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Refugee Protection A European Challenge

Yan Bai



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Refugee Protection Vigdis Vevstad, 1998-01-01 3 1 Who is a refugee Europe and Refugees: A Challenge? / L'Europe et les réfugiés: un défi? Jean-Yves Carlier, Dirk Vanheule, 2023-08-21 This volume emerged from an international colloquium held in April 1995 in Antwerp Belgium on the subject of Europe and Refugees It analyses the various challenges posed by the plight of refugees today paying particular attention to the situation in Europe and to the new European treaties such as the Dublin Convention the Schengen Agreement and the Resolutions of the European Union Europe and Refugees A Challenge offers the reader both an international and a multidisciplinary vision Its contributors come from both within and outside Europe and are drawn from a large range of disciplines including philosophy political science and law This volume contains contributions in English and French Ce livre comprend les Actes d'un colloque international qui s'est tenu en avril 1995 Anvers en Belgique sur le thème L'Europe et les réfugiés un défi Le livre soulève différentes questions qui sont autant de défis la situation contemporaine des réfugiés avec une attention particulière pour cette situation en Europe notamment dans de nouveaux textes comme la Convention de Dublin les Accords de Schengen et les Résolutions au sein de l'Union européenne Le livre offre une vision multiple en associant des auteurs de différents endroits en Europe et en Amérique du Nord et de différentes disciplines philosophie sciences politiques et droit Il y a des contributions en anglais et en français *Refugee Protection and Solidarity* Eleonora Milazzo, 2023 Refugee Protection and Solidarity looks to define the duties that EU member states have towards each other in the field of refugee protection employing analytical tools of normative political theory to bring moral clarity to a highly divisive debate on both principles and political feasibility There is a discrepancy between the commitment to solidarity enshrined in EU law and the reality of asylum provision in the EU The events related to the EU migration crisis of 2015 16 have exposed this discrepancy and questioned the nascent notion of EU solidarity at its core The book argues that the debate on distributive justice in the EU fails to consider refugee protection as a field in which distributive duties apply in ways similar to other domains such as social policy as well as exploring what justifications states invoke to justify non compliance with their duties Eleonora Milazzo contends that as currently framed the debate on the ethics of refugee protection fails to account for the nature and effect of associational ties among states in relation to asylum provision which is important for the assessment of responsibility shirking **Evidence in European Asylum Procedures** Ida Staffans, 2012-04-19 This book focuses on three European asylum procedures and the evidentiary assessment carried out in these The interrelationship between these procedures and legal systems influencing them is explored and questions in relation to the harmonizing strivings of EU are posed **International Refugee Law** Heine Lambert, 2017-07-05 The essays selected and reproduced in this volume explore how international refugee law is dynamic and constantly evolving From an instrument designed to protect mostly those civilians fleeing the worse excesses of World War II the 1951 Refugee Convention has developed into a set of principles customary rules and values that are now firmly embedded in the human

rights framework and are applicable to a far broader range of refugees In addition international refugee law has been affected by international humanitarian law and international criminal law and vice versa Thus there is a reinforcing dynamic in the development of these complementary areas of law At the same time in recent decades states have shown a renewed interest in managing migration thereby raising issues of how to reconcile such interests with refugee protection principles In addition the emergence of concepts of participation and responsibility to protect promise to have an impact on international refugee law

The Evolution of Humanitarian Protection in European Law and Practice Liv Feijen,2021-04

Humanitarian protection has evolved from an act of charity into a legal obligation not to remove certain categories of non nationals

Immigration and Asylum Law and Policy of the European Union Kay Hailbronner,2024-01-22 The harmonization of the different European legal systems has reached the field of asylum and immigration policy The Maastricht Treaty has established the legal basis for a common migration policy Numerous resolutions recommendations joint positions and actions were adopted by the EU Council based on the third pillar in the Maastricht Treaty Within the first pillar the European Community has enacted regulations on visa policy based on Art 100c EC Treaty Additionally several agreements with third countries on immigration issues were set into force Immigration and Asylum Law and Policy of the European Union comprehensively describes the present state of the harmonization process concerning migration policy in the European Union Particular emphasis is laid on the legal status of third country nationals with regard to entry and residence Furthermore the gaps within EU regulations are evaluated in an attempt to search for a homogenous European migration policy

Eu Immigration And Asylum Law Steven Peers,Nicholas Rogers,2006 Since entry into force of the Treaty of Amsterdam on 1 May 1999 the EU has considered and in many cases adopted many proposals for legislation or measures implementing legislation in the area of immigration and asylum law These measures run the gamut from highly technical operational matters to broad measures covering basic aspects of immigration and asylum law Between them the proposed or adopted measures cover virtually every possible issue in relation to immigration or asylum This book contains the text of and commentary upon a large number of these measures proposed or adopted up until 1 January 2006 including all of the most important ones It also includes the text of the key measures concerning asylum legal migration and irregular migration A full list of the measures with references to their legislative history is provided The authors of each commentary are experts in the field of EU immigration and asylum law and the areas covered include visa and border controls asylum legal migration and integration and irregular migration

