
FOREWORD



The Refugees Convention 50 years on stands as an exceptional expression of States' commitment to human rights and protection of those who suffer at the hands of persecutors.

The Convention was developed at a time when the global community was determined to find a way of cooperating to meet the needs for protection of the victims of oppression. The instrument recognised that refugees are forced to flee when the protection of their own country is no longer available. At the same time, it was carefully fashioned to preserve States' sovereign rights to determine who can enter, and who can stay, and to ensure that, as far as possible, it could not be abused by those with no right to, nor need of, protection.

It is open to States, over and above their obligations under the Convention, to exercise their sovereign right to provide entry and stay to persons in humanitarian need, but this does not change the way in which we should interpret and apply the Convention itself. The practices of States do not, and should not, expand the plain meaning and intent of the words of the Convention's provisions. The text of the Convention is the best guide to the intention of Contracting States.

Australia has welcomed over 600,000 refugees since World War II who make a continuing contribution to our nation, in large and sometimes unnoticed ways, at national and community levels.

Australia is committed to honouring its obligations under the Refugees Convention.

We are just as firmly committed to working with UNHCR and other States to make the system of international refugee protection work equitably, effectively and efficiently. We continue to play a strong role in the system through our support of UNHCR and countries of first asylum, and through a large refugee resettlement program and world-class refugee settlement services.

We have endeavoured to contribute actively and constructively to UNHCR's Global Consultations initiative. We were pleased to contribute financially to support the holding of a regional meeting in the Asia Pacific and were pleased to note the involvement of two distinguished Australian academics in the roundtables, the late Dr Peter Nygh and Professor Ryszard Piotrowicz.

This volume brings together part of my department's intellectual contribution to the Consultations. It reflects a rigorous analysis of current international law and Australia's considered position on interpretation of some of the important provisions of the Convention. I commend this volume to you as a contribution to international discussion and debate.

A handwritten signature in black ink, appearing to read 'Philip Ruddock'. The signature is fluid and cursive, with a large initial 'P'.

*Hon Philip Ruddock MP
Minister for Immigration and Multicultural and Indigenous Affairs*
