

Contents

	<i>Acknowledgements</i>	page ix
	<i>Table of cases</i>	xiii
	<i>Table of treaties and other international instruments</i>	xliii
	<i>List of abbreviations</i>	xlvi
1	Introduction	1
	Background	2
	The key conceptual challenge: economic migrants versus refugees	5
	Challenging the simplistic dichotomy	11
	Organization and methodology of analysis	21
2	A human rights framework for interpreting the refugee convention	27
	Part one: the developing human rights framework	27
	Part two: justification of the human rights framework	36
	The need for a universal and objective standard	36
	Human rights as the standard: object and purpose	40
	The human rights approach confirmed by context	49
	Other rules of international law: promoting coherence	51
	Part three: possible objections to the human rights approach	75
	Concerns about the legitimacy of the human rights approach	75
	Concerns about the workability of the human rights approach	85
	Conclusion	86

3	Persecution and socio-economic deprivation in refugee law	87
	Introduction	87
	Socio-economic rights and persecution: an overview	90
	Conceptual approaches to socio-economic rights and persecution	111
	Problems and difficulties in the current approach	123
	Conclusion	154
 4	 Rethinking the conceptual approach to socio-economic claims	 156
	Introduction	156
	Part one: the current approach to persecution in light of international human rights law	156
	The legitimacy of a normative hierarchy in human rights	157
	The merits of a categorical approach based on state obligation	168
	The interdependence of human rights	181
	Conclusion on hierarchies and models in refugee law	190
	Part two: revisiting violations of socio-economic rights and persecution	201
	The core obligations approach: general considerations	201
	Right to education and persecution	214
	Right to health and persecution	226
	Conclusion	235
 5	 Economic deprivation as the reason for being persecuted	 236
	Introduction	236
	When is persecution for a Convention reason?	
	The particular challenge of socio-economic claims	237
	The desire for a 'better life': economic migrants versus political refugees	238
	The causal connection to a refugee convention ground	247
	The meaning of the nexus clause: is intention required?	263
	Evidentiary issues: singling out versus group-based harm	286
	Conclusion	289
 6	 Economic disadvantage and the Refugee Convention grounds	 291
	Introduction	291

Interpreting the social group ground: conceptual approaches	292
Particular social groups	304
Economic class	304
Occupation	313
Disabled and ill persons	318
Women	324
Children	329
Conclusion	339
7 Conclusions	341
<i>Bibliography</i>	356
<i>Index</i>	379