

incorporated some of its obligations to protect refugees into its domestic legislation, the [Migration Act 1958 \(Cth\)](#).

Under the Refugee Convention, who is a refugee?

Article 1A(2) of the Refugee Convention sets out the international legal definition of a refugee. It defines a refugee as a person who:

- (a) has a 'well-founded fear of being persecuted for reasons of race, religion, nationality, membership of a particular social group or political opinion';
- (b) 'is outside the country of [their] nationality'; and
- (c) 'is unable or, owing to such fear, is unwilling to avail [themselves] of the protection of that country'.

The idea of 'persecution' is not defined in the Refugee Convention, but [it has been understood](#) as involving threats to life or freedom and other serious violations of human rights. It may also include social, political or economic discrimination, and can result from a single incident or cumulative incidents and conditions.

What rights and responsibilities do refugees have under the Refugee Convention?

Refugees are given a special status in recognition of the fact that they have lost the protection of

