

Roll No.....

NATIONAL LAW UNIVERSITY, DELHI

LL.M. Degree Programme, II-Semester (Batch of 2018)

End-Semester Examinations, April - 2019

Paper: International Refugee Law

Time: 3:00 Hours

Total Marks: 50

Instructions:

1. Read the questions carefully and answer.
  2. Attempt All Questions.
  3. No clarification shall be sought on the question paper.
  4. Do not write anything on the question paper except your roll no.
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**Q1.** *Sometimes, the legal exercise of defining and determining the status of refugees may appear unworthy, especially in case of contingency when the persons are seeking refuge/ asylum in the emergency situation of distress. In the light of the above statement, discuss the legal significance of definition of refugee and the situations wherein the legal definition of refugee has been diluted.* **(10 Marks)**

**Q2.** There is an unprecedented refugee crisis in a political geography wherein approximately 100,000 people belonging to a particular minority religious community called Z of the state Y are in a desperate situation of statelessness. The community Z has *well-founded fear of persecution* back home on account of their religious identity. These 100,000 people of community Z are now waiting to enter the neighbouring state X. The state X however, already has 40,000 refugees of the community Z of the state Y, though living under hellish conditions of life in the State X.

State X otherwise has an excellent track record in terms of refugee protection. State X has been providing refugee protection to people in need with or without assigning refugee status without discrimination. However, in the changed political scenario the political party subscribing the right wing communal ideology, immediately after coming into power enacted a legislation which seeks to deprive the people of the community Z from entering the country. The legislation allows refugees of other religious faiths to enter the state X but selectively discriminates against the community Z. The legislation also mandates to expel the said 40,000 people of the community Z. To enforce the dictate of the legislation, the state X has created a Special Task Force (armed force). Consequently, the said 100,000 people of the community Z have become stateless and the other 40,000 are under fear of expulsion.

State X justifies its action on the ground that it is neither a party to the International Convention on Refugee, 1951 nor has it ratified the Protocol of 1967 (annexed to the Convention). Hence, the principle of Non-Refoulement is not applicable to state X. Decide.

**(15 Marks)**

- Q3.** Discuss the law and the procedure relating to Determination of Refugee Status. **(10 Marks)**
- Q4.** Discuss the law relating to Cessation of Refugee status and Cessation in **the Changed Circumstances.** **(7.5 Marks)**
- Q5.** Discuss the relationship between the International Refugee Law and the International Humanitarian and Human Rights law. **(7.5 Marks)**