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978-0-521-19952-0 - Critical Issues in International Refugee Law: Strategies Toward Interpretative Harmony

Edited by James C. Simeon

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CRITICAL ISSUES IN INTERNATIONAL REFUGEE LAW

This volume of original essays examines key cutting edge areas of international refugee law, including strategies for interpretative harmony, the rights of refugees and the standard of proof in complementary protection. Each topic is examined from a theoretical and a practical perspective in order to find solutions to the many legal issues and concerns which currently confront this area of law, and to seek ways to advance the field as a whole.

JAMES C. SIMEON is an Assistant Professor in the School of Public Policy and Administration, Faculty of Liberal Arts and Professional Studies, a Centre for Refugee Studies (CRS) Scholar, and a Faculty Associate with the Centre for Support of Teaching (CST) at York University, Toronto, Canada. His teaching and research interests are in the fields of public management, public administration, public policy and administration and international human rights law, international refugee law, and international humanitarian and criminal law.

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NERGIS CANEFE (Ph.D. York, 1998, D.Jur candidate, Osgoode Hall Law School) is Associate Professor of Political Science at York University, and Associate Director at Centre for Refugee Studies. She taught at London School of Economics, UK, and, Istanbul Bilgi and Bogazici Universities in Turkey prior to her appointment at York in 2003, and is currently an adjunct faculty member at Istanbul Bilgi University's Faculty of Law. Her areas of expertise are minority rights, diaspora politics, nationalism and forced migration studies, critical citizenship studies, and, crimes against humanity. Her publications appeared in journals including *Refuge*, *Citizenship Studies*, *Nations and Nationalism*, *Balkanologie*, *Turkish Studies*, *Rethinking History* and *South East European Politics and Society*. She published a co-edited volume *Turkey and the European Integration* (2004) and a sole-authored volume in Turkish titled *Citizenship, Identity and Belonging: Limits of Turkish Nationalism* (2006).

Her new edited volume with William Safran titled *The Jewish Diaspora as a Paradigm: Politics, Religion and Belonging* is forthcoming. She is currently working on her second Turkish book titled *Sovereign Utopias: Roots of Political Violence in Peripheral Nationalisms*, and a new edited volume titled *Political Violence and Citizenship in Turkey: Fear, Sacrifice and Social Responsibility*. At Osgoode Hall Law School, she is completing her dissertation titled "Substantive Norms Debate in International Law: A Legal Pluralistic Analysis of Crimes Against Humanity," under the supervision of Craig Scott, Harry Arthurs and Les Jacobs.

GEOFF GILBERT is a Professor of Law, School of Law and the Human Rights Centre, and the Director of LL.M. in International

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Human Rights and Humanitarian Law at the University of Essex and he is the Editor-in-Chief of the *International Journal of Refugee Law*. He is author of “Current Issues in the Application of the Exclusion Clauses” in Feller, Türk and Nicholson, *Refugee Protection in International Law* (2003), part of UNHCR’s Global Consultations, and founding Director of Studies for UNHCR annual Thematic Refugee course for judges, government officials and UNHCR staff at the International Institute for Humanitarian Law, Sanremo, Italy, since 2005. He was Specialist Advisor to the Joint Parliamentary Committee on Human Rights in its inquiry into the treatment of asylum seekers, 2006–07. In 2009, he was elected a Bencher of the Middle Temple, London, United Kingdom.

ELSPETH GUILD is Professor of European Migration Law at the Radboud University Nijmegen, awarded a Jean Monnet Chair in 2009. She is also a visiting professor at the London School of Economics and the College of Europe Bruges. In addition to her academic activities, she is a partner at the London law firm Kingsley Napley and a senior research fellow at the Centre for European Policy Studies in Brussels. Her most recent monograph is entitled *Security and Migration in the 21st Century* (2009).

KATE JASTRAM is a Lecturer in Residence at Berkeley Law, University of California, where she teaches refugee, human rights, and humanitarian law, and is also an Affiliated Scholar at the Chief Justice Earl Warren Institute on Race, Ethnicity, and Diversity. She has been a legal advisor to the UNHCR in Geneva and Washington, D.C., and has served as an expert on asylum issues for the United States Commission on International Religious Freedom.

She is the co-author of “Family Unity and Refugee Protection” in Feller, Türk and Nicholson, *Refugee Protection in International Law* (2003), part of UNHCR’s Global Consultations. In 2005, she was a co-recipient of the Arthur C. Helton Human Rights Award, awarded by the American Immigration Lawyers Association in recognition of outstanding service in advancing the cause of human rights.

