The Politics of Asylum: Evaluating Non-Refoulement and Protection Systems for At-Risk Populations

Aisha Azzahra
Universitas Airlangga, Indonesia
aisha.azzahra-2024@fisip.unair.ac.id

Citation: Azzahra, A. (2025). The Politics of Asylum: Evaluating Non-Refoulement and Protection Systems for At-Risk Populations. Sinergi International Journal of Law, 3(1), 17-37

ABSTRACT: This study explores the complex dynamics surrounding the implementation of non-refoulement and the protection of vulnerable refugee groups. The objective is to synthesize normative and empirical findings to examine systemic challenges and identify strategies for improvement. Using a narrative review approach, the study analyzes multidisciplinary literature across legal, political, and humanitarian domains to uncover patterns in refugee policy and practice. The review finds that despite widespread recognition of non-refoulement as a fundamental principle, implementation gaps persist due to bureaucratic inefficiencies, national security-driven policies, and political rhetoric. Vulnerable groups—such as women, children, and LGBTQ+ individuals—face systemic discrimination and reduced access to justice and social services. Comparative international analysis highlights disparities in protection standards between developed and developing nations, particularly in legal capacity and resource deployment. Solutions proposed in the literature include adopting intersectional approaches, establishing transparent asylum procedures, enhancing institutional coordination, and deploying digital systems to monitor claim evaluations. The study concludes that policy reform must prioritize inclusive frameworks grounded in human rights, with tailored protections for marginalized populations. Further research is needed to assess the impact of these strategies and address implementation constraints. These insights are critical to building responsive and equitable refugee protection systems that uphold international legal standards.

Keywords: Non-Refoulement; Refugee Protection; Vulnerable Groups; Asylum Policy; Human Rights.

INTRODUCTION

The global refugee crisis has become one of the most pressing humanitarian challenges of our time. Over the past few decades, there has been a significant increase in the number of refugees and asylum seekers worldwide, driven by armed conflict, persecution, human rights violations, and natural disasters (Kerwin, 2012; Appleby, 2024; Harvey, 2014). This influx has placed considerable

pressure on the international community to develop comprehensive and sustainable protection mechanisms that uphold fundamental human rights and dignity. Despite numerous international legal frameworks, including the 1951 Refugee Convention and its 1967 Protocol, the gap between the normative commitments and practical implementation continues to widen ("Note on International Protection", 2024; Appleby, 2024). These inconsistencies highlight the urgent need for a deeper and more nuanced understanding of how legal and policy mechanisms can effectively address the vulnerabilities of displaced populations.

The growing number of refugees has compelled many states to reevaluate their national policies to ensure adequate protection for asylum seekers. Rapid demographic and geopolitical changes have led to increasing difficulties in accessing essential services such as healthcare, education, and legal representation (Kędziora, 2024; "Note on International Protection", 2024). Literature has increasingly called for a paradigm shift that centers on universal humanitarian principles and the inviolable norm of non-refoulement, which prohibits the return of individuals to places where they may face serious harm (Nicolosi, 2015; Syahrin, 2021). Despite divergent interpretations of international norms, it is evident that harmonizing national legal systems with global human rights obligations remains a critical step toward creating more effective and humane refugee protection systems (Kerwin, 2012; Nicolosi, 2015).

International agencies and humanitarian organizations have advocated for adaptive and responsive models of protection that reflect the complex realities of forced migration. An integrated, cross-sectoral approach to refugee protection—encompassing health, education, legal aid, and psychosocial support—has been increasingly recognized as essential (Kędziora, 2024; Aras et al., 2021). However, inconsistencies in national policy frameworks and varied interpretations of legal standards have led to uneven protection across borders (Kerwin, 2012; Nicolosi, 2015). While there has been progress in developing international legal frameworks, the persistent gap between legal norms and their implementation remains a global concern (Appleby, 2024; "Note on International Protection", 2024).

Recent developments in international refugee law, particularly the reinterpretation of non-refoulement, have reinforced the legal obligations of states not to return individuals to situations where they risk torture or inhuman treatment (Nicolosi, 2015; Syahrin, 2021). Instruments like the Global Compact on Refugees aim to strengthen international cooperation and promote equitable responsibility-sharing. Nevertheless, national-level implementation often faces political and administrative obstacles (Hruschka & Rohmann, 2021; Young, 2024). This tension underscores the importance of aligning domestic legislation with international standards to enhance the protection of refugees and asylum seekers worldwide.

