

Call for Papers

The Refugee Convention at 75: International Law and Refugee Protection

Netherlands Yearbook of International Law Volume 56 (2025)

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The Convention Relating to the Status of Refugees was adopted in 1951, in response to the forced displacement of millions in the wake of the Second World War. The 1967 Protocol, which removed its temporal and geographic limitations, expands the Convention to apply universally and protect all persons fleeing persecution. Today, 149 States are parties to the 1951 Convention and/or its 1967 Protocol,¹ and the principle of *non-refoulement*, the cornerstone of the refugee regime, is widely considered to be customary law, with some arguing it is even a *jus cogens* norm.² Furthermore, various regional instruments complement the international refugee regime: in the Americas (the Cartagena Declaration), in Africa (the OAU Convention Governing the Specific Aspects of Refugee Problems in Africa and the African Union Convention for the Protection and Assistance of Internally Displaced Persons in Africa), and in Europe (the European Union's Common European Asylum System).

Furthermore, the perceived European 'refugee crisis' in 2015-2016 led to the adoption in 2016 of the New York Declaration for Refugees and Migrants and in 2018 of the Global Compact on Refugees, alongside the Global Compact for Safe, Orderly and Regular Migration. The Global Compact on Refugees seeks to fill the responsibility-sharing gap of the Refugee Convention by establishing a framework for more predictable and equitable responsibility-sharing. Indeed, while the Refugee Convention defines who is a refugee, what rights refugees have and what obligations states have towards them, it remains silent on how responsibility for refugees should be shared among states. Historically, the Global South hosts most refugees, with the Global North contributing financially, notably through UNHCR funding: by the end of 2024, low- and middle-income countries hosted 2.5 times more refugees than high-income countries,³ while the 10 largest UNHCR donors are Global North states and the European Union.⁴

It thus appears that the Global North engages symbolically rather than substantively with international refugee law, which can be seen as a way to evade responsibility for refugees while ensuring that the Global South that hosts refugees remains committed to the international

¹ UNHCR, 'Refugee Treaty and Legislation Dashboard', <https://rimap.unhcr.org/refugee-treaty-legislation-dashboard>.

² Cathryn Costello and Michelle Foster, '*Non-refoulement* as Custom and *Jus Cogens*? Putting the Prohibition to the Test' in Maarten den Heijer and Harmen van der Wilt (eds), *Netherlands Yearbook of International Law 2015: Jus Cogens: Quo Vadis?* (Vol 46, Asser Press 2016).

³ UNHCR, '2025 Global Compact on Refugees Indicator Report', <https://www.unhcr.org/media/2025-global-compact-refugees-indicator-report>.

⁴ UNHCR, 'Funding Update 2025', <https://www.unhcr.org/sites/default/files/2025-05/Global%20Funding%20Overview%2030%20April%202025.pdf>.

refugee regime.⁵ The proliferation of externalisation policies in recent decades illustrates this. Externalisation refers to the process of shifting functions that are normally undertaken by a state within its own territory so that they take place outside its territory, either unilaterally, jointly with other actors, or through delegating functions.⁶ Externalisation policies can be grouped into three categories: prevention of arrival; extraterritorial asylum processing; and readmission or expulsion to third states. Examples include cooperation between Australia and Nauru, between the USA and Mexico, and between Italy and Libya and Albania. Externalisation policies can be problematic because they entail responsibility-shifting rather than responsibility-sharing, they can lead to human rights violations, and transparency and accountability are often lacking.⁷ This is further compounded by the “domino effect” of externalisation - which leads to multiple states along migration routes closing their borders – and by recent cuts in UNHCR funding by major donor states,⁸ which put the international refugee regime under further strain.

Another development that can be witnessed in the Global North, is the increased interconnection and amalgamation of criminal law and immigration law, referred to as crimmigration.⁹ Scholars have been observing this trend in the United States, Australia, and in Europe. In response to increases in migration and mobility, the politicisation of this topic, and a cultural shift in how receiving countries perceive immigrants, immigration and criminal law have become more intertwined. This has increased the number of people processed in immigration systems, detained, and deported. Moreover, it impacts on penal policy, the design of penal institutions, and policing practices.¹⁰ These developments represent challenges for the rule of law, not just because of the harshness of the system but also because it may serve as a vehicle for authoritarianism and exceptionalism.

Considering these contemporary developments in the field of refugee law, and on the occasion of the 75th anniversary of the 1951 Refugee Convention, we are particularly interested in contributions that examine the resilience of the international refugee regime. Possible topics that could be addressed include, but are not limited to:

- The interaction between refugee law and criminal law and criminal justice (crimmigration);
- The impact of externalisation on the international refugee regime;
- Critical approaches to recent developments in international refugee law;
- Similarities and differences between regional regimes in various parts of the world;
- The interaction between the international regime and regional regimes;

⁵ Thomas Gammeltoft -Hansen and James C Hathaway, ‘*Non-Refoulement* in a World of Cooperative Deterrence’ (2015) 53 *Columbia Journal of Transnational Law* 235.

⁶ David Cantor and others, ‘Externalisation, Access to Territorial Asylum, and International Law’ (2022) 34 *International Journal of Refugee Law* 120.

⁷ Report of the Special Rapporteur on the human rights of migrants, Gehad Madi, ‘Externalization of migration governance and its effect on the human rights of migrants’ UN Doc A/80/302 (4 August 2025).

⁸ UNHCR, ‘2025 Global Compact on Refugees Indicator Report’, <https://www.unhcr.org/media/2025-global-compact-refugees-indicator-report>.

⁹ Juliet Stumpf, ‘Crimmigration: Encountering the Leviathan’ in Sharon Pickering and Julie Ham (eds), *The Routledge Handbook on Crime and International Migration* (Routledge 2015); Juliet Stumpf, ‘The Process is the Punishment in Crimmigration Law’ in Katja Franko and Mary Bosworth (eds), *The Borders of Punishment: Migration, Citizenship, and Social Exclusion* (Oxford University Press 2013).

¹⁰ Katja Franko, ‘Criminal Justice in the Age of Crimmigration’ (2026) 9 *Annual Review of Criminology* 297.

- The role of other actors than states (including not only international organisations but also non-governmental organisations and companies);

Annick Pijnenburg and Elies van Sliedregt, the editors of Volume 56 of the Netherlands Yearbook of International Law, are pleased to invite submissions for this volume, with the aim for it to be published in the Spring of 2027. Authors are invited to submit an abstract of no more than **400 words** by **1 May 2026**. Authors of selected abstracts will be informed by 13 May 2026 at the latest and will then be invited to send a first full draft of no more than 10,000 words including footnotes by **13 July 2026**. All emails and files should be sent to nyil@asser.nl.

Kindly note that an invitation to submit a draft paper does not guarantee selection for publication. All submitted drafts will undergo a double-blind peer review process and a final decision will be made upon the recommendation of the reviewers. Authors may feel free to contact the volume editors in case they need further information, or if they want to check whether their paper idea fits with the overall theme of the volume. All abstracts and drafts must be submitted in Word (.docx) format and must conform to our style guidelines. For any further information about the process, please email: nyil@asser.nl.

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