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JANE MCADAM, Associate Professor, is the Director of International Law Programs and Mooting in the Faculty of Law at the University of New South Wales (Australia) and Director of the International Refugee and Migration Law project at the Faculty's Gilbert + Tobin Centre of Public Law. She is also a Research Associate of the Refugee Studies Centre at the University of Oxford. Professor McAdam is the author of *Complementary Protection in International Refugee Law* (2007); co-author with Guy S Goodwin-Gill of *The Refugee in International Law* (3rd edn, 2007); and the editor of *Forced Migration, Human Rights and Security* (2008).

Professor McAdam's current research projects are funded by the Australian Research Council. The first examines climate-induced displacement and international law; the second, a joint project with two historians, examines the history of medico-legal border control in the Asia-Pacific region. Professor McAdam is the Associate Rapporteur of the Convention Refugee Status and Subsidiary Protection Working Party for the International Association of Refugee Law Judges; Vice-President of the Refugee Advice and Casework Service in Sydney; and an advisor to UNHCR on legal aspects of climate-induced displacement.

JUSTICE TONY NORTH was educated at Melbourne University (BA, LL.B (Hons)) and the University of London (LL.M). He joined the Victorian Bar in 1976 and was appointed a Queen's Counsel in 1989. In 1995 he was appointed a Justice of the Federal Court of Australia.

In 2001, Justice North was the trial judge in the Tampa case, the most publicised recent Australian refugee case (*Victorian Council for Civil Liberties Incorporated v. Minister for Immigration and Multicultural Affairs* [2001] FCA 1297) about 400 Iraqi and Sri Lankan asylum seekers who had been rescued at sea by the *MV Tampa* were refused entry into Australia by the Australian Government. Justice North ordered that the government allow the asylum seekers to land in Australia.

Justice North has a special interest in refugee law and served as President of the International Association of Refugee Law Judges (IARLJ) from 2005 to 2009.

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He has spoken and written widely on refugee law matters. In the most recent article “Towards Convergence in the Interpretation of the Refugees’ Convention,” vol 25, *Australian Year Book of International Law*, p. 105, he advocated the establishment of an international judicial commission for the authoritative determination of refugee law issues under the 1951 *Convention Relating to the Status of Refugees*. He was a signatory to the Michigan Guidelines on Protection Elsewhere adopted on January 3, 2007.

JUSTICE ALBIE SACHS, on turning six, during World War II, received a card from his father expressing the wish that he would grow up to be a soldier in the fight for liberation.

His career in human rights activism started at the age of seventeen, when as a second-year law student at the University of Cape Town, he took part in the Defiance of Unjust Laws Campaign. Three years later he attended the Congress of the People at Kliptown where the Freedom Charter was adopted. He started practice as an advocate at the Cape Bar aged 21. The bulk of his work involved defending people charged under racist statutes and repressive security laws. Many faced the death sentence. He himself was raided by the security police, subjected to banning orders restricting his movement and eventually placed in solitary confinement without trial for two prolonged spells of detention.

In 1966 he went into exile. After spending eleven years studying and teaching law in England he worked for a further eleven years in Mozambique as law professor and legal researcher. In 1988 he was blown up by a bomb placed in his car in Maputo by South African security agents, losing an arm and the sight of an eye.

During the 1980s working closely with Oliver Tambo, leader of the ANC in exile, he helped draft the organisation’s Code of Conduct, as well as its statutes. After recovering from the bomb he devoted himself full time to preparations for a new democratic Constitution for South Africa. In 1990 he returned home and as a member of the Constitutional Committee and the National Executive of the ANC took an active part in the negotiations which led to South Africa becoming a constitutional democracy. After the first democratic election in 1994 he was appointed by President Nelson Mandela to serve on the newly established Constitutional Court.

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In addition to his work on the Court, he has travelled to many countries sharing South Africa's experience in healing divided societies. He has also been engaged in the sphere of art and architecture, and played an active role in the development of the Constitutional Court building and its art collection on the site of the Old Fort Prison in Johannesburg. His term on the Constitutional of Court will end on October 11, 2009.

