Somalia, and the Democratic Republic of Congo. Against this background, more than 70% of refugees became such over the past 5 years"

In many ways, the current situation in which refugees have to be protected is far less favorable



than at any time in UNHCR's history UN. It is characterized by a number of factors that interfere with effective international protection. These include:

- hostile coverage of refugee issues in the media, which leads to the growth of racism, Nazism, xenophobia, violence against refugees;
- statements that the framework of international law relating to refugees is outdated;
- concerns of developed countries about expenses associated with the reception of refugees;
- protracted refugee situations, when they have been in obscurity for many years, in unstable conditions and cannot achieve any concrete solution;
- a series of movements associated with the fact that refugees are being returned back to the country, not yet achieving sufficient stability.

While working on these problems, at the end of 2000. UNHCR has launched a Global Consultation on International Protection to find out how problems that arise in the refugee protection process can be resolved. The main result This process, in which various countries participated, became the Program on Protection. They also played an important role in the process leading to the adoption of the Ministerial Declaration of the States Parties to the 1951 Convention and Protocol 1957, which was adopted at the Ministerial Meeting in 2001. The importance of the 1951 Convention was recognized. as the main document on the protection of refugees. Also To improve the quality of refugee protection and its accessibility, UNHCR was established in 2011 ministerial meeting aimed at strengthening national responsibility and international solidarity towards refugees. More than 100 States have made specific commitments to a wide range of protection of refugee rights.

Who deals with refugee problems? First of all, the main responsibility for provision of international protection for refugees is the responsibility of the country in which the person seeks asylum. States have an obligation to provide him with international protection in accordance with international obligations.

An organization such as UNHCR is responsible for the international protection of refugees. Essentially this is the only international organization with a specific mandate for the protection of refugees at the global level. Office of the Supreme UN Commissioner for Refugees was created December 14, 1950 by decision of the UN General Assembly. Its mandate includes coordinating international efforts to protect refugees and solve their problems around the world. primary goal organizations - protecting the rights and welfare of refugees, as well as ensuring the opportunity to exercise their right to seek asylum and settle in another country, if possible voluntary return to homeland, local integration or resettlement in a

third country. The UN tries to ensure that refugees and other persons of concern:

- 1) received international protection;
- 2) received humanitarian aid;
- 3) were rescued from a difficult situation based on long-term solutions.

To effectively address refugee issues, cooperation between states and UNHCR is essential. It can flow in different directions: granting asylum in accordance with international obligations, financing UNHCR operations UN in the world. In turn, UNHCR monitors compliance with states' obligations to protect refugees, observes national practices, Helps countries expand their ability to provide asylum. In addition, the Agency works with regional intergovernmental organizations such as the European Union, African Union, Organization of American states, helping them implement policies to protect refugees in their regions.

An important role in solving refugee problems cooperation between states plays a role. International assistance can be aimed at resolution of political or interethnic crisis in the country where refugees are coming from, providing material and financial assistance for the resettlement of a certain number of refugees. Although UNHCR is the only UN organization with a mandate to provide comprehensive assistance to refugees, she regularly interacts with UN bodies and other organizations. These include the United Nations Office for the Coordination of Humanitarian Affairs (OCHA), the World Food Program (WFP), the Children's UN Fund (UNICEF), World organization Health (WHO), United Nations Development Program (UNDP), Office of the United Nations High Commissioner Human Rights (OHCHR), International Committee of the Red Cross (ICRC), International Organization for Migration (IOM).

There are three main options for long-term solutions to refugee problems: voluntary repatriation, local integration and resettlement. Voluntary repatriation is the most preferred solution to refugee problems. Most refugees would like to return home, to your country, as soon as circumstances allow you to do this (when in the country the conflict ends and at least some stability, security ensured). But, unfortunately, this is not easy to do. A number of problems arise. Often there are no basic conditions for returns - safety and recovery national defense. Without these conditions, the return of people may not be final: refugees may be sent back to the country shelters.

UNHCR promotes voluntary repatriation, believing this to be the best way to resolve the problem. The organization often provides transportation to these individuals and provides them with initial material assistance, which consists of cash benefits, participation in projects development of



income-generating activities, provides assistance in the reconstruction of houses, schools, hospitals, etc. Globally, in recent years ten years, about 11.4 million returned to their homeland refugees, including 7.3 million with the assistance UNHCR

On-site integration. There are cases when refugees are unable or unwilling to return home because they risk being confronted again with persecution in their own country. During integration on the spot, the country provides asylum to refugees right to permanent residence with the possibility obtain citizenship in the future. Despite, that this method is a good and effective way to solve refugee problems and is recognized by both the UN Convention and the UNHCR Charter UN, many states are concerned about the presence of refugees on their territory. They fear implications for the allocation of scarce resources, security issues, and control issues. over migration. However, when voluntary repatriation is not possible, the right solution for refugees is integration on site. Also this the method can also bring benefits to the country that accepts refugees:

- refugees can benefit the state, they may bring with them skills and abilities that will be useful to the country of asylum;
- they can attract resources from international communities;
- Refugees contribute to the diversity of a country's society.

Relocation. In cases where neither voluntary repatriation nor integration is possible, the solution for refugees will be resettlement to a third country. Relocation to the third country means refugees are leaving the country of their asylum, legally move to the country, agreed to accept them as refugees and grant them permission to permanently location. This option is used small number of refugees, mostly refugees with serious protection problems (threat of deportation, aggression, physical attack), which the host country does not have opportunities to provide assistance.

Resettlement is the most difficult option for refugees. Firstly, adaptation to conditions in a new country can be too difficult for refugees. Secondly, resettlement is not a right of refugees, and states have no obligation to their acceptance. Resettlement also depends on the availability of resettlement quotas. Countries have a limited number of places to accept refugees, and therefore only a very small number are resettled part of their total number. Given the limited opportunities and number of places, UNHCR and themselves countries are working to identify refugees, those truly in need of relocation. But Despite these difficulties, resettlement is also one of the ways to solve problems refugees, which is why UNHCR is taking action to increase the number of countries, host

migrants, measures to expand opportunities resettlement programs for sudden refugee situations, and also provides transparency in managing the resettlement process, prevents corruption, etc. Quantity refugees resettled with the assistance of UNHCR UN in 2007 - 98,999 people - increased by 83% compared to 2006.

To summarize, it should be noted that when protecting the rights of refugees, first of all, it is necessary to strengthen the partnership between states, authorities, international organizations dealing with this issue. Countries not must forget that in addition to the duty to protect their population, they have a humanitarian duty towards refugees. Very important, for states to do as much as possible efforts to create a system for providing shelters for refugees, provided the necessary protection and safety of return to the country of origin.

In addition to states and UNHCR, non-governmental organizations play an important role in the protection of refugees organizations. They play an important role in providing international protection and assistance. Refugees women need support from such organizations because countries and UNHCR alone are unable to protect millions of refugees today in all world and help them. Despite the fact that non-governmental organizations, according to international standards, do not have specific mandates to provide assistance to refugees, they carry out measures to protect refugees. It can be both financial support and the provision of social, legal, and humanitarian assistance.

Today, the protection of refugee rights faces a number of problems, and in order to avoid them, effective consolidation of measures and actions in this area. How more countries should ratify 1951 Convention relating to the Status of Refugees, retain and strengthen rights-based approaches to all refugee situations. We should not forget that the protection of refugees is still general responsibility. Only by working together, complementing each other, states, UNHCR, international and non-governmental organizations can provide effective protection, that refugees need. And then the system international refugee protection will be strengthened and stable.

#### **ACKNOWLEDGEMENTS:**

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