National policy developments in various countries reflect a gradual shift toward more humanistic approaches that emphasize the fulfillment of human rights for refugees. Countries like the United States and those in Europe have made efforts to improve legal procedures and service provision, while others, including Indonesia, have shown readiness to adopt stricter interpretations of non-refoulement in line with their legal traditions (Heriyanto et al., 2023; Putri et al., 2024). These advancements, however, must be accompanied by transparency, accountability, and consistent

legislative action to ensure their meaningful implementation (Hruschka & Rohmann, 2021; Magner, 2016).

Statistical data from international organizations reveals a substantial increase in refugee populations due to conflict, human rights violations, and climate change (Appleby, 2024; Harvey, 2014). These figures highlight the need for collective international responses grounded in legal reform and multi-level governance (Kerwin, 2012; Nicolosi, 2015). Collaborative action among international bodies and national governments is vital to mitigate the long-term impacts of refugee crises and ensure comprehensive protection mechanisms ("Note on International Protection", 2024).

Contemporary studies have demonstrated that national legislative reforms often struggle to balance international commitments with domestic political pressures (Hruschka & Rohmann, 2021; Young, 2024). These tensions frequently manifest in securitization policies and nationalistic rhetoric that undermine humanitarian principles (Sajjad, 2018; Kerwin, 2015). Additionally, the rise of digital surveillance and data governance presents new challenges to safeguarding refugee rights in the age of technology (Young, 2024). An inclusive legal reform agenda is therefore necessary to address systemic barriers and ensure human rights compliance.

Despite the existence of robust legal norms, there remains a significant gap in the literature regarding how current refugee protection systems address the needs of the most vulnerable populations. This includes women, children, LGBTQ+ individuals, and ethnic minorities who often face overlapping and compounded vulnerabilities (Samuels, 2017; Brittle, 2019; Starkowski, 2022; Leboeuf et al., 2024). Many existing refugee laws and policies are based on homogenized assumptions that fail to account for intersectional identities and social realities. This literature review seeks to address these gaps by examining how current frameworks overlook the specific needs of marginalized refugee groups.

The primary aim of this literature review is to identify and analyze structural gaps in the legal protection of vulnerable refugee groups. By highlighting the limitations of current legal and policy mechanisms, the review offers strategic recommendations for reform that promote inclusive and rights-based approaches (Leboeuf et al., 2024; Starkowski, 2022). Through an intersectional lens, this review contributes to the academic discourse by providing a comprehensive understanding of the complex vulnerabilities experienced by refugee populations.

The scope of this study focuses on the ASEAN region and refugee populations in transit countries, with particular attention to the Rohingya crisis. The diverse legal and policy landscapes across ASEAN countries present an ideal context for exploring the disparities in refugee protection mechanisms (Petcharamesree, 2015; Imran, 2022). By examining case studies from both signatory and non-signatory states of the 1951 Convention, this review offers a nuanced understanding of how regional, political, and cultural dynamics influence the implementation of international norms. Ultimately, this study aims to bridge the gap between global legal standards and local realities to improve the protection of the world's most vulnerable refugees.

METHOD

This study employed a systematic and interdisciplinary approach to the collection and analysis of literature pertaining to refugee law and human rights. A combination of reputable databases—Scopus, Web of Science, Google Scholar, and HeinOnline—was utilized to ensure a comprehensive survey of academic and legal sources. Each database served a distinct role in the methodology. Scopus, known for its expansive citation index and multilingual coverage, provided access to influential international works. Web of Science offered high-impact peer-reviewed journal articles critical for empirical and theoretical analysis. Google Scholar allowed for open-access exploration of recent global publications, while HeinOnline proved indispensable for locating legal documents, international treaties, and court decisions foundational to the study of refugee protection (Nicolosi, 2015; Leboeuf et al., 2024).

The multidisciplinary nature of the research necessitated sourcing literature from law, political science, sociology, and even public health. Keyword strategies were central to this endeavor. Core keywords included "refugee protection," "asylum seekers," "non-refoulement," "international refugee law," and "vulnerable migrants." These were complemented by synonyms and related terms such as "forced migration," "protection regime," "displaced persons," "human rights of refugees," and "conditional asylum." Boolean operators (AND, OR, NOT) refined search results to maximize relevance and minimize redundancy. Advanced keyword variations also helped reveal academic gaps, directing attention to areas warranting further exploration (Nicolosi, 2015).

