References

ARTICLES/BOOKS/REPORTS


AFAD, ‘Circular No: 2014/4 “Administration of Services to Foreigners under the Temporary Protection Regime” (18 December 2014)’

AFAD, Syrian Refugees in Turkey, 2013: Field Survey Results (Ankara: AFAD, 2014)


Alston, Philip, ‘International law and the human right to food’ in Philip Alston and Katerina Tomasevski (eds), The Right to Food (Boston: Martinus Nijhoff, 1984), 9


ASER-Pakistan, Annual Status of Education Report – National (Rural) (Lahore: South Asian Forum for Education Development (SAFED), 2015)

Austin, Patricia, Derrick Silove and Zachary Steel, ‘The impact of immigration detention on the mental health of asylum seekers’ in Katherine Gelber and Adrienne Stone (eds), Hate Speech and Freedom of Speech in Australia (Leichhardt: Federation Press, 2007)
The legal protection of refugees with disabilities

Beehner, Lionel, ‘Are Syria’s Do-it-Yourself Refugees Outliers or Examples of a New Norm?’ (2015) 68 (2) Journal of International Affairs 157

Bhabha, Jacqueline and Mary Crock, Seeking Asylum Alone: A Comparative Study (Leichhardt: Themis Press, 2007)

Billings, Peter, Anthony Cassimatis and Melissa Dooris, ‘Irregular migration, refugee protection and the “Malaysian Solution”’ in Angus Francis and Rowena Maguire (eds), Protection of Refugees and Displaced Persons in the Asia Pacific Region (Farnham: Ashgate, 2013), 135


Coffey, Guy et al., ‘The Meaning and Mental Health Consequences of Long-Term Immigration Detention for People Seeking Asylum’ (2010) 70 Social Science and Medicine 2070


Crock, Mary and Hannah Martin, ‘Refugee Rights and the Merits of Appeals’ (2013) 32 (1) *University of Queensland Law Journal* 137


Erkem, Nalan et al., *Country Report on Legal Capacity: Turkey* (Galway: PERSON, 2016)

Foster, Michelle, International Refugee Law and Socio-Economic Rights: Refuge from Deprivation (Cambridge: Cambridge University Press, 2007)
Foster, Michelle, The 'Ground with the Least Clarity': A Comparative Study of Jurisprudential Developments Relating to 'Membership of a Particular Social Group' (Geneva: UNHCR, 2012)
Frenzen, Niels, ‘US migrant interdiction practices in international and territorial’ in Bernard Ryan and Valsamis Mitsilegas (eds), Extraterritorial Immigration Control: Legal Challenges (Leiden: Brill Nijhoff, 2010), 369
Henckaerts, Jean-Marie, ‘Study on Customary International Humanitarian Law: A Contribution to the Understanding and Respect for the Rule of
Law in Armed Conflict’ (2005) 87 (857) International Review of the Red Cross 175
Hendriks, Bernadet, Jordanian Sign Language: Aspects of Grammar from a Cross-Linguistic Perspective (Amsterdam: University of Amsterdam, 2008)
Hovil, Lucy, ‘Local integration’ in Elena Fiddian-Qasmiyeh et al. (eds), The Oxford Handbook of Refugee and Forced Migration Studies (Oxford: Oxford University Press, 2014), 488
The legal protection of refugees with disabilities


Madden, Rosamond H et al., ‘The Relevance of the International Classification of Functioning, Disability and Health (ICF) in Monitoring and Evaluating Community-based Rehabilitation (CBR)’ (2014) 36 (10) Disability and Rehabilitation 826


McAdam, Jane, Complementary Protection in International Law (Oxford: Oxford University Press, 2007)


Mjöll, Oddný and Gerard Quinn, The UN Convention on the Rights of Persons with Disabilities: European and Scandinavian Perspectives (Boston: Martinus Nijhoff, 2009)

Moreno-Lax, Violeta, ‘Seeking Asylum in the Mediterranean: Against a Fragmentary Reading of EU Member States’ Obligations Accruing at Sea’ (2011) 23 (2) International Journal of Refugee Law 174