The Refugee Definition in International Law Hugo Storey,2023 In international law the definition of refugee is widely seen as unclear This book systematically analyses the interpretation ordering and interrelationship of the definition s components as well as the disputes that have arisen around it The volume seeks to clarify propositions and demonstrate there is progress toward a working definition

The Internal Protection Alternative in Refugee Law Jessica Schultz,2018-12-10 Under what circumstances can a state refuse refugee status to a person whose risk

of persecution exists in only part of her country of origin This book is the first monograph to examine the treaty basis and criteria for the internal protection alternative IPA an exception to refugee status increasingly invoked by state parties to the 1951 Refugee Convention and its 1967 Protocol Through a critical analysis of the relationship between refugee law and related fields Schultz finds that the legal scope for IPA practice is narrower than is commonly claimed Since persons subject to an IPA analysis have a well founded fear of persecution within their countries of origin any limit on their right to refugee status must involve a careful balancing of the impact of continued displacement against the state s interest in preserving its restricted protection resources She argues that the doctrine of implied limits in human rights law can provide analytic structure to the IPA concept and reduce the risk of overly broad application

Transformations of Work: Challenges for the Institutions and Social Actors Giuseppe Casale,Tiziano Treu,2019-02-15 Market volatility and uncertainty have put welfare and social security policies back centre stage and point up the need for closer links with employment policy The inability of existing income support systems to respond to the increasing fragmentation of people s working careers the needs of people in difficulty and the spread of various forms of poverty calls for well coordinated and efficient responses This volume highlights the best practices in the various regions of the world in the contexts of international and EU labour law industrial relations and social security Authoritative reports by leading scholars of labour law and social security originally presented at the twenty second World Congress of the International Society for Labour and Social Security Law ISLSSL held in Turin in September 2018 cover the following research themes in depth informal workers migrant workers global trade and labour organization productivity and well being at work transnational collective agreements new forms of social security and the role of the State and industrial relations In its insistence that despite the radical changes in the world of work and business brought about by globalization and digital technologies the decisions of institutions and public and private actors can lead to a more coherent system of international economic and social governance this timely volume shows the way forward Practitioners policymakers and scholars in the relevant fields will benefit immeasurably from its expert analyses and recommendations

European Integration in Times of Security Challenges Andreas Kellerhals,2025-03-21 The European Commission s Enlargement Package 2023 proposed opening accession negotiations with Ukraine Moldova and Bosnia and Herzegovina while granting candidate status to Georgia bringing the total to seven candidate states and two potential candidates Ensuring compliance with the Copenhagen criteria remains a key challenge alongside necessary institutional reforms particularly regarding EU decision making and unanimity rules In migration policy the adoption of the New Pact on Migration and Asylum in December 2023 marked a major step toward a unified approach Based on solidarity shared responsibility and human rights it aims to improve long term migration management though implementation remains a challenge Meanwhile the EU continues to navigate its digital and green transitions A milestone in 2023 was the adoption of the world s first legal framework for AI regulation reflecting the EU s ambition to set global standards though its impact on

the digital economy remains uncertain This publication explores these key developments highlighting the interplay between policy making and societal engagement in a shifting geopolitical landscape It features contributions from Fatlum Ademi Jelena Ceranic Perisic Viorel Cibotaru Iris Goldner Lang Christos V Gortsos Gabor Halmai Dorian Jano Andreas Kellerhals Maroje Lang Lee McGowan Roman Petrov Clara Portela and Juan Santos Vara Network Europe was founded in 2003 by the Europa Institute at the University of Zurich with support from the Swiss government It serves as a forum for scholarly exchange on legal and political aspects of European integration bringing together researchers from across Europe

Challenges, risks and threats for security in Europe Andreas Kellerhals,Tobias Baumgartner,2019-12-06 This publication brings together talks from the 11th Network Europe conference The conference explored the conditions for security in 21st century Europe and the key elements of an appropriate security architecture Discussions focused on major security challenges such as cybercrime and migration as well as institutional aspects including the concept of a European army and the role of neutral states in an evolving security landscape The publication features contributions from Vadym Barskyy Tobias Baumgartner Jelena Ceranic Viorel Cibotaru Aleksei Dolzhikov Alena F Douhan Darina Dvornichenko Itay Fishhendler Andreas Kellerhals Verena Murschetz Przemyslaw Saganek J rgen Scheffran and Attila Vincze Network Europe was founded in 2003 by the Europa Institute at the University of Zurich with support from the Swiss government It serves as a forum for scholarly exchange on legal and political aspects of European integration bringing together researchers from across Europe