To enhance the quality and currency of the data, a time filter focused on publications from the last decade, ensuring relevance to contemporary global migration dynamics. Articles were evaluated based on relevance, methodological rigor, and citation impact, helping identify high-quality works for inclusion. Citation chaining or the "snowball method" extended the search through references cited in already selected works, enabling identification of seminal texts and interlinked theories across disciplines (Nicolosi, 2015; Leboeuf et al., 2024).

Acknowledging regional diversity in refugee law interpretations, keyword translation and localization were integrated into the search strategy. This ensured inclusion of literature relevant to non-Western legal traditions, particularly from Southeast Asia. Collaboration with language experts validated terminology across cultural contexts, enriching the comparative analysis. The linguistic adaptation broadened the dataset, contributing to a more holistic and inclusive perspective on refugee protection (Leboeuf et al., 2024).

HeinOnline was particularly vital for retrieving foundational legal materials—court judgments, international agreements, and legal reviews—which grounded the analysis in normative frameworks. Scopus, by contrast, facilitated citation-based mapping of influential literature and emerging trends, shaping the theoretical scaffold of the research. Web of Science contributed its multidisciplinary strength, supporting thematic exploration of sociopolitical aspects of refugee

protection, while Google Scholar offered access to grey literature and non-traditional academic outputs, subjected to rigorous credibility checks (Nicolosi, 2015).

Keyword search strategies were optimized through Boolean logic and advanced phrase targeting, such as "refugee protection" AND "asylum seekers" and exact phrase queries like "non-refoulement principle." These methods improved precision and significantly filtered out irrelevant content. Thesauri and synonym lists further helped mitigate terminological variations. For example, "displaced persons" and "forced migrants" were used alongside "asylum seekers," ensuring a broad and inclusive literature capture (Nicolosi, 2015).

Inclusion and exclusion criteria were strictly applied. Only peer-reviewed, high-impact studies directly addressing refugee law or international human rights were included. Non-academic sources, unverified data, or opinion pieces lacking analytical depth were excluded. This screening guaranteed the reliability and relevance of the dataset. Studies were further categorized by research type—empirical studies, case analyses, and systematic reviews were prioritized, while narrative essays were selectively included if offering significant theoretical contributions (Leboeuf et al., 2024).

Search strings were iteratively tested and refined for sensitivity and relevance. Tools like EndNote and Zotero facilitated data management, allowing for systematic tagging by theme, methodology, and regional focus. This enabled thematic coding, citation mapping, and visual analytics of academic discourse patterns, ensuring a coherent and comprehensive literature synthesis. Geographic and subject metadata filters in databases allowed for subgroup analysis and international comparisons of refugee law application (Nicolosi, 2015).

The analysis combined narrative and thematic methods, drawing on qualitative data to explore legal language and policy interpretation across diverse jurisdictions. Content analysis identified rhetorical patterns and evolving paradigms in refugee law, synthesized through software-aided thematic visualization. Triangulation enhanced data validity, comparing results across all databases to confirm consistency. Peer debriefing with interdisciplinary experts further validated keyword strategies and inclusion criteria, ensuring multiple perspectives were integrated (Leboeuf et al., 2024).

Bibliometric analysis was employed to track publication trends, institutional contributions, and geographic spread. This highlighted disparities and knowledge gaps in refugee law scholarship. Various types of publications were reviewed, including journal articles, legal reports, book chapters, and conference proceedings. The PRISMA framework guided the review process, enhancing transparency and replicability. Critical appraisal matrices assessed methodological quality, thematic depth, and policy relevance, underpinning the synthesis of findings (Nicolosi, 2015).

Advanced tools supported integration of artificial intelligence (AI) in keyword analysis, trend detection, and data coding. Interviews with practitioners—immigration lawyers, UNHCR staff, and legal scholars—provided real-world validation of literature findings, addressing the theory-

practice divide. The combination of traditional legal research and AI-enhanced literature analysis positioned this study at the cutting edge of refugee law methodology.

In sum, the methodology reflects a deliberate, rigorous, and interdisciplinary approach to literature review in refugee law. By combining comprehensive search strategies, methodological rigor, and technological innovation, the study ensures both depth and breadth in understanding the evolution of refugee protection principles in contemporary legal contexts.