Nakashiba, Haruno, ‘Postmillenial UNHCR refugee resettlement: New
Nussbaum, Martha C, Sex and Social Justice (Oxford: Oxford University Press, 1999)
Piper, Margaret, ‘The strategic use of resettlement’ in Mary Crock (ed.), Creating New Futures: Settling Children and Youth from Refugee Backgrounds (Leichhardt: Federation Press, 2015), 72


Refugee Law Project, From the Frying Pan into the Fire: Psychosocial Challenges Faced by Vulnerable Refugee Women and Girls in Kampala (Kampala: Refugee Law Project, 2014)


Sario, Ulla Katariina, Study into Persons with Disabilities: Analysis of Availability of and Access to Basic Services and Rights of Disabled Refugees in Malaysia (Kuala Lumpur: UNHCR Malaysia, 2012)


Sen, Amartya K, ‘Capabilities and well-being’ in Martha C Nussbaum and Amartya K Sen (eds), The Quality of Life (Oxford: Clarendon Press, 1993), 30


Silove, Derrick, Patricia Austin and Zachary Steel, ‘No Refuge from Terror: The Impact of Detention on the Mental Health of Trauma-Affected Refugees Seeking Asylum in Australia’ (2007) 44 Transcultural Psychiatry 359


van Selm, Joanne, ‘Refugee resettlement’ in Guy S Goodwin-Gill and Jane McAdam (eds), The Oxford Handbook of Refugee and Forced Migration Studies (Oxford: Oxford University Press, 2014), 512


The legal protection of refugees with disabilities

Windle, Joel, ‘The education of refugee-background students in Australian schools’ in Mary Crock (ed.), *Creating New Futures: Settling Children and Youth from Refugee Backgrounds* (Leichhardt: Federation Press, 2015), 213

CASES

_Anam v Secretary of State for the Home Department* [2009] EWHC 2496 (13 October 2009)
_Aplicant A v MIEA* (1997) 190 CLR 225 (McHugh J)
_Aplicant S v Minister for Immigration and Multicultural Affairs* (2004) 217 CLR 387
_Ashingdane v United Kingdom* (European Court of Human Rights, Series A No. 93, 28 May 1985)
_C v Secretary of State for the Home Department* [2012] EWHC 1543 (Admin) (22 June 2012)
_Canada (Minister for Immigration and Citizenship) v Patel* [2008] FC 747
_Canada (Minister of Citizenship & Immigration) v Romans* [2005] FCJ No. 539
_Case number 135/PUU-XIII/2015* [2016] Constitutional Court of Indonesia
_Chan Yee Kim v MIEA* (1989) 169 CLR 379
_Chen Shi Hai v Minister for Immigration and Multicultural Affairs* (2000) 201 CLR 293
_CPCF v Minister for Immigration and Border Protection* [2015] HCA 1 (28 January 2015)
_DD v Lithuania* (European Court of Human Rights, App. No. 13469/06, 14 February 2012)
_Detention Action v Secretary of State for the Home Department* [2014] 1 WLR (D) 310


Gichura v Home Office and another [2008] ICR 1287
Hirsi Jamaa and Others v Italy (European Court of Human Rights (Grand Chamber), App. No. 27765/09, 23 February 2012)

Hutchison Reid v United Kingdom (European Court of Human Rights, App. No. 50272/99, 20 February 2003)

Kallweit v Germany (European Court of Human Rights, App. No. 17792/07, 13 January 2011)

LB v Belgium (European Court of Human Rights, App. No. 22831/08, 2 October 2012)

Minister for Immigration and Multicultural and Indigenous Affairs v SGLB (2004) 207 ALR 12

OH v Germany (European Court of Human Rights, App. No. 4646/08, 24 November 2011)

Prahastono v Minister for Immigration, Multicultural and Indigenous Affairs (1997) 77 FCR 260

Questions relating to the Obligation to Prosecute or Extradite (Belgium v Senegal) (International Court of Justice, 20 July 2012)

R (on the application of BE) v Secretary of State for the Home Department [2011] EWHC 690 (Admin) (23 March 2011)