JAMES C. SIMEON is an Assistant Professor in the School of Public Policy and Administration, Faculty of Liberal Arts and Professional Studies, a Centre for Refugee Studies (CRS) Scholar, at York University, Toronto, Canada. Immediately before joining the faculty at York University, he served as the first Executive Director of the International Association of Refugee Law Judges (IARLJ), www.iarlj.nl, the foremost international professional association of its kind. He currently serves as the Coordinator of the IARLJ Inter-Conference Working Party Process. He has been awarded an International Opportunities Fund (IOF) grant from the Social Science and Humanities Research Council of Canada (SSHRC) for a collaborative research project with co-applicant Kate Jastram, Berkeley Law, University of California at Berkeley, and collaborators Geoff Gilbert, School of Law, University of Essex, Jane McAdam, Faculty of Law, University of New South Wales, and Guy Goodwin-Gill, Senior Research Fellow, All Souls College, University of Oxford. The title of the comparative research project is "War Crimes and Refugee Status."

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Foreword

On 1 and 2 May 2008, at York University, some magic happened at the Research Workshop on Critical Issues in International Refugee Law. The participants left with brains buzzing with ideas and stimulation, better informed, and with a sense of challenge for further inquiry. But we also left with a feeling of inspiration.

In the two days of intense discussion there was a wonderful sense of engagement and uplift with a group all focused on the constructive development of this most important area of the law. These outcomes are not so common in meetings of legal discourse. How and why did it happen that way?

Clearly, the careful selection of the topics for discussion was a central element in the success of the workshop. As the papers in this collection demonstrate, the workshop program reflected some of the most challenging contemporary issues in refugee law.

We first explored the divergence between states' practices in the interpretation of the Convention and considered the question of whether uniformity in interpretation was a desirable, let alone an achievable, goal. Then, we examined the developments of protection outside and beyond the Convention grounds by reference to various forms of subsidiary or complementary protection which have been evolving to meet needs not catered for by the Convention.

On the second day, the workshop considered the effect of the spread of terrorism and, in particular, the events of 9/11 on the application of the Convention, and, especially, the consequence of these developments on the interpretation of the exclusion provisions in Article 1F of the Convention.

Then, in an undoubted highlight of the workshop, Justice Albie Sachs told his own story of being a refugee when he was engaged as

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an ANC freedom fighter against the apartheid regime. He related this experience, together with his other life experiences, to his work experiences as one of the original judges of the Constitutional Court of South Africa. This moving presentation explored the significant issue of the usually unspoken, and often unacknowledged, influences on the process of judicial or quasi-judicial decision making.

Finally, we addressed the emerging jurisprudence concerning economic, social and cultural claims as a basis for refugee applications and the search for a principled basis for such applications among competing approaches.

The vigorous and searching debate on these topics was largely the result of the careful selection of a small number of eminent participants from across a number of different disciplines. In this respect the workshop was an unusual, if not unique, event. The workshop was designed to bring academia, the judiciary and government together in discussion.

This concept of collaboration between academics, judges, and government representatives was without doubt an inspired one. Credit must go to David Dewitt, Associate Vice-President Research (Social Sciences & Humanities) and Professor of Political Science, Centre for International & Security Studies, York University, for the focus at York University on collaboration between academics and the “outside world.”

We were privileged to have Chief Justice Lutfy of the Federal Court of Canada as well as two Canadian Federal Court judges at the workshop. Judges also came from Malawi, Germany, Australia, South Africa, the UK and the United States and represented a wide cross-section of judicial opinion and approaches from both common law and civil law jurisdictions. The academic contributors also came from varied backgrounds including Japan, the UK, Australia and the United States. Participants included several senior members of the Canadian Ministry of Justice and Ministry of Foreign Affairs and International Trade. The learning contained in this collection reflects the diversity of the participants.

The exchange between participants was particularly productive because of the format of the workshop. After each key presentation a substantial time was allocated for discussion. The chair of each session managed the participants so that almost everybody made a

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contribution in each session. This was made possible because the number of participants was limited to around thirty, and the participants were chosen not only for their eminence in their field, but also their capacity to interact within the workshop's format.

