

Origin and Development of International Refugees Law

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1. Introduction

The revocation of the Edict of Nantes in 1685, that revoked the religious liberty and civil rights of Protestant Huguenots in France, caused more than 400,000 French Protestants to leave France for England. These Huguenots were collectively known 'réfugié', the word from where the word "refugee" derives its origin. The word then took its place in the English vocabulary referring to anyone who was "forced to flee to a place of safety, because of a danger of persecution."¹ The act of seeking refuge or shelter in another place, due to the fear of persecution in one's own country, is not a new concept. In the earlier Eastern History as well, there was a trend of kings seeking refuge in other kingdoms upon a coup or invasion. While the process of seeking refuge and granting shelter to asylum seekers is not a nascent concept having its traces and presence in almost every nations and the world's history, the act of legislating for such process began only in the 20th century and is said to be fundamentally a product of "European Political Culture."² It is essential to understand the history of refugee movements to understand the context behind the evolution of international refugee law. Thus, this paper attempts to provide a brief overview on the evolution of international protection standards of refugees.

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¹ Merriam Webster, *Word History, The Origin of Refugee 2*, <https://www.merriam-webster.com/words-at-play/origin-and-meaning-of-refugee>

² JA, MES C. HATHAWAY, A RECONSIDERATION OF THE UNDERLYING PREMISE OF REFUGEE OF LAW, 134, 31 Harv. Int'l. L. J. 129 (1990).

In the earliest times, or to be precise, in the medieval era³ states were receptive of foreigners, immigrants coming to their countries and opened their borders to anyone that sought shelter or sanctuary in their nations. The belief formed a major part of the political philosophy of that era, commonly known as the “universalist political philosophy”, that was carried on until the era of liberalism. The era of liberalism placed its priority on individual liberties and was open to sanctuary seekers as “a mean of promoting communal enrichment”⁴ and diversity.⁵ Asylum seekers were viewed as potential taxpayers, soldiers, businessmen, productive to the society in general.

During the political events of Europe in 20th century, that brought about a wave of nationalism, which elevated the status of principle of national sovereignty and focused on the responsibility of state towards advancing the interest of its population. Thus, the response of state towards welcoming foreigners into their state changed. Following the two major revolutions, viz. the American and the French revolutions, and the turnover of political power in the hands of the people, evolution of the concept right of self-determination of people and priority in “common cultural consciousness” also evident from the works of Karl Von Savigny on “Volkgeist”, the relevance of cultural unity in establishing a stable state mechanism and assuring national sovereignty took over.⁶ Thus, states actively adopted policies to resist immigration with a fear of affecting national unity and territorial integrity of its own kind.⁷

International movement got even more restricted when States began to adopt instrumentalist immigration policies during the early 20th century.⁸ The policies ensured that only the best individuals with potential capacities to contribute to the national economy were admitted into their country.⁹ Humanitarian concerns guided by spiritual political philosophy got replaced by economic concerns, and state’s national interest.¹⁰ Focus shifted from immigrants rights

³ H. KOHN, NATIONALISM: ITS MEANING AND HISTORY, (Princeton, N.J.: Van Nostrand, 12-13, (1965), ULLMANN, PRINCIPLES OF POLITICS AND GOVERNMENT IN THE MIDDLE AGES 19 (1961).

⁴ JAMES C. HATHAWAY, A RECONSIDERATION OF THE UNDERLYING PREMISE OF REFUGEE OF LAW, 134, 31 Harv. Int’l. L. J. 135, (1990).

⁵ MARRUS, THE UNWANTED: EUROPEAN REFUGEES IN THE TWENTIETH CENTURY 6-7 (1985); R. NATHAN-CHAPOTOT, LA QUALIFICATION INTERNATIONALE DES RT-FUGI S ET PERSONNES PLACTES DANS LE CADRE DES NATIONS UNIES, 33-47, (1949).

⁶ H. KOHN, NATIONALISM: ITS MEANING AND HISTORY, (Princeton, N.J.: Van Nostrand, 23, (1965).

⁷ G. COLES, PROBLEMS ARISING FROM LARGE NUMBERS OF ASYLUM-SEEKERS: A STUDY OF PROTECTION ASPECTS 9 (1981).