R (on the application of Das) v Secretary of State for the Home Department [2014] 1 WLR 3528

R (on the application of DK) v Secretary of State for the Home Department [2014] EWHC 3257 (Admin) (10 October 2014)

R (on the applicant of EO, RA, CE, OE and RAN) [2013] WLR(D) 190

R (on the application of HA (Nigeria)) v Secretary of State for the Home Department [2012] EWHC 979 (Admin) (17 April 2012)

R (on the application of LE (Jamaica)) v Secretary of State for the Home Department [2012] ECA Civ 597 (9 May 2012)

R (on the application of OM) v Secretary of State for the Home Department [2011] EWCA Civ 909 (28 July 2011)

R (on the application of S) v Secretary of State for the Home Department [2014] EWHC 50 (Admin) (28 January 2014)

R (SS (Afghanistan)) v Secretary of State for the Home Department [2015] EWHC 3595 (Admin) (16 December 2015)

Reference N03/45504 [2003] RRTA 627 (1 July 2003)


S v Secretary of State for the Home Department [2015] 302 All ER (D)


Shtukaturov v Russia (European Court of Human Rights, App. No. 44009/05, 27 March 2008)
The legal protection of refugees with disabilities

Staney v Bulgaria (European Court of Human Rights (Grand Chamber), App. No. 36760/06, 17 January 2012)
SZALZ v Minister for Immigration and Multicultural and Indigenous Affairs [2004] FMCA 275
Toussaint v Home Office [2015] County Court (Central London) 2YL74948 (23 October 2015)
Varbanov v Bulgaria (European Court of Human Rights, App. No. 31365/96, 5 October 2000)
Winterwerp v The Netherlands (European Court of Human Rights, Series A No. 33, 24 October 1979)

LEGISLATION

Constitution of Pakistan 1973
Constitution of the Hashemite Kingdom of Jordan 1952 (Jordan)
Control of Alien Refugees Act 1960 (Uganda)
Detention Centre Rules 2001 (UK)
Federal Constitution 1957 (Malaysia)
Labour Law No. 8 1996 (Jordan)
Law No. 6 of 1954 on Nationality 1954 (Jordan)
Law No. 62 of 1958, Law on the Citizenship of the Republic of Indonesia
Law on Foreigners and International Protection 2014 (Turkey)
Maritime Powers Act 2013 (Australia)
Migration Act 1958 (Australia)
Refugees Act 1998 (South Africa)
Residence and Foreigners’ Affairs Law 1973 (Jordan)
The Pakistan Citizenship Act 1951
The Uganda Citizenship and Immigration Control Act 1999

TREATIES


Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, opened for signature 10 December 1984, 1465 UNTS 85 (entered into force 26 June 1987) (‘CAT’)


Convention on the Consent to Marriage, Minimum Age for Marriage and Registration of Marriages, opened for signature 10 December 1962, 521 UNTS 231 (entered into force 9 December 1964)


Convention relating to the Status of Refugees, opened for signature 28 July 1951, 189 UNTS 150 (entered into force 22 April 1954) (‘Refugee Convention’)

Declaration of the Rights of the Child, UN Doc A/RES/1386(XIV) (signed and entered into force 20 November 1959)

Geneva Convention for the Amelioration of the Condition of the Wounded and Sick in Armed Forces in the Field (First Geneva Convention), opened for signature 12 August 1949, 75 UNTS 31 (entered into force 21 October 1950) (‘First Geneva Convention’)


Geneva Convention Relative to the Protection of Civilian Persons in Time of
The legal protection of refugees with disabilities

War (Fourth Geneva Convention), opened for signature 12 August 1949, 75 UNTS 287 (entered into force 21 October 1950) (‘Fourth Geneva Convention’)


International Covenant on Civil and Political Rights, opened for signature 16 December 1966, 999 UNTS 171 (entered into force 23 March 1976) (‘ICCPR’)


Protocol Additional to the Geneva Conventions of 12 August 1949, and relating to the Protection of Victims of International Armed Conflicts (Protocol I), opened for signature 8 June 1977, 1125 UNTS 3 (entered into force 7 December 1978) (‘Geneva Additional Protocol I’)