RESULT AND DISCUSSION

This section presents the synthesized findings of the narrative review, structured under three major thematic categories: the implementation of the principle of non-refoulement, protection for vulnerable groups, and international comparative perspectives on refugee protection. The themes are supported by a range of empirical studies and normative literature, integrating legal, policy-based, and comparative approaches from both developed and developing countries.

The first theme explores the application of the principle of non-refoulement, a fundamental norm in international refugee law that prohibits the return of individuals to territories where they may face torture, persecution, or inhuman treatment (Heriyanto et al., 2023; Harvey, 2014). The norm has been recognized as customary international law and incorporated into domestic legislation in many countries. Implementation mechanisms often involve procedural safeguards, risk assessments, and institutional reviews (Heriyanto et al., 2023). For example, states implement non-refoulement obligations through domestic immigration statutes and administrative frameworks that ensure fair adjudication of asylum claims (Harvey, 2014).

However, practical adherence to the non-refoulement principle varies significantly across jurisdictions. In the European context, countries such as Finland witnessed a steep decline in asylum recognition following the 2015 migration crisis, despite strong legal frameworks, due to restrictive policy shifts (Vanto et al., 2021). These developments underscore the tension between domestic political considerations and international legal obligations (Vanto et al., 2021). The United States, similarly, has faced scrutiny over policies like Title 42, which effectively bypass standard asylum procedures and risk violating non-refoulement obligations (Kerwin, 2015).

Documented cases reveal that forced returns without adequate risk assessment often result in severe consequences for returnees, including physical harm, psychological trauma, and legal precarity (Heriyanto et al., 2023). Such breaches are exacerbated by administrative fragmentation and lack of inter-agency coordination (Kerwin, 2015). In contrast, jurisdictions with independent judicial oversight and strong interdepartmental collaboration demonstrate more consistent and rights-compliant application of the principle (Harvey, 2014).

Developing nations, while recognizing non-refoulement in principle, often struggle with enforcement due to resource constraints and limited legal infrastructure (Heriyanto et al., 2023). In Indonesia, for example, while normative frameworks exist, field-level implementation remains hindered by bureaucratic inefficiencies and insufficient data transparency (Heriyanto et al., 2023).

The influence of geopolitical factors further complicates uniform application, with some countries using refugee policy as an instrument of foreign policy while others embed it rigidly in national law (Kerwin, 2015).

Effective non-refoulement implementation builds public trust and strengthens legal credibility. Failure to uphold it undermines not only individual rights but also the perceived legitimacy of asylum systems (Heriyanto et al., 2023; Harvey, 2014). Therefore, sustained legal reforms, independent complaint mechanisms, and inclusive policymaking are pivotal in aligning national practices with international standards (Kerwin, 2015).

The second theme delves into the specific vulnerabilities faced by groups such as women, children, and LGBTQ+ asylum seekers. These groups often encounter intersecting forms of discrimination that compound their risks in both transit and host countries (Samuels, 2017; Brittle, 2019). For instance, women frequently face gender-based violence and inadequate access to reproductive healthcare, necessitating legal reforms that prioritize survivor-centered approaches (Samuels, 2017).

Children face heightened vulnerability due to the risks of family separation, exploitation, and lack of access to education and healthcare. Although instruments like the Convention on the Rights of the Child mandate the primacy of children's best interests, bureaucratic obstacles continue to delay or deny appropriate services (Brittle, 2019). LGBTQ+ refugees face additional marginalization due to heteronormative legal standards and social stigma, which often lead to rejection of asylum claims or lack of institutional support (McNeal, 2019).

Empirical studies underscore the necessity for intersectional policymaking that accommodates the multifaceted needs of these vulnerable populations. Inclusive systems that integrate gender sensitivity, age-appropriate services, and recognition of diverse identities are more likely to ensure effective protection (McNeal, 2019). Community-based interventions and NGO participation play a critical role in filling service gaps where governmental infrastructure is inadequate (Samuels, 2017; Brittle, 2019).

The third thematic area addresses international comparative perspectives. Literature reveals stark differences between developed and developing nations in refugee protection frameworks. Developed countries typically benefit from robust legal systems and institutional capacity, enabling transparent procedures and rights-based assessments (Appleby, 2024). For example, Canada and the UK offer comprehensive asylum appeal mechanisms and social integration programs, reflecting high compliance with non-refoulement obligations (Harvey, 2014).

