

Definitions – refugees, asylum seekers, migrants

Who are refugees?

Until 1951, there was no commonly accepted term for people fleeing persecution. People who fled their country were known as stateless people, migrants or refugees. There were no universally recognised definitions for these categories and different countries treated these people in different ways.

Following the mass migrations caused by the Second World War (particularly in Europe), it was decided that there needed to be a common understanding of which people needed protection and how they should be protected. This resulted in the development of the 1951 Convention relating to the Status of Refugees, which defines a refugee as:

“Any person who owing to a well founded fear of being persecuted for reasons of race, religion, nationality, membership of a particular social group or political opinion, is outside the country of his/her nationality and is unable, or owing to such fear, is unwilling to avail himself/herself of the protection of that country.”

For further information about refugees and their rights under international law, see our page on the [Refugee Convention](#).

Who are asylum seekers?

An asylum seeker is a person who has sought protection as a refugee, but whose claim for refugee status has not yet been assessed. Every refugee has at some point been an asylum seeker.

Those asylum seekers who are found to be refugees are entitled to international protection and assistance. Those who are found not to be refugees, nor to be in need of any other form of international protection, can be sent back to their country of origin.

What is the difference between a refugee and a migrant?

A migrant is a person who makes a conscious choice to leave their country to seek a better life elsewhere. Before they decided to leave their country, migrants can seek information about their new home, study the language and explore employment opportunities. They can plan their travel, take their belongings with them and say goodbye to the important people in their lives. They are free to return home at any time if things don't work out as they had hoped, if they get homesick or if they wish to visit family members and friends left behind.

Refugees are forced to leave their country because they are at risk of, or have experienced, persecution. Their concerns of refugees are human rights and safety, not economic advantage. They leave behind their homes, most or all of their belongings, family members and friends. Some are forced to flee with no warning and many have experienced significant trauma or been tortured or otherwise ill-treated. The journey to safety is fraught with hazard and many refugees risk their lives in search of protection. They cannot return unless the situation that forced them to leave improves.

People who choose to migrate for economic reasons are sometimes called “economic refugees”, especially if they are trying to escape from poverty. However, they are not refugees under international law. The correct term for people who leave their country or place of residence because they want to seek a better life is “economic migrant”.

Internally Displaced Persons

Internally displaced persons (IDPs) are often referred to as refugees. However, while refugees and IDPs may flee for similar reasons (for example, armed conflict or persecution), their legal status is very different. Unlike refugees, IDPs remain within the borders of their home countries and are legally under the protection of their own government, even in cases where the government's actions are the cause of their flight. A person cannot be recognised as a refugee unless they are outside their home country.

"Climate refugees"?

The term “refugee” is also used colloquially to refer to people who have been displaced due to a natural disaster (such as an earthquake or volcanic eruption) or environmental change. This usage is also incorrect. For further information, see our page on [climate refugees](#).

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Source: Refugee Council of Australia website: www.refugeecouncil.org.au/