Protocol Additional to the Geneva Conventions of 12 August 1949, and relating to the Protection of Victims of Non-International Armed Conflicts (Protocol II), opened for signature 8 June 1977, 1125 UNTS 609 (entered into force 7 December 1978) (‘Geneva Additional Protocol II’)


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Protocol No. 6 to the Convention for the Protection of Human Rights and Fundamental Freedoms concerning the Abolition of the Death Penalty opened for signature 28 April 1983 (entered into force 1 May 1985) (‘Protocol No. 6 to the ECHR’)

Protocol No. 7 to the Convention for the Protection of Human Rights and Fundamental Freedoms, opened for signature 22 November 1984 (entered into force 1 November 1998) (‘Protocol No. 7 to the ECHR’)


Universal Declaration of Human Rights, GA Res 217A (III), UN GAOR, 3rd sess, 183rd plen mtg, UN Doc A/810 (10 December 1948)

UN PUBLICATIONS

CCAR and UNHCR, Population Profiling, Verification and Response Survey of Afghans in Pakistan (Islamabad: UNHCR Pakistan, 2011)


Sendai Framework for Disaster Risk Reduction, UN Doc A/CONF.224/CRP.1 (18 March 2015)


UN Committee on Economic Social and Cultural Rights, General Comment...
No. 4: The Right to Adequate Housing (Art. 11(1) of the Covenant) UN Doc E/1992/23 (13 December 1991)
UN Committee on Economic Social and Cultural Rights, General Comment No. 12: The Right to Adequate Food (Art. 11), UN Doc E/C.12/1999/5 (12 May 1999)
UN Committee on Economic Social and Cultural Rights, General Comment No. 13: The Right to Education (Art. 13), UN Doc E/C.12/1999/10 (8 December 1999)
UN Committee on the Rights of Persons with Disabilities, Concluding observations on the initial report of Uganda, UN Doc CRPD/C/UGA/CO/1 (12 May 2016)
UN Committee on the Rights of Persons with Disabilities, X v Argentina, CRPD Communication No. 8/2012, CRPD/C/11/D/8/2012 (18 June 2014)
UN Committee on the Rights of the Child, General Comment No. 9: The Rights of Children with Disabilities, UN Doc CRC/C/GC/9 (27 February 2007)
UN Committee on the Rights of the Child, General Comment No. 12: The Right of the Child to Be Heard, UN Doc CRC/C/GC/12 (12 June 2009)
UN Committee on the Rights of the Child, General Comment No. 14: The Rights of the Child to Have His or Her Best Interests Taken as a Primary Consideration (Art 3(1)), UN Doc CRC/C/GC/14 (29 May 2013)
UN General Assembly, New York Declaration for Refugees and Migrants, UN Doc A/71/L.1 (13 September 2016)
UN General Assembly, The Human Right to Water and Sanitation, Resolution 64/292, UN Doc A/RES/64/292 (28 July 2010)
UN Human Rights Committee, Concluding Observations: Australia, 95th sess, Agenda Item 8, UN Doc CCPR/C/AUS/CO/5 (7 May 2009)
UN Human Rights Committee, General Comment No. 35-Article 9 (Liberty and Security of Person), UN Doc CCPR/C/GC/35 (16 December 2014)
UN Human Rights Committee, Views: Communication No. 560/1993 (A
References

Australia), 56th sess, UN Doc CCPR/C/108/D/2136/2012 (30 April 1997)
UN Human Rights Council, Birth registration and the right of everyone to recognition everywhere as a person before the law, Agenda Item 2 and 3, UN Doc A/HRC/27/22 (17 June 2014)
UNHCR et al., Joint Proposal (UNHCR, WTU, GIZ, MTI, AHA) of South West refugee settlements – Nakivale/Kyaka II, Oruchinga, Shafallah Foundation Funding (undated)
UNHCR Executive Committee, Conclusion on children at risk, Conclusion No. 107 (LVIII), 5 October 2007
UNHCR Executive Committee, Conclusion on refugee children and adolescents, Conclusion No. 84 (XLVIII), 17 October 1997
UNHCR Executive Committee, *Conclusions on provision of international protection including through complementary forms of protection*, Conclusion No. 103 (LVI), 7 October 2005