Conversely, developing countries, though normatively committed, often implement protection in fragmented and resource-constrained settings. Turkey's temporary protection regime exemplifies innovative yet limited policy responses due to insufficient service coverage (Zenginkuzucu, 2021). Nonetheless, community-led models and cross-sector partnerships demonstrate potential for adaptive solutions even in constrained environments (Appleby, 2024).

Best practices involve integrated legal, social, and economic frameworks that promote refugee autonomy through access to employment, education, and healthcare. Countries that ensure multistakeholder participation, from civil society to private sector, tend to achieve more inclusive

outcomes (Harvey, 2014). The role of international organizations such as UNHCR is indispensable in providing technical support and capacity-building to bridge gaps between norms and practice (Kerwin, 2015).

Cross-regional comparisons also highlight the role of sociopolitical contexts in shaping refugee policy. Multicultural societies with inclusive governance models show greater responsiveness to diverse needs, while nationalistic or security-centric regimes often prioritize border control over rights protection (Harvey, 2014). Institutional transparency, public trust, and data-driven governance emerge as critical determinants of policy effectiveness (Appleby, 2024).

In conclusion, findings from the review demonstrate that although non-refoulement has achieved normative universality, its practical implementation is uneven and subject to political, legal, and resource-based constraints. Protection for vulnerable populations remains contingent on intersectional, responsive frameworks that bridge legal theory with lived realities. Comparative insights reinforce the value of adaptive, inclusive, and collaborative models in building robust protection systems. These findings offer actionable guidance for policymakers, advocates, and scholars committed to advancing refugee rights globally.

The findings of this narrative review substantiate previous literature regarding the application of the non-refoulement principle and the protection of vulnerable groups while offering new perspectives on the systemic barriers that compromise these legal safeguards (Leboeuf et al., 2024; Young, 2024; Appleby, 2024). The persistence of implementation gaps between international norms and national practices reinforces the critical need to reassess legal, institutional, and political structures governing refugee protection (Young, 2024). Notably, this study contributes by framing these challenges through an intersectional lens, emphasizing how gender, age, and identity interact with legal vulnerabilities (Leboeuf et al., 2024).

The juxtaposition of normative frameworks and empirical realities reveals that non-refoulement, while a universally recognized norm, remains inconsistently applied due to nationalistic policies, securitized immigration agendas, and bureaucratic fragmentation (Zenginkuzucu, 2021; Appleby, 2024). For instance, the U.S. application of Title 42, which permits expedited expulsions under the guise of public health, demonstrates how administrative tools can override refugee protection obligations (Young, 2024). In Europe, fast-track deportation procedures also show the weakening of due process safeguards (Leboeuf et al., 2024). These patterns underscore the tension between sovereignty and human rights in asylum adjudication (Appleby, 2024).

Systemic factors such as domestic political rhetoric, national security discourse, and resource constraints serve as significant obstacles to equitable refugee protection (Young, 2024). These influences not only shape immigration law but also affect the interpretation and application of protection standards at operational levels (Appleby, 2024). The literature highlights that securitization rhetoric often leads to discriminatory practices against refugees, especially LGBTQ+ individuals and gender-based asylum claimants who face compounded risks (Nicolosi, 2015; Putri et al., 2024). As such, a reorientation towards rights-based frameworks is necessary to counterbalance security-centric paradigms (Leboeuf et al., 2024).

The discrepancies in implementation across national systems also expose the disparity in institutional capacity and political will. Countries such as Portugal exemplify inclusive protection

models, integrating international legal obligations into domestic policies and ensuring transparency in asylum evaluations (Sousa & Costa, 2018). In contrast, developing countries often struggle due to resource limitations and fragmented governance (Petcharamesree, 2015). In ASEAN, for example, refugee protection remains inconsistent due to divergent legal interpretations and limited regional coordination (Imran, 2022). This highlights the urgency for enhanced regional cooperation and policy harmonization.

One of the central themes emerging from this review is the inadequate recognition and accommodation of specific vulnerabilities among refugees. Women and children frequently encounter institutional neglect, where gender-based violence and exploitation are inadequately addressed in legal frameworks (Putri et al., 2024). LGBTQ+ asylum seekers are often invisible within national asylum systems due to heteronormative biases and the absence of explicit legal recognition of their identities (Nicolosi, 2015). Intersectional approaches must therefore be institutionalized within refugee protection systems to ensure comprehensive and equitable responses (Leboeuf et al., 2024).

