

Research Guide: Immigration and refugee law

Immigration law deals with government policies which control the entry of immigrants to a country. In Canada the Federal government has paramount powers regarding immigration, but shares this power with the provinces through Federal-Provincial immigration agreements, most notably with Quebec. Refugee law, while part of immigration law, is affected by international conventions, and deals with those seeking asylum due to persecution in their homeland.

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Primary Sources:

1. Statutes and Regulations

The major statute governing Immigration and Refugee law is the [*Immigration and Refugee Protection Act*](#), S.C. 2001, c. 27.

For a complete list of regulations see <http://www.canlii.org/ca/sta/i-2.5/regulations.html>

The Canadian encyclopedic Digest (CED) DIG A242: Vol. 15, Title 75, *Immigration and refugees* includes a table of statutes and a table of regulations. Also available on WestlawCarswell

The annotated Immigration and Refugee Protection Act of Canada, [KF 4483 I5 C3824](#) (Current year on Reserve)
Contains full text of all relevant statutes and regulations.

To search statutes and regulations by keywords:

- [WestlawCarswell](#) >> Legislation >> Jurisdiction : Federal
- [QuickLaw](#) >> Legislation >> Jurisdiction : Federal

Other Internet resources.:

CANLII : www.canlii.org

Dept. of Justice Laws Web Site <http://laws.justice.gc.ca/en/index.html>

2. Case Law

- Quicklaw >> Source Directory >> Topic: Immigration, Nationality and Personal Status >> Cases
- WestlawCarswell >> Cases >> Subject area: Immigration
- Subject case reporters:

Immigration law reporter (March 1985-January 1987) [REP-CAN D46 IM3219](#) (WestlawCarswell)

Immigration Law Reporter, Second Series (1987-1999), [REP-CAN D46 IM322](#) (WestlawCarswell)

Immigration Law Reporter, Third Series (1999-), [REP-CAN D46 IM323 V.1](#) (WestlawCarswell)

[Canadian Abridgment Digests](#) > IMM Immigration and citizenship (WestlawCarswell)

Dig B35 3rd Ed., Vols. 51-53, *Immigration and Citizenship*

Secondary Sources:

1. Books

Search in the Libraries catalogue under Catalogue - Browse search

Relevant subject headings are:

[Emigration and immigration law Canada](#)

[Refugees Legal status, laws, etc. Canada.](#)

Major publications include:

Carasco, Emily F. *Immigration and refugee law: cases, materials and commentary* (Toronto: Emond Montgomery Publications, 2007). [KF 4483 I5 I5475 2007](#) (On Reserve)

Jones, Martin. *Refugee law* (Toronto: Irwin Law, 2007). [KF 4483 I5 J65 2007](#) (On Reserve)

Waldman, Lorne. *Immigration law and practice* (Markham, Ont.: LexisNexis Butterworths, 2005-).

[KF 4483 I5 W242](#) (On Reserve)

Waldman, Lorne. *Canadian immigration & refugee law practice 2008* (Markham, Ont.: LexisNexis, 2007).

[KF 4483 I5 W243 2007](#) (Current year on Reserve)

2. Articles and Other Documents

a. Use article indices to search journal articles and other documents:

1. Index to Canadian Legal Literature. Available in print , on Quicklaw and WestlaweCarswell.

2. Index to legal Periodicals. Available in print and through eResources

3. Legaltrac. Available in print (called Current Law Index) and through eResources

Relevant search terms include: refugees, immigration policy, immigration law, immigration and emigration
Add "and Canada" when searching in 2. and 3. to identify Canadian material.

b. Major journals:

Canada's immigration & citizenship bulletin. [PER C16237](#)

Georgetown immigration law journal. [PER G281](#) (HeinOnline)

Immigration and nationality law & practice (1988-1991) [PER IM58](#)

International journal of refugee law. [PER IN793](#) (HeinOnline/Oxford)

Immigration and nationality law review (HeinOnline)

In addition there are some non-legal journals available through eResources which may be of interest:

The Journal of Migration and Refugee Issues

Journal of Refugee Studies

Refuge

Refugee Survey Quarterly (RSQ)

c. WestlaweCarswell: Immigration Law Reporter articles (IMMLR-ART)

3. Current Awareness

Quicklaw >> LexisNexis Immigration Law NetLetter

Internet Resources

1. Governmental Sites

Citizenship and Immigration Canada, <http://www.cic.gc.ca/english/index.asp>

Immigration and Refugee Board, <http://www.irb-cisr.gc.ca/index.htm>

2. Other sites

Canadian Council for Refugees, <http://www.ccrweb.ca/eng/engfront/frontpage.htm>

U.S.

Relevant federal statutes include the *Immigration and Naturalization Act* (Title 8 of the U.S. Code)
http://www.law.cornell.edu/uscode/html/uscode08/usc_sup_01_8.html

Regulations can be found in the *Code of Federal Regulations* Title 8 -- Aliens and Nationality,
<http://www4.law.cornell.edu/cfr/cfr.php?title=8>

Internet Resources

1. Governmental Sites

Immigration and Naturalization Service
<http://www.uscis.gov/portal/site/uscis>

2. Research Guides

Immigration & Human Rights on the Internet - from Georgetown Law Library,
<http://www.ll.georgetown.edu/intl/guides/ImmigrationHumanRightsontheInternet.cfm>

Immigration - from Cornell University Law School
<http://topics.law.cornell.edu/wex/Immigration>

Immigration law resources - from Tarlton Law Library
<http://tarlton.law.utexas.edu/vlibrary/outlines/immigration.html>

Findlaw Immigration Law
<http://www.findlaw.com/01topics/20immigration/index.html>

3. Current Awareness

The home page of the [American Immigration Lawyers Association](http://www.aila.org/) is a good source for current news. Includes links to legislation and cases.
<http://www.aila.org/>

The law firm of Siskind, Susser, Haas & Devine publishes a monthly newsletter called *Immigration Bulletin*
<http://www.visalaw.com/bulletin.html>.

International and multinational

Research Guides

Guide to International Refugee Law Resources on the Web
<http://www.llrx.com/features/refugee.htm>

Researching the Legal Aspects of Asylum Seekers and Refugees in Australia, Canada, and the United Kingdom
http://www.nyulawglobal.org/globalex/Legal_aspects_asylum_refugees_Australia_Canada_UK.htm

Other Internet resources

Emigration and immigration – from Washburn University School of Law
<http://www.washlaw.edu/forint/alpha/e/emigrationandimmigrationlaw.html>

Immigration, Asylum, and Refugee Law – from University of Chicago Law School,
<http://www2.lib.uchicago.edu/~llou/foreignlaw.html#refugees>

International Organizations

UNHCR – The U.N. Refugee Agency
<http://www.unhcr.org/cgi-bin/txis/vtx/home>

IOM International Organization for Migration
<http://www.iom.int/jahia/jsp/index.jsp>

Centre for International and European Law on Immigration and Asylum
<http://migration.uni-konstanz.de/index.php?lang=en>

International Treaties

United Nations Convention relating to the Status of Refugees
http://www.unhcr.ch/html/menu3/b/o_c_ref.htm

Protocol relating to the Status of Refugees of 31 January 1967
http://www.unhcr.bg/bglaw/en/_02_protocol%2067en.pdf

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