⁸ JAMES C. HATHAWAY, THE LAW OF REFUGEE STATUS. Butterworths, (1991)

⁹ John A. Scanlan, *Immigration Law and the Illusion of Numerical Control*, 36 U. MIAMI L. REV, 819, 823 (1982).

¹⁰ Frank E. Krenz, *The Refugee as a Subject of International Law*, 15 INT’L & COMP. L.Q. 90, 95 (1966).

to furtherance of economic interests. The evolving feelings of nationalism while limiting immigration started creating conflicts amongst various groups of people within a state belonging to different nationalities. There was already in place systematic discriminatory and exploitative policies against Armenians or any Christian population within the Ottoman Empire that resulted in the fleeing of Armenians within the Ottoman Empire to Europe through Turkey. Similarly, the Balkan Wars during the 1912-1913 before the World War I also led to significant immigration.

The Greeks who survived the massacres and the Balkan and Greco-Turkish Wars, had joined with their Bulgarian or Turkish counterparts in the “facultative mutual” exchange of populations that took place under the Treaty of Constantinople (1913), the Turco-Bulgarian Treaty (1913), the Greek-Turkish Agreement (May 1914) and the Treaty of Neuilly (1919).¹¹ However, substantial social crisis was brought about by the mass exodus of around one to two million Russians to immigrate out of their country following both economic and political reasons between 1917 and 1922.¹² Such mass influx of refugees into the Europe and the social crisis brought by it could not be sustained with the restrictive immigration policies in place and thus required a collective mechanism to deal with the problem.¹³

Refugee law was thus designed to accommodate the conflict between the reality of the mass influx of people into the continent and across the border, with the national interest to allow only selective number of individuals. Professor Hathaway refers to it as a humanitarian exception to the protectionist norm, in that immigration screening was suspended for large groups of unprotected migrants.¹⁴ The refugee law if broadly viewed can be categorized as two separate systems, first one concerning the status of the people at concern and second the form of protection to be made available to them.

2. Development of Refugee Law Before 1938

The international concerted efforts to accord protection to the mass influx people was initiated under the League of Nations by the appointment of *Dr. Fridtjof Nansen* as the first *High Commissioner for Russian Refugees* in 1921.¹⁵ The initiation was said to be taken by the Joint Committee of the

¹¹ Gilbert Jaeger, *On the history of the international protection of refugees*, 83 IRRIC No 843, 729. (Sept. 2001).

¹² J. SIMPSON, *REFUGEES: PRELIMINARY REPORT OF A SURVEY* 21-22 (1938).

¹³ *Id.*

¹⁴ *Id.*

¹⁵ Erika Feller, *The Evolution of the International Refugee Protection Regime*, 5 *JOURNAL OF LAW & POLICY*, 130 (2011).

International Committee of the Red Cross and the League of Red Cross Societies which called a conference of the principal organizations concerned, working for providing emergency relief assistance to the refugees on 16 February 1921. This conference then made a recommendation to the Council to appoint a High Commissioner to define the status of refugees, to secure their repatriation or their employment outside Russia, and to coordinate measures for their assistance. Subsequently, the refugee accord or the “Arrangement with Regard to the Issue of Certificates of Identity to Russian Refugees” was adopted in, July 5, 1922 to present the identification certificate to the Russian Refugee for admission into a state.¹⁶

The mandate of the *High Commissioner of the League of Nations* was later extended to *Armenians* in 1924 and to “other categories of refugees” (Assyrians, Assyro- Chaldeans, Syrians, Kurds and a small group of Turks) in 1928. In 1926, another arrangement, namely, Arrangement Relating to the Issue of Certificates of Identity to Russian and Armenian Refugees¹⁷ and similar arrangement was adopted in 1928¹⁸ and to political and religious dissidents from the Saar in 1935¹⁹. In 1933 however, the states collectively adopted the Convention relating to the International Status of Refugees, in 28 October 1933.²⁰ It laid down the basic framework for the international protection of refugees and the 1951 Convention on Refugee was largely guided by this convention. The convention dealt with issuance of Nansen Certificates as travel document or proof of refugee status, principle of non-refoulement, labor conditions, industrial accidents, welfare and relief, education, fiscal regime and exemption from reciprocity that was particularly of importance in cases of other immigration (treatment of aliens).²¹ The Convention was ratified by nine countries with a reservation by the UK to the principle of non-refusal at entry points to refugees.