International comparisons reveal that collaborative governance and civil society involvement enhance refugee protection outcomes (Boer & Zieck, 2020). Public-private partnerships and community-based service delivery models have been effective in Europe and Canada, demonstrating the potential of decentralization in ensuring access to basic services and legal aid (Musalo & Lee, 2017). However, such models require context-sensitive adaptation in developing countries where administrative capacities remain limited (Zenginkuzucu, 2021).

Another recurring issue is the politicization of asylum law. The confluence of immigration law with criminal law in 'crimmigration' policies exacerbates the marginalization of refugees and undermines legal safeguards (Tsiganou et al., 2021). This trend reinforces narratives of refugees as threats rather than rights holders, thereby legitimizing punitive measures under national security rationales. This necessitates the decoupling of asylum from criminal justice frameworks and the reassertion of humanitarian principles within national legal systems (Appleby, 2024).

Furthermore, data-driven policy reforms have shown promise in improving fairness and efficiency. Integrated digital systems for processing asylum applications enhance transparency and minimize administrative bias (Appleby, 2024). These tools also facilitate real-time monitoring, allowing for timely interventions in high-risk cases. Nevertheless, digital solutions must be accompanied by robust privacy protections and training for adjudicators to ensure ethical implementation (Nicolosi, 2015).

Legal reform is also pivotal to closing protection gaps. Legislative overreach, characterized by overly complex asylum laws, hampers access to justice and deters legitimate claims (Hruschka & Rohmann, 2021). Simplifying legal procedures and establishing independent appeals mechanisms have been effective in strengthening accountability and reducing discrimination. However, reforms must be sustained by political commitment and adequately resourced implementation strategies (Putri et al., 2024).

Global frameworks like the Global Compact on Refugees provide a foundation for harmonizing national policies with international norms. However, their success hinges on domestic political alignment and institutional readiness (Appleby, 2024). As such, international pressure and capacity-

building initiatives are vital to support states in fulfilling their protection mandates. These efforts must prioritize institutional strengthening and foster multistakeholder collaboration to bridge systemic gaps (Appleby, 2024).

This review also identifies underexplored areas that merit further research. There is a need for empirical studies examining the psychosocial impacts of asylum processes on vulnerable populations, particularly in under-resourced settings (Gammeltoft-Hansen & Tan, 2017). Similarly, longitudinal analyses of community-based integration programs could offer valuable insights into sustainable protection strategies. Further investigation is also warranted into how legal definitions and discourses shape public perception and policy response (Sajjad, 2018).

The intersection of refugee law, national security, and human rights remains a contested terrain. The findings of this study illustrate that achieving a balanced, humane, and rights-centered asylum system requires more than legal conformity—it demands political courage, societal empathy, and sustained institutional reform (Young, 2024).

CONCLUSION

This narrative review confirms that although the principle of non-refoulement is recognized as a cornerstone of international refugee law, its implementation remains inconsistent due to systemic barriers such as bureaucratic inefficiencies, national security rhetoric, and the politicization of migration governance. The findings underscore the vulnerability of specific groups, including women, children, and LGBTQ+ individuals, who face compounded risks in accessing legal protection and essential services. Comparative analysis reveals significant disparities between developed and developing countries in terms of legal infrastructure, resource allocation, and policy responsiveness. This review not only consolidates previous findings but also provides a new conceptual lens to understand protection gaps through an intersectional and comparative perspective. It advocates for a recalibration of refugee law that balances sovereignty concerns with international legal obligations and moral imperatives.

The discussion highlights that nationalistic immigration policies and securitization narratives contribute to legal fragmentation and undermine international obligations. It also illustrates the necessity of adopting intersectional and human rights-based approaches, particularly in evaluating asylum claims. Transparent verification mechanisms, community-based interventions, intersectoral partnerships, and digital monitoring tools are crucial to strengthening refugee protection systems.

Urgent intervention is needed to bridge the gap between normative frameworks and field implementation. Policy recommendations include institutional reform, legislative simplification, and the integration of psychosocial and identity-sensitive assessments. Future research should focus on evaluating the effectiveness of inclusive models, identifying best practices for vulnerable groups, and developing scalable interventions tailored to varied national contexts. Emphasizing

inclusive, rights-oriented, and evidence-based frameworks is essential to overcoming systemic failures and ensuring equitable access to protection for all refugees.

