

The government's treatment of refugees makes internat...

Published: January 16, 2026, 6:53 am

I am so bored of hearing Tories talking about illegal immigration by refugees, whether in the House of Lords or on Question Time, that I went to find the [definition of a refugee](#) by the UN High Commission on Refugees. This is it. The emphasis is mine:

The 1951 Convention consolidates previous international instruments relating to refugees and provides the most comprehensive codification of the rights of refugees at the international level. In contrast to earlier international refugee instruments, which applied to specific groups of refugees, the 1951 Convention endorses a single definition of the term "refugee" in Article 1. The emphasis of this definition is on the protection of persons from political or other forms of persecution. A refugee, according to the Convention, is someone who is unable or unwilling to return to their country of origin owing to a well-founded fear of being persecuted for reasons of race, religion, nationality, membership of a particular social group, or political opinion.

The Convention is both a status and rights-based instrument and is underpinned by a number of fundamental principles, most notably non-discrimination, non-penalization and *non-refoulement*. Convention provisions, for example, are to be applied without discrimination as to race, religion or country of origin. Developments in international human rights law also reinforce the principle that the Convention be applied without discrimination as to sex, age, disability, sexuality, or other prohibited grounds of discrimination. The Convention further stipulates that, subject to specific exceptions, refugees should not be penalized for their illegal entry or stay. This recognizes that the seeking of asylum can require refugees to breach immigration rules. Prohibited penalties might include being charged with immigration or criminal offences relating to the seeking of asylum, or being arbitrarily detained purely on the basis of seeking asylum. Importantly, the Convention contains various safeguards against the expulsion of refugees. The principle of *non-refoulement* is so fundamental that no reservations or derogations may be made to it. It provides that no one shall expel or return ("*refouler*") a refugee against his or her will, in any manner whatsoever, to a territory where he or she fears threats to life or freedom.

Finally, the Convention lays down basic minimum standards for the treatment of refugees, without prejudice to States granting more favourable treatment. Such rights include access to the courts, to primary education, to work, and the provision for documentation, including a refugee travel document in passport form. Most States parties to the Convention issue this document, which has become as widely accepted as the former "Nansen passport", an identity document for refugees devised by the first Commissioner for Refugees, Fridtjof Nansen, in 1922.

We are signed up to this.

It makes clear that those who think they are refugees may, quite explicitly, break migration law.

They must be welcomed.

They must be provided with care.

They just even be issued with a passport if they have none of their own or one they do not wish to use.

There is no right to refuse entry, or to force them to leave.

They may not be detained.

It is shaming that ministers and the media continually ignore these obligations.

Why do they do that? Because they can never imagine themselves as refugees. It is arrogant exceptionalism that lets them treat the refugee as 'the other'.

Well, that and the empathy bypasses that all who join the Tories must compulsorily have. And it is totally shameful, and makes international criminals of them all, in my opinion.