



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

M Lipman



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