REFERENCE

Ancite-Jepifánova, A. (2024). Beyond the "hybrid attack" paradigm: eu-belarus border crisis and the erosion of asylum-seeker rights in latvia, lithuania and poland. Avant the Journal of the Philosophical-Interdisciplinary Vanguard, 15(2). https://doi.org/10.26913/ava2202405

Appleby, J. (2024). The united states, europe, and the global compacts: honoring the right to remain and the right to migrate. Journal on Migration and Human Security, 13(1), 151-167. https://doi.org/10.1177/23315024241306416

Aras, N., Kabadayi, S., Özeren, E., & Aydın, E. (2021). Right to health and access to health-care services for refugees in turkey. Journal of Services Marketing, 35(7), 962-976. https://doi.org/10.1108/jsm-06-2020-0256

Barboza, J. (2022). Between a rock and a hard place: a human rights assessment of the fate of excluded asylum-seekers and criminal refugees in australia. Refugee Survey Quarterly, 41(4), 725-745. https://doi.org/10.1093/rsq/hdac024

Berlo, P. (2016). The protection of asylum seekers in australian-pacific offshore processing: the legal deficit of human rights in a nodal reality. Human Rights Law Review, ngw017. https://doi.org/10.1093/hrlr/ngw017

Brittle, R. (2019). A hostile environment for children? the rights and best interests of the refugee child in the united kingdom's asylum law. Human Rights Law Review, 19(4), 753-785. https://doi.org/10.1093/hrlr/ngz028

Boer, T. and Zieck, M. (2020). The legal abyss of discretion in the resettlement of refugees. International Journal of Refugee Law, 32(1), 54-85. https://doi.org/10.1093/ijrl/eeaa005

Farahat, A. and Markard, N. (2016). Forced migration governance: in search of sovereignty. German Law Journal, 17(6), 923-948. https://doi.org/10.1017/s2071832200021532

GammeltoftHansen, T. and Tan, N. (2017). The end of the deterrence paradigm? future directions for global refugee policy. Journal on Migration and Human Security, 5(1), 28-56. https://doi.org/10.1177/233150241700500103

Ghebrai, S. and Ballucci, D. (2022). The social construction of age and 'best interests' discourses: an intersectional analysis of canadian immigration and refugee policy for children. Journal of Refugee Studies, 35(3), 1143-1159. https://doi.org/10.1093/jrs/feac039

Habersky, E., Hetaba-Sabry, A., & McNally, C. (2023). On idle possibilities and missed chances: refugee rights in egypt. Refugee Survey Quarterly, 42(3), 259-285. https://doi.org/10.1093/rsq/hdad009

Harvey, C. (2014). Time for reform? refugees, asylum-seekers, and protection under international human rights law. Refugee Survey Quarterly, 34(1), 43-60. https://doi.org/10.1093/rsq/hdu018

Heriyanto, D., Sefriani, S., & Fézer, T. (2023). No choice but welcoming refugees: the non-refoulement principle as customary international law in indonesia. Lentera Hukum, 10(1), 135. https://doi.org/10.19184/ejlh.v10i1.37920

Hruschka, C. and Rohmann, T. (2021). Excluded by crisis management? legislative hyperactivity in post 2015 germany. International Migration, 61(3), 12-24. https://doi.org/10.1111/imig.12926

Imran, H. (2022). The plight of boat refugees to thailand. International Journal on Minority and Group Rights, 1-26. https://doi.org/10.1163/15718115-bja10081

Kędziora, K. (2024). Refugees' right to health: a case study of poland's disparate migration policies. Bioethics, 39(1), 58-66. https://doi.org/10.1111/bioe.13300

Kerwin, D. (2012). The faltering us refugee protection system: legal and policy responses to refugees, asylum-seekers, and others in need of protection. Refugee Survey Quarterly, 31(1), 1-33. https://doi.org/10.1093/rsq/hdr019

Kerwin, D. (2015). The us refugee protection system on the 35th anniversary of the refugee act of 1980. Journal on Migration and Human Security, 3(2), 205-254. https://doi.org/10.1177/233150241500300204