The credit for making this happen must centrally go to James Simeon, Assistant Professor, School of Public Policy and Administration, Atkinson Faculty of Liberal and Professional Studies and Centre for Refugee Studies, York University. He was able to make York University's collaborative concept come to life as a result of his own work over the last fifteen years. This work has spanned and linked academia and the judiciary in refugee law. From 1994 to 2005 he was a Member and Coordinating Member of the Immigration and Refugee Board of Canada following a career in academia. Then from 2005 to 2006 he was the first Executive Director of the International Association of Refugee Law Judges (IARLJ). In this role he coordinated the training of refugee law decision makers and judges around the world in pursuit of the Association's main objective of providing a common understanding of refugee law. He was responsible for extending the work of the Association into Africa and establishing the African Chapter. As Executive Director, James met many of the judges who ultimately were invited to participate in the workshop. In his present role at York University he has been able to connect the world of judges and the world of academics in refugee law.

The contributions included in this collection form a body of work that will make a significant contribution to current thinking on issues related to refugee law. It is an honour and a thrill to be part of this very special collaboration. I hope those who read this book will not only benefit from the high quality of the contributions, but will share in the excitement of the collaboration which occurred at the workshop.

Justice Tony North
Federal Court of Australia
Immediate Past President, IARLJ
President, IARLJ, 2005–2009

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Acknowledgements

This book would not have been possible without the dedicated effort, support, and encouragement of many different people at various phases of this project as well as our broader research endeavour, the Research Workshop on Critical Issues in International Refugee Law, upon which this book rests. First and foremost, I should like to thank each of the contributors for agreeing to have their work published in this collection. Every one of them made a significant contribution to the success of our Research Workshop on Critical Issues in International Refugee Law that was held at York University on May 1 and 2, 2008. (For a complete description and other details on our research workshop we invite you to visit our Critical Issues in International Refugee Law (CIIRL) website at www.yorku.ca/ciirl/.) This exciting and stimulating research workshop featured some of the world's leading jurists, academics and government officials in the field of international refugee law. All of the contributors' works published in this book owe their genesis to our 2008 Research Workshop on Critical Issues in International Refugee Law held at York University.

Our inaugural Research Workshop on Critical Issues in International Refugee Law was the result of the combined and collective efforts of a number of faculty, staff and graduate and undergraduate students at York University. Most of these individuals served on our Research Workshop Organizing Committee. First among this dedicated group of professional scholars and academics and research administrators were Professor Nergis Canefe, Michele Millard, the Coordinator of the Centre for Refugee Studies, Professor Obiora Okafor, and Professor Sasha Baglay. Subsequently, Sarah Whitaker, Senior Research Officer, and later still, Elizabeth Monier-Williams,

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Research Communications Officer, both from the Office of the Vice-President Research and Innovation, joined this group. Robert Denault, then Learning Technology Specialist with the Office of Computing Technology and e-Learning Services (OCTES), Atkinson Faculty of Liberal and Professional Studies, also joined our group and took on the important task of designing and engineering our Research Workshop website. Others joined our Research Workshop Organizing Committee, as required, such as Amy April, Manager, University Events and Visitor Relations, Office of University Events and Community Relations, York University.

A number of highly energetic and devoted graduate students also made a significant and essential contribution to our Research Workshop Organizing Committee and to the overall success of our Research Workshop. Graduate Assistants Karen Vanderwillik and Hicham Safieddine, both Masters students in the Department of Political Science, Faculty of Arts, at the time, and Helen Wong, a particularly gifted organizer in the Masters of Public Policy, Administration and Law (MPPAL) programme in the School of Public Policy and Administration, Atkinson Faculty of Liberal and Professional Studies, and Irene Connie Tumwebaze, who was a Masters of Environmental Studies student at the time, all put in an exceptional effort to ensure that our Research Workshop ran smoothly and without any logistical snags.

A number of Osgoode Hall Law School students were also hired under the RAY [Research at York] Job Program to assist us with note taking during the Research Workshop as well as supporting the work of our academic review commentators during and after the Research Workshop. We are all very grateful for the important contribution that the Osgoode Hall Law School students, Neha Chugh, Grace Wang and Tara Raissi, made to the success of our Research Workshop. Neha Chugh, in particular, stood out in terms of her exceptional service on our Research Workshop Organizing Committee and during the Research Workshop.

The Research Workshop on Critical Issues in International Refugee Law would not have been possible without the strong support of a number of senior officials at York University. These included the following individuals who immediately gave their support for our research workshop: Susan McGrath, Director of the Centre of

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Refugee Studies; Rhonda Lenton, who was the Dean of the Atkinson Faculty of Liberal and Professional Studies at the time and is now the Associate Vice-President Academic; Robert Drummond, who was the last Dean of the Faculty of Arts and is now a University Professor in the Department of Political Science, Faculty of Liberal Arts and Professional Studies; Rodney Webb, Associate Vice-President Academic at the time of the Research Workshop; Ian Greene, then Master of McLaughlin College and the founding Director of the MPPAL Programme; Craig Scott, Faculty of Law, Osgoode Hall Law School and the Director of the Nathanson Centre on Transnational Human Rights, Crime and Security; and, David Dewitt, Associate Vice-President Research and Innovation, Social Sciences and Humanities.

