



THE NEW ASYLUM DILEMMA: REFUGEE, WAR CRIMINAL OR TERRORIST?

After 9/11 and following terrorist attacks a new problem has presented itself with great force: How can Western states – like Norway – guarantee fair procedures and humane treatment of all asylum seekers and simultaneously prevent human rights violators or terrorists from wrongfully being granted refugee status?

The fight against international terrorism has had an impact on the rights of aliens and the protection of refugees. This is illustrated by the UN High Commissioner for Refugees' (UNHCR) active involvement in discussions at different levels with states that are legally bound by the 1951 UN Convention relating to the Status of Refugees ("the 1951 Refugee Convention"). The increase of democratic regimes and the establishment of international criminal courts have also prompted a stronger public demand for prosecution of gross human rights violations and violations of humanitarian law. One may talk of a "snowball effect" on refugee law and practice: When some recipient countries increase their focus on potential war criminals or terrorists among asylum seekers, other recipient countries have to follow suit lest they be considered "safe havens" where criminals may seek refuge without fear of prosecution.

Refugees And The Asylum Dilemma

Niraj Nathwani



Refugees And The Asylum Dilemma:

Refugees and the Asylum Dilemma in the West Gil Loescher, 1992 This study presents an examination of the historical background and contemporary significance of the asylum and refugee issue confronting Western governments that draws lessons for future policy making This is the first study of the asylum refugee problems to examine not only the history of policies of receiving nations in the West but also some of the underlying causes of refugee movements Past studies of the asylum problem have focused narrowly on the conditions in receiving countries and have failed to see the global interconnectedness of the refugee problem The authors argue that resolving the asylum problem in the West requires policy makers to direct their attention toward the conditions outside the industrialized countries that cause mass movements of populations as well as toward the improvement of their own asylum procedures The present increase in the number of asylum seekers and refugees is neither a temporary phenomenon nor a random product of chance events It is the predictable consequence of fundamental political demographic economic and ecological crises occurring throughout the Third World and Eastern Europe However Western governments did not until relatively recently envisage a large scale movement of the poor countries northward to Western Europe and North America Actual migratory pressures from the South and perceived threats of exodus from the East have only served to reinforce a restrictive attitude toward asylum The refugee problem has reached such a critical point that the very institution of asylum is being threatened These articles address the underlying causes of the current crisis assess present policies and define the considerations necessary for future policy making Rethinking Refugee Law Niraj Nathwani, 2003-01-01 Refugee law faces a serious crisis in Europe This crisis highlights the need to explain the following questions What is the relationship between refugee law and immigration policy How much immigration do States need to tolerate for moral and practical reasons even if they do not wish any immigration The general legal principle of necessity offers a useful theoretical basis for refugee law Necessity explains the conditions under which it would be unfair to fight off unwanted immigrants by deportation and punishment Necessity also explains the conditions under which a restrictive immigration policy is not feasible at a reasonable cost versus desperate individuals It follows that necessity overrules a restrictive immigration policy and qualifies as a robust explanation of the purpose of a fair refugee policy This study explores the consequences of the theory of necessity for the interpretation of key concepts of refugee law persecution well founded fear reasons of persecution asylum and concludes that a generous refugee practice can be conceived and logically justified even if a restrictive immigration policy is a political reality **Asylum** W. Gunther Plaut, 1995-05-23 Fueled by the explosion of the world's population the quest for asylum is one of the most pressing problems of our age Refugee receiving nations located frequently but by no means exclusively in the Western world have to respond to masses of humanity searching for new livable homes Human compassion for these refugees can be found everywhere but so can xenophobia and the desire to preserve one's nation economic well being and cultural integrity The clash between these