Similar protections were the extended to the victims that managed to flee the Nazi regime initially through a Provisional Arrangement²², followed by a

¹⁶ Arrangement with Regard to the Issue of Certificates of Identity to Russian Refugees, July 5, 1922, para. 5, 355 L.N.T.S. 238.

¹⁷ Arrangement Relating to the Issue of Certificates of Identity to Russian and Armenian Refugees, May 12, 1926, 2004 L.N.T.S. 48

¹⁸ Arrangement Concerning the Extension to Other Categories of Refugees of Certain Measures Taken in Favor of Russian and Armenian Refugees, June 30, 1928, 2006 L.N.T.S. 65

¹⁹ *Refugees from the Saar*, 16 LEAGUE OF NATIONS OFFICIAL JOURNAL 1681 (1935).

²⁰ LEAGUE OF NATIONS, CONVENTION RELATING TO THE INTERNATIONAL STATUS OF REFUGEES, L.N.T.S. Vol. CLIX No. 3663, (28 Oct. 1933).

²¹ Gilbert Jaeger, *On the history of the international protection of refugees*, 83 IRRC No 843, 730. (Sept. 2001).

²² Provisional Arrangement Concerning the Status of Refugees Coming from Germany, 3952 L.N.T.S. 77. (July 4, 1936)

Convention, Convention Concerning the Status of Refugees Coming from Germany, Feb. 10, 1938²³, and an Additional Protocol.²⁴ The refugees from Germany were not entitled to Nansen Certificate and had different certificates and the protection was not as much as it was granted to other refugees. The refugees under these arrangements could be “sent back across the frontier of the Reich” upon extreme circumstances. Further institutional arrangements were then created under the office of *High Commissioner for Refugees* to carry out the mandate the Office of the High Commissioner was tasked with, viz²⁵

1. Nansen International Office for Refugees (1931-1938),
2. Office of the High Commissioner for Refugees coming from Germany (1933-1938),
3. Office of the High Commissioner of the League of Nations for Refugees (1939-1946)
4. The Intergovernmental Committee on Refugees (1938-1947).

All these arrangements were mostly concerned with the issuing of travel documents and no efforts were made to regulate or control the movement²⁶. Thus, the treaties and arrangements during the League of Nations Period can be characterized more to be concerned with status than protection despite few basic rights guaranteed under the conventions.²⁷

3. Development of Refugee Law From 1938 to 1950

The collapse of the League of Nations before the World War II led to a collapse of a lot of institutional arrangement under it. Thus, in 1938 even before the war was over the Inter-governmental Committee on Refugee in 1938²⁸ took over the task of protecting individuals that were forced to emigrate, limited to the ones that were forced to emigrate in the grounds of their “political beliefs, religious beliefs or racial origin.”²⁹The mandate was also limited only to those people that have already left their country of origin. After the end of the war, the UN Relief and Rehabilitation Agency was established in 1943 with the

²³ Convention Concerning the Status of Refugees Coming from Germany, Feb. 10, 1938, 4461 L.N.T.S. 61

²⁴ Additional Protocol Concerning the Status of Refugees Coming from Germany, Sept. 14, 1939, 4634 L.N.T.S. 142;

²⁵ Gilbert Jaeger, *On the history of the international protection of refugees*, 83 IRRC No 843, 729. (Sept. 2001).

²⁶ JAMES C. HATHAWAY, *THE LAW OF REFUGEE STATUS*. Butterworths, 137, (1991)

²⁷ *Id.*

²⁸ J. SIMPSON, *REFUGEES: A REVIEW OF THE SITUATION SINCE SEPTEMBER 1938*, 2-3 (1939).

²⁹ ICRC, Resolution of the Committee, I.C.R. Doc., July 14, 1938.

purpose of providing material relief and emergency assistance to the victims of the war and those who had fled the war. Furthermore, as the name suggests, it was tasked with the responsibility to rehabilitate the ones that had fled the war back to their own nation.