We also received the full support of the Director of my School of Public Policy and Administration, Joanne Magee, as well as the Dean of Osgoode Hall Law School, at the time, Patrick Monahan, and who is now the Vice-President Academic and Provost of York University, for our Research Workshop. In addition, Ros Woodhouse, Director, Centre for Support of Teaching (CST), was generous in providing her time and advice on how the Research Workshop might be structured in order to maximize the dialogue and discussion among participants and the generation of new innovative ideas in international refugee law from our research workshop deliberations.

I should like to acknowledge the exceptional support and assistance of Professor Kelly Thomson, then Associate Dean, Research, Atkinson Faculty of Liberal and Professional Studies, and Kay Li, Research Officer, then with the Office of the Dean, Atkinson Faculty of Liberal and Professional Studies. I should also like to thank both of them for playing such an important role at our Pre-Research Workshop meeting that helped to launch several broader international collaborate comparative research projects that came out of our Research Workshop.

I should also like to thank the President and Vice-Chancellor of York University, Mamhoud Shoukri, for taking the time to prepare a video address that was presented to open our Research Workshop on Critical Issues in International Refugee Law and is posted on our CIIRL research workshop website. Although President Shoukri was unable to be with us in person, his warm greetings, strong support

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and encouragement were felt for the full duration of our two-day Research Workshop.

In addition, a number of renowned and extraordinarily talented legal scholars in the field international refugee law, from outside York University, and whose contributions are found within the chapters in this collection, made superb contributions to our Research Workshop on Critical Issues in International Refugee Law. I must first extend my special thanks to Professor Jane McAdam, Faculty of Law, University of New South Wales, for her immediate endorsement for the idea of holding our Research Workshop and for her enthusiastic support and advice throughout the planning and organizing of our Research Workshop and, of course, for her contribution for this volume. I must also extend my heartfelt thanks to Professor Guy Goodwin-Gill, Senior Research Fellow, All Souls College, University of Oxford, for kindly agreeing to present the official opening address at our research workshop and for his guidance and advice on how our Research Workshop in Critical Issues in International Refugee Law could, in fact, be realized. We are extremely grateful that Professor Goodwin-Gill was not only able to deliver his official opening address, that helped to set the overall tone for our research workshop, but for also participating in the discussions for the full duration of our Research Workshop and our Post-Research Workshop meeting. Without Professor Goodwin-Gill's presence the Research Workshop would not have achieved the same measure of success.

I had the very good fortune to meet Professors Kate Jastram and Geoff Gilbert at the International Institute of Humanitarian Law (IIHL) in Sanremo, Italy, in the fall of 2007 at the course that they co-taught on "Refugee Law and Human Rights." No finer pair of instructors has ever presented a course of this nature that is geared specifically for working professionals in these highly specialized fields of public international law. The participants at this IIHL and UNHCR jointly sponsored course, included: national governmental officials, intergovernmental officials, NGO representatives, academics, refugee law practitioners and judges. By the end of the course not only did I, and the rest of the course participants, have an chance to get to know both Professors Jastram and Gilbert, but I had the opportunity to ask whether they would be willing to participate in our Research Workshop on Critical Issues in International Refugee

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Law. I was most grateful and pleased, of course, that they both agreed to do so.

I should also like to acknowledge that I relied heavily on Professor Jastram's advice on how the Research Workshop should be organized, structured and operated. I am most happy to state that following our Research Workshop, Professor Jastram and I were co-applicants on a major international collaborative comparative research project entitled, "War Crimes and Refugee Status," that was awarded funding from the International Opportunities Fund (IOF) of the Social Science and Humanities Research Council of Canada (SSHRC). I am also pleased to note that Professors Guy Goodwin-Gill, Geoff Gilbert, and Jane McAdam are also our collaborators on this international collaborative research project.