impulses represents one of the great dilemmas of our time and is the subject of Plaut's study. In exploring it he provides a far ranging inquiry into the human condition. The book presents political, ethnic, philosophical, religious and sociological arguments and deals with some of the most troublesome and heartbreaking conflicts in the news. *Developing a Normative Framework for the Protection of Internally Displaced Persons* Simon Bagshaw, 2021-10-01. The author presents a systematic review of the role of treaties in international law and seeks to demonstrate that their importance is today somewhat overstated given the extent to which States and other organizations tend to resort to more flexible means of standard setting in order to promote respect for human rights. As this text demonstrates the collaboration of various governmental, intergovernmental and non governmental representatives can result in an instrument which may be broader in scope and more progressive in content. If reinforced by suitable implementation measures it can be even more effective than a treaty in regulating States activities. Published under the Transnational Publishers imprint. **Arguing and Justifying** Robert F. Barsky, 2017-07-05. Addressing the crucial issue of why people choose to make Convention refugee claims this original book also explores the perceptions claimants have of possible host countries and investigates the view that refugees move on the basis of generally extreme levels of persecution. *Nato's Eastern Dilemmas* David G. Haglund, 2019-04-03. The contributors to this book set out to show that NATO's post Cold War troubles are largely self generated and almost exclusively eastern. They focus in particular on the issue of what to do with the former Yugoslavia. *The Oxford Handbook of International Refugee Law* Cathryn Costello, Michelle Foster, Jane McAdam, 2021-06-02. The Oxford Handbook of International Refugee Law is a comprehensive critical work which analyses the state of research across the refugee law regime as a whole. Drawing together leading and emerging scholars the Handbook provides both doctrinal and theoretical analyses of international refugee law and practice. It critiques existing law from a variety of normative positions with several chapters identifying foundational flaws that open up space for radical rethinking. Many authors work directly in the field and their contributions demonstrate how scholarship and practice can mutually inform each other. Contributions assess a wide range of international legal instruments relevant to refugee protection including from international human rights law, international humanitarian law, international migration law, the law of the sea and international and transnational criminal law. Geographically contributors examine regional and domestic laws and practices from around the world with 10 chapters focused on specific regions. This Handbook provides an account as well as a critique of the status quo and in so doing it sets the agenda for future academic research in international refugee law. REFUGEE CRISIS IN INTERNATIONAL POLICY - VOLUME V-VI - Refugees in Turkey and Beyond Hasret ÇOMAK, Burak Şakir ŞEKER, Mehlika Özlem ULTAN, Yaprak CİVELEK, Çağla ARSLAN BOZKUŞ, 2023-01-01. Professor Hasret Comak and colleagues put together a sizeable collection of studies on refugee situation in Turkey with reference to broader frameworks and discussions. Volume V and VI bring us detailed discussions of the international framework of refugee management as well as the circumstances and experiences of refugees in Turkey. 23

chapters focus on various aspects and offer insights and perspectives on refugee experiences legal frameworks and implications with particular reference to Turkey Temporary protection Syrians media representations Turkey s legal frameworks dealing with refugees are the themes covered in this volume

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The Vietnamese American 1.5 Generation Sucheng Chan, 2006 Riveting stories by refugees who fled Vietnam

Global Refugee Crisis Mark Gibney, 2010-09-16 This book documents the current global refugee crisis and examines the interrelated factors of immigration enforcement international human rights law political violence and refugee protection There are two disparate

components to the global refugee crisis first there are about 46 million refugees and Internally Displaced Persons IDPs most of whom are struggling to survive in the poorest and most violent countries in the world and second our interpretation of international human rights law allows this state of affairs to worsen Refugee protection has been a longstanding policy that ostensibly protects victims of human rights violations from other countries In actuality protection is largely negated by systematic efforts by industrialized states to reduce the number of refugees arriving at the borders This book provides a comprehensive examination of this worldwide problem and rejects the idea that the majority of asylum seekers abuse the system to gain entrance into the country

Refugees And The Asylum Dilemma Book Review: Unveiling the Power of Words

In a world driven by information and connectivity, the power of words has become more evident than ever. They have the capability to inspire, provoke, and ignite change. Such could be the essence of the book **Refugees And The Asylum Dilemma**, a literary masterpiece that delves deep into the significance of words and their impact on our lives. Published by a renowned author, this captivating work takes readers on a transformative journey, unraveling the secrets and potential behind every word. In this review, we shall explore the book's key themes, examine its writing style, and analyze its overall impact on readers.

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