Professor Hathaway marks this era as the one where the influence of human rights started taking its course to the protection awarded to the refugees.³⁰ The regime of individualized recognition and protection of statehood was justified under the grounds of limitation of resources of the states to provide protection to only the selected few individuals that strictly deserved it.³¹ The UNRRA and the Intergovernmental Committee on Refugees was later replaced by the International Refugee Organization in 1947. It was established under the United Nations regime to coordinate concerted efforts in providing for the settlement of the refugee that had “valid objections”³² to return to their country of origin. It still reflected nation’s interest to only admit to their territories, individuals that were strictly under the threat of persecution and restrictive immigration policy. However, it did provide resettlement options to individuals whose basic human rights were in jeopardy.³³ The IRO was also known as a resettlement agency which took an active role in resettling 1,049 refugees and displaced persons, from Central Europe, in the United States, Australia, Western Europe, Israel, Canada and Latin America. The refugee problem was imagined to be a temporary problem with the anticipation of international peace and no wars leading to any humanitarian crisis. Thus, the IROs mandate was originally mandated only until 30th June 1950, but when it was evident that the refugee problem was very unlikely to be over, with new refugees from Central and Eastern Europe, the Human Rights Commission and ECOSOC collectively requested the UN Secretary General to undertake a Study on Statelessness and make recommendations.

“A Study of Statelessness” is considered as an important document in the history of international protection of refugees³⁴ which consists of the protection mechanism initiated at both domestic and international level from the League of Nations period to the International Refugee Organization. The study takes into account the provisions and mandates under various arrangements from

³⁰ JAMES C. HATHAWAY, *THE LAW OF REFUGEE STATUS*. Butterworths, 140, (1991)

³¹ *Id.*

³² Constitution of the International Refugee Organization, part I(C)(1), opened for signature Dec. 15, 1946, 18 U.N.T.S. 3.

³³ U.N. GAOR C.3 (8th mtg.) at 23, U.N. Doc. A/C.3/22 (1946).

³⁴ UN Doc. E/1112, of 1 February 1949, and E/1112/Add.1, of 19 May 1949.

1921 to 1946, makes recommendation in favor of General Convention that would coexist with the previous conventions. This era is said to be guided by the political philosophy and human rights conceptions of the Western States. The only human rights whose violation was considered as a serious violation, was the civil and political rights violations.

5. Development of Refugee Law after 1950

With the recommendation of the Study on Statelessness, a “permanent international machinery” was designed and the UNGA in December, 1949 adopted a decision to replace the IRO with UNHCR, as a subsidiary organ of the General Assembly under Article Twenty-two of the UN Charter. On December 14, 1950 the General Assembly adopted the Statute of the UN High Commissioner’s Office for the Refugees³⁵. UNHCR’s tasks stated therein were to provide international protection for refugees and to seek permanent solutions to their problems by assisting governments to facilitate their voluntary repatriation or their 2001. Evolution of International Refugee Protection assimilation within new national communities and from January 1, 1951 UNHCR began its work with a staff of thirty-three and a budget of \$30,000.³⁶

5.1 The 1951 Convention.

Following the Report on Statelessness, efforts were being made to draft a comprehensive Convention on the issues of Refugee. The Convention was drafted between 1948 and 1951 by a combination of United Nations organs, *ad hoc* committees, and a conference of plenipotentiaries. In 1949, the Secretary General of UN had proposed a convention on status of refugees.³⁷ However, the convention did not contain provisions on international protection and thus was recommended to be revised to incorporate humanitarian protection both to persons who lacked formal or *de jure* protection (stateless persons), and to persons who lacked *de facto* protection, notwithstanding their retention of a particular nationality (refugees).³⁸ Conclusively, citing the urgency to address the refugee problem in contrast to conflict amongst UN Members States on the rights to be guaranteed to stateless person, the

³⁵ UNGA Res. 428 (V), Statute of the Office of the United Nations High Commissioner for Refugees, of 14 December 1950

³⁶ Erika Feller, *The Evolution of the International Refugee Protection Regime*, 5 JOURNAL OF LAW & POLICY, 131 (2011).

³⁷ U.N. Department of Social Affairs, *A Study of Statelessness*, U.N. Doc. E/1112 (1949)

³⁸ 6 U.N. ESCOR, Economic and Social Council Res. 116 (VI)D, Mar. 1-2 (1948)., Hathaway, *supra* note 2, at 144.

