

## **Introduction**

Legal issues arising from the involvement of refugees and other persons of concern to UNHCR in maritime incidents such as rescue at sea, maritime interception or stowaway cases, are complex and subject to different areas of international law. Apart from international refugee and human rights laws, maritime obligations, especially, need to be considered.

This binder compiles applicable provisions of the international law of the sea, refugee, human rights and criminal law to assist UNHCR colleagues and other interested professionals to better understand the inter-relationship between these different areas of law. The compilation is not comprehensive, only key provisions have been chosen. Since refugee and human rights law provisions have been collected elsewhere, the references included from these areas of law are restricted to existing *refoulement* prohibitions and a few add provisions, recommendations and guidelines specifically relevant for maritime migration. The binder originally was prepared for a conference on rescue at sea and maritime interception in the Mediterranean. Recommendations adopted by the Parliamentary Assembly of the Council of Europe have therefore been included. It also contains background material of relevant conferences convened by UNHCR during the past years.

Apart from the reference to the UN Treaty Series, whenever possible, a website link has been added to enable easy access to the complete texts. For most texts, the reference refers to an official UN website. Where this was not possible, another website has been provided. Although such external websites have been carefully chosen, a guarantee about their content and quality cannot be made.

The publishers are grateful for any comments on the compilation or recommendation for the inclusion of further material in the next edition.

DIPS/POLAS  
UNHCR Geneva  
November 2006

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<sup>2</sup> UNHCR (publisher): Collection of international instruments and other legal texts concerning refugees and displaced persons, Geneva 1995.

Recommended Principles and Guidelines on Human Rights and Human Trafficking, 2002 (excerpts) 123

### **INTERNATIONAL CRIMINAL LAW<sup>3</sup>**

Protocol to Prevent, Suppress and Punish Trafficking in Persons Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime, 2000 129

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### **RELEVANT CONFERENCE MATERIALS**

Meeting of State Representatives on Rescue at Sea and Maritime Interception in the Mediterranean, Madrid, 23 -24 May, 2006, Background Discussion Paper and Summary Proceedings 153

Expert meeting on Interception and Rescue in the Mediterranean – Cooperative Responses, 12 – 13 September 2005, Athens: Summary of discussions and recommendations 169

Expert Roundtable on Rescue-at- Sea: Specific Aspects Relating to the Protection of Asylum-Seekers and Refugees, 25 – 26 March, 2002 Lisbon: Summary of Discussion 177

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<sup>3</sup> UNODC: Legislative Guides for the Implementation of the United Nations Convention against Transnational Organized Crime and the Protocols Thereto, New York 2004.