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The 1951 Convention relating to the
Status of Refugees:
Principles, Problems and Potential

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Contents

PART II

REGIONAL DIMENSIONS

- Human Rights, the OAU Convention and the Refugee Crisis in Africa: 40 Years after Geneva *Joe Oloka-Onyango* 453
- An Arab Convention on Forced Migration: Desirability and Possibilities *Khadija Elmadmad* 461
- Refugee and Related Developments in Latin America: The Challenges Ahead *Roberto Cuellar, Diego García-Sayán, Jorge Montaña, Margarita Diegues, Leo Valladares Lanza* 482
- Developments in Latin America: Some Further Thoughts *Alberto D'Alotto, Roberto Garretón* 499

PART III

PROBLEMS IN NATIONAL LEGAL SYSTEMS

- The Domestic Implementation of International Refugee Law: A Brief Note on Malawi's Refugee Act of 1989 *Tiyanjana Maluwa* 503
- The Legal Status of Asylum-Seekers in Turkey: Problems and Prospects *Kemal Kirisci* 510
- Before or After the Wave? The Adequacy of the New Hungarian Refugee Law *Boldizsar Nagy* 529

PART IV

SOLUTIONS AND HUMAN RIGHTS

- Perspectives on Voluntary Repatriation: A Critical Note *B. S. Chimni* 541
- The Role of Refugee, Humanitarian and Human Rights Law in Planning for the Voluntary Repatriation of Kampuchean Asylum-Seekers in Thailand *Arthur C. Helton* 547
- UNHCR Resettlement as an Instrument of International Protection *Gary G. Troeller* 564
- The Duties of Refugees *Anders B. Johnsson* 579

PART V

PRESENT AND FUTURE

- The United Nations, the UNHCR, and Refugee Protection: A Non-Specialist Analysis *Iain Guest* 585

An Arab Convention on Forced Migration: Desirability and Possibilities

KHADIJA ELMADMAD*

1. Introduction

One of the biggest ironies in the Moslem world is that it has become the land of wars, refugees, asylum-seekers and migrants (*Dar al-Harb* and *Dar al-Muhajirin*), instead of the land of peace and tolerance (*Dar al-Islam* and *as-Silm*). Both the Arab and Islam Worlds nowadays seem to neglect or ignore the humanitarian, tolerant and progressive aspects of the Islamic Law of asylum, and of the pre-Islamic and Judaeo-Christian traditions which influenced Islamic Law.

The lack of effective domestic, regional or international laws to protect the uprooted in the Moslem World, their great suffering, and above all, the breakdown of all humanitarian values and traditions, especially during the recent events in the Gulf War, challenge researchers and human rights lawyers to search for means of protecting those who are unprotected, and for ways of assuring respect for human rights in the Moslem World in general and in the Arab World in particular.

After the Gulf Crisis, the Middle East and the Arab World have become a land of uprooted and refugees. Their sufferings are so immense that the United Nations High Commissioner for Refugees, who witnessed their dramatic situation, lamented in her address at the Donor Information Meeting on 15 May 1991 in Geneva that 'a human tragedy was unfolding right in front of my eyes'.

In fact, at present, the majority of refugees and displaced people

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