1951 Convention was adopted specifically to address the needs of the Refugees only.

The 1951 Convention is the most important international instrument relating to refugee and begins with a comprehensive definition in Art 1 (A) that defines Refugees as any person who:

- *Has been considered a refugee under the Arrangements of 1926, 1928 or Conventions of 1933 and 1938, the Protocol of 1939 or the Constitution of the International Refugee Organization;*
- *Decisions of non-eligibility taken by the International Refugee Organization during the period of its activities shall not prevent the status of refugee being accorded to persons who fulfill the conditions of paragraph 2 of this section; OR*
- *any person who ... as a result of events occurring before 1 January 1951 and owing to well-founded fear of being persecuted for reasons of race, religion, nationality, membership of a particular social group or political opinion,*
- *is outside the country of his nationality and is unable or, owing to such fear,*
- *is unwilling to avail himself of the protection of that country;*
- *or who, not having a nationality and being outside the country of his former habitual residence as a result of such events, is unable or, owing to such fear, is unwilling to return to it*³⁹.

The Convention also enlists a group of rights to be accorded to refugees that are more broad, general and comprehensive in comparison to previous Arrangements and Instruments. Firstly, it states that the provisions shall be applicable non-discriminatory to every person from every country of origin alike.⁴⁰ Then it creates an obligation on state parties to assert the minimum rights provided generally to aliens in the countries apart from cases where the convention itself provides a comparatively favorable provisions.

With respect to the rights of refugees, the Convention provides for three levels of treatment, namely;

³⁹ CONVENTION RELATING TO THE STATUS OF REFUGEES, (July 28, 1951), 189 U.N.T.S. 137.

⁴⁰ Ibid, Art. 3.

- 1) national treatment, which is the same treatment as is accorded to nationals of the contracting states;
- 2) most-favored-nation treatment, the most favorable treatment accorded to nationals of a foreign country;
- 3) "treatment as favorable as possible, and in any event not less favorable than that accorded to aliens generally in the same circumstances."⁴¹

Some of the rights accorded for the refugees at par with the nationals include freedom to practice religion and the religious education of their children,⁴² and access to courts, legal assistance, and exemption from *cautio judicatum solvi*.⁴³ In countries other than the country of habitual residence, refugees are, in the latter matters, to be granted the treatment accorded to nationals of the country of their habitual residence. The same treatment granted to nationals of the country of their habitual residence is also to be granted to refugees with regard to the protection of industrial property such as inventions, designs or models, trademarks and trade names, and to rights in literary, artistic, and scientific works.⁴⁴ Furthermore, a refugee who has completed three years' residence in the contracting state, or who has a spouse whom he or she has not abandoned, or two or more children who possess the nationality of that country, is to be accorded national treatment with respect to wage-earning employment,⁴⁵ and elementary education,⁴⁶ public relief and assistance,⁴⁷ labor legislation and social security (subject to certain qualifications),⁴⁸ and taxation.⁴⁹ The most-favored-nation treatment is concerned with the right to create and to join non political and nonprofit-making associations and trade unions and the right to engage in wage-earning employment.⁵⁰ The right relating to acquisition of movable and immovable property, to leases and other contracts relating to movable and immovable property, right to engage on their own account in agriculture, industry, handicrafts, rights to establish commercial and industrial, companies, to practice a liberal profession, the right to obtain housing, access to higher education, in particular, admission to studies, recognition of foreign diplomats,

⁴¹ Ibid, Art. 13, 14, 15, 16, 17, 18, 19.

⁴² Ibid, Art. 4

⁴³ Ibid, Art. 16.

⁴⁴ Ibid, Art. 14.

⁴⁵ Ibid, Art. 17(2)

⁴⁶ Ibid, Art. 22(1)

⁴⁷ Ibid, Art. 23

⁴⁸ Ibid, Art. 24

⁴⁹ Ibid, Art. 29

⁵⁰ Ibid, Art. 17(1)

remission of fees, and granting of scholarships, is similarly guaranteed are guaranteed as “favorable as possible, and in any event not less favorable than that accorded to aliens generally.”⁵¹

5.2 The 1967 Protocol⁵²

The limitation of the Convention definition- the requirement that the claim relate to a pre-1951 event in Europe - was later eliminated by the 1967 Protocol which achieved the formal, but not the substantive, universalization of the Convention definition of refugee status. The greatest criticism to the definition of the Convention and the Protocol is with regards to the Western Liberal values it puts forwards excluding the third world refugees whose flight is mostly said to be prompted by natural disaster, war, or broadly based political and economic turmoil. The Convention refugee concept has been expanded in practice after the establishment of the United Nations High Commission for Refugees, the establishment of regional refugee protection arrangements and the practice of states.⁵³ The Article 6 of the UNHCR Statute reflects almost the same spirit of the 1951 Convention amended by the 1951 Protocol. However, the limitations in its individualistic definitions that do not include the refugees from Africa and Asia who move in large groups⁵⁴ have been attempted to overcome with the collective efforts of the General Assembly, the Economic and Social Council and the Executive Committee of the UNHCR through adoption of different broader mandates. Apart from the UNHCR various regional arrangements have now been adopted to address the refugee problem and extend regional protection to refugees leading to adoption of newer definition in consonance with the regional beliefs and spirits.