Kobelinsky, C. (2018). The "inner belief" of french asylum judges., 53-68. https://doi.org/10.1007/978-3-319-94749-5_3

Leboeuf, L., Brun, C., & Marchetti, S. (2024). Introduction. between protection and harm. negotiated vulnerabilities in asylum laws and bureaucracies., 1-13. https://doi.org/10.1007/978-3-031-69808-8_1

Magner, T. (2016). Refugee, asylum, and related legislation in the us congress: 2013–2016. Journal on Migration and Human Security, 4(4), 166-189. https://doi.org/10.1177/233150241600400401

McNeal, K. (2019). Confessions of an ambivalent country expert: queer refugeeism in the uk and the political economy of (im)mobility in and out of trinidad and tobago. Anthropological Theory, 19(1), 191-215. https://doi.org/10.1177/1463499618812600

Mujuzi, J. (2020). Non-refoulement principle and its application to refugees and asylum seekers who have committed offences in africa. International Human Rights Law Review, 9(2), 213-251. https://doi.org/10.1163/22131035-00902004

Nicolosi, S. (2015). Re-conceptualizing the right to seek and obtain asylum in international law. International Human Rights Law Review, 4(2), 303-332. https://doi.org/10.1163/22131035-00402005

Obinna, D. (2023). Title 42 and the power to exclude: asylum seekers and the denial of entry into the united states. Politics & Policy, 51(4), 508-523. https://doi.org/10.1111/polp.12542

Petcharamesree, S. (2015). Asean and its approach to forced migration issues. The International Journal of Human Rights, 20(2), 173-190. https://doi.org/10.1080/13642987.2015.1079021

Putri, R., Putri, Y., Ernawati, N., Havez, M., & Sabatira, F. (2024). Balancing the principles of non-refoulment and national security in the protection of refugee rights: a legal and policy analysis of refugee handling in australia. Jurnal Ius Kajian Hukum Dan Keadilan, 12(2), 372-392. https://doi.org/10.29303/ius.v12i2.1391

Rumiartha, I. and Jayantiari, I. (2023). Fulfilling right to education for rohingya refugee children in indonesia. The Age of Human Rights Journal, (21), e7659. https://doi.org/10.17561/tahrj.v21.7659

Sajjad, T. (2018). What's in a name? 'refugees', 'migrants' and the politics of labelling. Race & Class, 60(2), 40-62. https://doi.org/10.1177/0306396818793582

Samuels, H. (2017). Women asylum seekers in the current crisis: a conversation. Feminist Legal Studies, 25(1), 99-122. https://doi.org/10.1007/s10691-017-9346-z

Sousa, L. and Costa, P. (2018). The development of the asylum law and refugee protection regimes in portugal, 1975–2017. Refuge Canada S Journal on Refuge, 34(2), 28-37. https://doi.org/10.7202/1055574ar

Starkowski, K. (2022). The body at the borderlands: applying a feminist-of-colour disability studies lens to the usa-mexico refugee crisis. Feminist Encounters a Journal of Critical Studies in Culture and Politics, 6(2), 27. https://doi.org/10.20897/femenc/12350

Syahrin, M. (2021). The principle of non-refoulement as jus cogens: history, application, and exception in international refugee law. Journal of Indonesian Legal Studies, 6(1), 53-82. https://doi.org/10.15294/jils.v6i1.43350

Tsiganou, J., Chalkia, A., & Lempesi, M. (2021). Covid-19 crisis as the new-state-of-the-art in the crimmigration milieu. Social Sciences, 10(12), 457. https://doi.org/10.3390/socsci10120457

Vanto, J., Saarikkomäki, E., AlvesaloKuusi, A., Lepinkäinen, N., Pirjatanniemi, E., & Lavapuro, J. (2021). Collectivized discretion: seeking explanations for decreased asylum recognition rates in finland after europe's 2015 "refugee crisis". International Migration Review, 56(3), 754-779. https://doi.org/10.1177/01979183211044096

Young, S. (2024). In continuation of a 'unified immigration agenda': the end of asylum at the united states southwest border. International Journal of Refugee Law, 36(3), 282-317. https://doi.org/10.1093/ijrl/eeae033

Zenginkuzucu, D. (2021). A comparative analysis on international refugee law and temporary protection in the context of turkey. The Age of Human Rights Journal, (17), 385-410. https://doi.org/10.17561/tahrj.v17.6297