UNHCR Executive Committee, *Conclusion on local integration*, Conclusion No. 104 (LVI), 7 October 2005

UNHCR Executive Committee, *Conclusion on refugees with disabilities and other persons with disabilities protected and assisted by UNHCR*, Conclusion No. 110 (LXI), 12 October 2010


UNHCR Executive Committee, *Problems related to the Rescue of Asylum-Seekers in Distress at Sea*, Conclusion No. 23 (XXXII) (21 October 1981)

UNHCR Executive Committee, *Protection Safeguards in Interception Measures*, Conclusion No. 97 (LIV) (10 October 2003)

UNHCR Executive Committee, *Resettlement as an Instrument of Protection*, Conclusion No. 67 (XLII) (11 October 1991)


UNHCR Uganda, *One Billion Strong Disability Project in Uganda Final Progress Report* (Kampala: UNHCR Uganda, 2013)

UNHCR Uganda, *Sub-Office Mbarara Fact Sheet 2013* (Mbarara: UNHCR, 2013)


UNHCR, *2014 Syria Regional Response Plan, Jordan – Mid-Year Update*,
References


UNHCR, Background Note on the Protection of Asylum-seekers and Refugees Rescued at Sea (18 March 2002)

UNHCR, Conclusions Adopted by the Executive Committee on the International Protection of Refugees (2009)


UNHCR, Guidance on the Use of Standardized Specific Needs Codes (Geneva: UNHCR, 2009)

UNHCR, Guidelines on International Protection: Cessation of Refugee Status under Article 1C(5) and (6) of the 1951 Convention relating to the Status of Refugees, UN Doc HCR/GIP/03/03 (10 February 2003)

UNHCR, Guidelines on International Protection: Cessation of Refugee Status under Article 1C(5) and (6) of the 1951 Convention relating to the Status of Refugees (the ‘Ceased Circumstances’ Clauses), UN Doc HCR/GIP/03/03 (10 February 2003)

UNHCR, Guidelines on International Protection: Child Asylum Claims under Article 1A(2) and 1F of the 1951 Convention and/or 1967 Protocol Relating to the Status of Refugees, UN Doc HCR/GIP/09/08 (22 December 2009)


UNHCR, In Search of Solidarity: Resettlement and Other Forms of Admission for Syrian Refugees (Geneva: UNHCR, 2014)


UNHCR, *The Benefits of Belonging: Local Integration Options and CROCK_9781786435439_t.indd 298*
References

Opportunities for Host Countries, Communities and Refugees (Geneva: UNHCR, 2011)
UNHCR, UNHCR Global Report 2013 (Geneva: UNHCR, 2014)
UNHCR, UNHCR Procedural Standards for RSD under UNHCR Mandate (Geneva: UNHCR, 2005)

OTHER

Aglionby, John, ‘Four times as many women died in tsunami’, The Guardian, 26 March 2005
The legal protection of refugees with disabilities


Crosweller, Alison and Megan Saunders, ‘Refugees plight a “lifestyle choice”’, *The Australian*, 8 January 2002


IMO, Interim Measures for Combating Unsafe Practices Associated with the Trafficking or Transport of Migrants by Sea, IMO Circular MSC/Circ. 896/Rev. 1 (12 June 2001)

IMO, Principles Relating to Administrative Procedures for Disembarking Persons Rescued at Sea, FAL.3/Circ.194 (22 January 2009)


Parliamentary Assembly of the Council of Europe, *The Interception and Rescue at Sea of Asylum Seekers, Refugees and Irregular Migrants*, resolution 1821 (21 June 2011)


*Temporary Protection Regulation (Turkey) 2014*


World Health Assembly, *International Classification of Functioning, Disability and Health*, 54th sess, Agenda Item 13.9 (22 May 2001)