5.3 Regional Instruments Relating to the Protection of Refugees

5.3.1 The Organization of African Unity 1969: The Organization of African Unity Definition of Refugee Status is the first of its kind established by the Organization of African Unity in 1969. The Art. I(2) of the Instrument recognizes the need to examine a refugee claim from the perspective of the de facto authority structure within the country of origin⁵⁵ addressing to the regional nuances of the refugee problem. Its definition is also said to recognize the concept of group disfranchisement through its reference to persons who leave

⁵¹ Ibid, Arts, 13, 18, 19, 21, 22(2)

⁵² JAMES C. HATHAWAY, THE LAW OF REFUGEE STATUS. Butterworths, 10-11, (1991)

⁵³ Id, at.11

⁵⁴ Ibid at 12

⁵⁵ Ibid., at 17

their country in consequence of broadly based phenomena and the legitimacy of flight in circumstances of generalized danger.

5.3.2 Cartagena Declaration in 1984

Similarly in the same spirits, ten Latin American States together adopted the Cartagena Declaration in 1984 sharing some characteristics of the OAU Convention but commentators speculate that it is a form of amalgamation of the 1951 Convention and the African Arrangement and attempts to find the balance between the two.⁵⁶

5.3.3 European Council

Likewise, the European Council also from time to time adopts directives in responses to the influx of refugees in the European Continent. However, the EC policy on directives is largely criticized for its reluctance in extending adequate protection.

5.3.4 New York Declaration for Refugees and Migration, 2016

Recently following High-level Summit for Refugees and Migrants hosted by the UNGA on September 2016, all 193 member states of the UN unanimously adopted the New York Declaration for refugees and migrants.⁵⁷ The Declaration includes new commitments by the States to⁵⁸

- Strengthen and facilitate emergency responses to refugee movements and a smooth transition to sustainable approaches that invest in the resilience of both refugees and the communities that host them;
- Provide additional and predictable humanitarian funding and development support to host countries;
- Explore additional avenues for refugees to be admitted to third countries, including through increased resettlement; and
- Support the development and application of a comprehensive refugee response framework (CRRF) for large refugee movements, applicable to both protracted and large-scale refugee movements.
- It also provides for adoption of the “**Global Compact on Refugees**” that builds on the CRRF setting out practical measures that can be taken by

⁵⁶ Ibid. At, 20-21.

⁵⁷ UNGA, *New York Declaration for Refugees and Migrants : Resolution adopted by the General Assembly*, 3 October 2016, A/RES/71/1

⁵⁸ UNHCR, *The New York Declaration for Refugees and Migrants Answers to Frequently Asked Questions 3* (Feb 2018)

a wide range of stakeholders to enhance international cooperation in response to large movements of refugees and protracted refugee situations”⁵⁹

5. Conclusion

The evolution of international refugee law is a result of the conflict between the two contrasting doctrine, the general commitment of states to pursue their own immigration policy in furtherance of their national interest to protection of humanitarian interests of the people in situations of humanitarian crisis when facing coercion or persecution. However, in the latest global trend, through the increased mandate of UNHCR, states have somehow abandoned the strict protectionist approach to addressing the realities of mass exodus resulted from various reasons. Thus, as Professor Hathaway puts it, the practice of sheltering those compelled to flight should not perceived as a burden, but rather as a necessary incident of power, and a source of communal enrichment. Furthermore, as we have come to a time where the discourse on humane treatment of refugees has entered into international public opinion, the basis of such protection should be about meeting the needs of the vulnerable population while taking into account the legitimate interests and willingness to undertake such obligations.

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⁵⁹ UNHCR, New York Declaration on Refugees and Migrants , available at <https://www.unhcr.org/new-york-declaration-for-refugees-and-migrants.html>