

ASYLUM—WHERE TO FIND THE LAW

International sources

1951 UN Convention Relating to the Status of Refugees (the “Refugee Convention”)
1967 UN Protocol Relating to the Status of Refugees (the “Refugee Protocol”)
UN Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment (“CAT”)
UNHCR Handbook on Procedures and Criteria for Determining Refugee Status
UNCHR Executive Committee Conclusions
UNHCR Guidelines
[This is NOT an exhaustive list]

Federal Statutes

INA § 101(a)(42)—Refugee definition
INA § 208—Asylum (eligibility and procedures)
INA § 235—Expedited removal
INA § 241(b)(3)—Withholding of removal
INA § 212(d)(5)—Parole

Federal Regulations

Please note: to account for the division of authority over immigration matters between the Department of Justice (DOJ) and the Department of Homeland Security (DHS), the immigration regulations at 8 CFR Chapter 1 (the old INS regs) have been duplicated into a new 8 CFR Chapter V, creating a parallel set of regulations for the Executive Office for Immigration Review (part of DOJ). Section numbers for the EOIR regs = section numbers for the DHS regs + 1000. Example: 8 CFR § 208 (asylum eligibility & procedures) on the DHS side appears in the EOIR regs as 8 CFR § 1208.

8 CFR § 208/1208—Asylum and withholding eligibility and procedures
8 CFR § 235/1235—Expedited removal
8 CFR § 208.16, 17, 18—CAT relief
8 CFR § 212.5/1212.5—Parole
8 CFR § 1003—EOIR regulations (= immigration courts + BIA)

Case law

U.S. Supreme Court decisions
Attorney General Decisions
BIA precedential decisions
U.S. Court of Appeals decisions
U.S. District Court decisions

The Immigration Court Practice Manual, as well as BIA decisions, handy links to the regs, and an array of other useful materials, are available on the EOIR website:

<http://www.justice.gov/eoir/>