A number of other gifted and world renowned legal scholars in the field of international refugee law also served as academic review commentators and also provided their advice and guidance throughout the planning and preparations for our research workshop. Professor Obiora Okafor, Osgoode Hall Law School, served as the academic review commentator for our first session that featured Professor Guy Goodwin-Gill's official opening remarks and Chief Justice Allan Lutfy's, Federal Court (Canada), judicial commentary. Professor Elspeth Guild, Radboud University, Nijmegen, The Netherlands, and Partner, Kingsley Napley, London, served as the academic review commentator for the second session that featured Professor Jane McAdam's academic paper and Justice Professor Harald Dorig's, Vice-President, Senate for Asylum and Migration Law, Federal Administrative Court, Republic of Germany, and Justice Caroline Layden-Stevenson's, Federal Court (Canada), judicial commentaries. Professor Audrey Macklin, Faculty of Law, University of Toronto, was the academic review commentator for Professor Geoff Gilbert's third session academic paper and Justice Geoffrey Care's, now retired and formerly the Chairman of the United Kingdom's Immigration Appeal Tribunal, and High Court Justice in Zambia, and the founding President of the International Association of Refugee Law Judges (IARLJ), judicial commentary. Professor Macklin also generously provided her time and advice on how our Research Workshop should be organized and funded. And, finally, Professor Sharryn Aiken, Faculty of Law, Queen's University,

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Kingston, Ontario, Canada, served as the academic review commentator for the fourth session, where Professor Kate Jastram presented her academic paper and three judges provided their commentaries on her paper. The judicial commentators were Juan Osuna, then Acting Chairman of the United States Board of Immigration Appeal (BIA), US Department of Justice, Justice Esme Chombo, High Court of Malawi, and Justice Anne Mactavish, Federal Court (Canada).

We were very fortunate in having a number of the world's leading high court and superior court jurists at our research workshop. First among these was Justice Tony North, now immediate-past President of the International Association of Refugee Law Judges, who kindly agreed to serve as the chair of our Research Workshop. Indeed, Justice North was one of the first persons that I approached with the idea for the Research Workshop and I was most thankful and appreciative that he readily agreed to lend his support to this scholarly endeavour and, despite an extremely busy schedule, to chair our research workshop. In addition, Chief Justice Allan Lutfy and Justice Professor Harald Dorig not only served as judicial commentators at our research workshop, but took on the additional task of chairing one of the four sessions at our research workshop. Another outstanding world renowned jurist presented the keynote address at our research workshop, Justice Albie Sachs, Constitutional Court, Republic of South Africa. Justice Albie Sachs presented an incredibly moving keynote address at our research workshop. We are most grateful that he agreed to present the substance of the remarks of his keynote address at our research workshop in our collection for this volume.

A number of other talented and gifted academics, government officials and NGO representatives participated in our research workshop, including: Professor Osamu Arakaki, Department of Law, Shigakukan University, Japan; Joseph Rikhof, Senior Counsel, Crimes Against Humanity and War Crimes Section, Ministry of Justice, Government of Canada and Adjunct Professor, Faculty of Law, University of Ottawa; Jessie Thomson, Senior Advisor, Humanitarian Affairs and Disaster Response Group, Ministry of Foreign Affairs and International Trade, Government of Canada; Professor Robert Latham, Director, Centre for International and Security Studies, York University; and, Susan Davis, Executive Vice-President, Canadian Council for Israel and Jewish Advocacy (CIJA).

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It was a distinct honour and pleasure to work with so many outstanding and accomplished individuals on the publication of this volume, which was the direct outcome of our highly successful Research Workshop on Critical Issues in International Refugee Law. It was also deeply fulfilling, as well as inspiring, to have the participants at our research workshop express their willingness to continue to collaborate on ongoing international and comparative research projects on international refugee law. Indeed, a number of new international collaborative research projects have come out of our research workshop and are currently underway. There are also plans to hold future Research Workshops on Critical Issues in International Refugee Law, likely on a biennial, basis on the most pressing legal issues and concerns confronting international refugee law today.

Finally, I would be remiss if I did not also acknowledge the contribution of the staff at Cambridge University Press for their support and assistance on this publication. In this regard, I should like to extend our special thanks to Finola O'Sullivan, Editorial Director, Law, Richard Woodham, Assistant Editor, Law, and Brenda Burke, Senior Publishing Assistant, Law, Cambridge University Press. I should especially like to thank Finola O'Sullivan who expressed an interest in this project from the outset and who was particularly helpful in dealing with various issues that arose at different points throughout the stages of the development of the full manuscript for this publication.

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