



TABLE OF CONTENTS

TITLE PAGE.....	i
APPROVAL PAGE.....	ii
ACKNOWLEDGEMENT PAGE.....	iii
STATEMENTS OF AUTHENTICITY.....	iv
PREFACE.....	v
DEDICATION PAGE.....	vii
TABLE OF CONTENTS.....	x
LIST OF ATTACHMENT.....	xiv
ABSTRACT.....	xv
INTISARI.....	xvi
CHAPTER I: INTRODUCTION	
A. Background.....	1
B. Problem Formulation.....	5
C. Originality of Research.....	5
D. Research Purpose.....	8
E. Research Benefits.....	8
CHAPTER II: THEORITICAL FRAMEWORK	
A. General Overview on Refugee Law.....	10
• History.....	10
• Refugees and Asylum Seekers.....	16
• Categorization of Refugee.....	17



• Rights of Protected Persons.....	20
B. The 1951 Convention and/or 1967 Protocol Relating to the Status of Refugee.....	21
C. Non- <i>Refoulement</i> Principle.....	26
D. Terrorism in International Law.....	30
CHAPTER III: RESEARCH METHODS	
A. Characteristics of Research.....	34
B. Types of Research.....	34
C. Data Analysis.....	36
D. Stages of Research.....	38
E. Challenges and Resolution.....	39
CHAPTER IV: RESEARCH RESULTS AND ANALYSIS	
A. Legal Theory of Refugee Status.....	41
A.1 Refugee Status Determination (RSD).....	41
A.2 Who is Responsible for Conducting Refugee Status Determination?.....	43
A.2.1 States.....	43
A.2.2 UNHCR.....	45
A.3 How is Refugee Status Determination conducted?.....	46
A.3.1 Individual Refugee Status Determination.....	46
A.3.2 Group-based Refugee Status Determination.....	47
A.3.3 Durable Solutions.....	48
A.4 Procedures for The Determination of Refugee Status.....	50



A.5 Revocation/Cancellation of Refugee Status.....	54
A.6 Procedures for Cancellation of Refugee Status.....	60
A.6.1 Notice to the Individual in Cancellation Procedures...	62
A.6.2 File Assignment for Cancellation Procedures.....	64
A.6.3 The Cancellation Interview.....	64
A.6.4 Assessing New Evidence relating to the Refugee Criteria.....	65
A.6.5 The Cancellation Assessment.....	66
A.6.6 Review of the Cancellation Decision.....	67
A.6.7 Notification of the Cancellation Decision.....	67
A.7 Appeal Decisions to Cancel Refugee Status.....	69
A.8 Cancellation of Derivative Status.....	70
A.9 Withdrawal of UNHCR Documents in Cancellation Procedures.....	70
A.10 Termination based on USCIS.....	71
A.11 Exclusion and “Terrorism”.....	73
B. Extradition.....	79
B.1 Definition.....	79
B.2 The Obligation of <i>Non-Refoulement</i>	82
• National Security Interest of the State.....	82
- Danger to the Security of the Country.....	83
- Danger to the Community of the Country.....	84
• Balance Act between Individual and State.....	84



• Risk of Torture and Exception of Non- <i>Refoulement</i> ..	87
B.3 The Legality of Extradition.....	88
B.4 Procedure.....	89
CHAPTER V: CLOSING	
A. Conclusion.....	100
B. Recommendation.....	102
BIBLIOGRAPHY	104