Refugees and the Law in Challenging Times – A Law and Economics Approach Denard Veshi,2024-07-17 This book focuses on the economic analysis of refugee law and the protection of refugee rights It offers a law and economics model applied to migration and states The book focuses on the most critical push factors that impact lawmakers in enacting and modifying asylum law Furthermore the book examines the economic advantages and disadvantages of a centralized supranational asylum law *acquis communautaire* that could eventually eliminate competition between legal orders in asylum law and do away with the negative externalities caused by asylum shopping The book critically analyses international refugee law pursuing an interdisciplinary approach Its principal goal is to explore refugee law through the lenses of the law and economics approach and against the backdrop of a human rights approach After explaining the evolution of the human rights approach the book elaborates on the legal and economic factors that impact refugees on the one hand and public policy on the other In conclusion a balance that considers the national preferences of destination countries and the protection of refugee rights is proposed

Contemporary Challenges to EU Legality Claire Kilpatrick,Joanne Scott,2021-04-29 This volume on the law of the European Union focuses on contemporary challenges to EU legality Such challenges include actions or activities that cast doubt on or sit uncomfortably with the premises principles and norms that underpin the EU s legal order as proclaimed by the Treaties and the authoritative judgments of the European Court These premises principles and norms range from the precisely formulated to the noticeably vague The book develops a broader theoretical perspective as

well as delving into a range of substantive areas including the Common Foreign and Security Policy the EU's relationship with international law migration the sovereign debt crisis and Brexit

States, the Law and Access to Refugee Protection Maria O'Sullivan, Dallah Stevens, 2017-03-23 This timely volume seeks to examine two of the most pertinent current challenges faced by asylum seekers in gaining access to international refugee protection first the obstacles to physical access to territory and second the barriers to accessing a quality asylum procedure which the editors have termed access to justice To address these aims the book brings together leading commentators from a range of backgrounds including law sociology and political science It also includes contributions from NGO practitioners This allows the collection to offer interdisciplinary analysis and to incorporate both theoretical and practical perspectives on questions of immense contemporary significance While the examination offers a strong focus on European legal and policy developments the book also addresses the issues in different regions Europe North America the Middle East Africa and Australia Given the currency of the questions under debate this book will be essential reading for all scholars in the field of asylum law

Exploring the Boundaries of Refugee Law Jean-Pierre Gauci, Mariagiulia Giuffr , Evangelia (Lilian) Tsourdi, 2015-04-14 Protection challenges around the globe require innovative legal policy and practical responses Drawing primarily from a new generation of researchers in the field of refugee law this volume explores the boundaries of refugee law On the one hand it ascertains the scope of the legal provisions by highlighting new trends in State practice and analysing the jurisprudence of international human rights bodies as well as national and international Courts On the other hand it marks the boundaries of refugee law as legal frontiers whilst exploring new approaches and new frameworks that are necessary in order to address the emerging protection challenges

International Migration and Refugee Law. Does Germany's Migration Policy Toward Syrian Refugees Comply? Jasmin Lilian Diab, 2017-07 Germany will spend around 6.6 billion to cope with an estimated 800 000 refugees expected to have entered the country in the year 2016 this reality indeed extending further into 2017 Despite this overwhelming number of people entering the country Chancellor Angela Merkel stated that there is no legal limit to the number of asylum seekers Germany will take in in the coming years The announcement by Merkel's coalition government followed Germany and Austria opening their borders to the large numbers of refugees making their way north and west from the Middle East Africa and elsewhere In particular this statement came after the Syrian refugee crisis created the biggest refugee crisis the world has seen since the Second World War Germany is seen as the immigration hub of Europe It also happens to be the second most popular destination for immigrants after the United States of America Germany is also the country in Europe with the highest numbers of foreign nationals to date Germany established a new immigration law in 2005 which was born out of a realization that it was coming to terms with a demographic crisis stemming from an ageing population and further complimented by a sharp decline of national birth rates In foresight and within this unfortunate context migration was seen by much of the German political class as an economic necessity and the answer to the German

economic and demographic time bomb Between the years 2009 and 2014 annual net migration in Germany rose from 100 000 to 580 000 individuals Moreover the inflow of foreign nationals increased from 266 000 to 790 000 individuals As of January 2015 approximately 10% of residents in Germany were foreign nationals with around 12% born outside the country Naturally these figures have all risen significantly following Merkel s decision to allow what has reached one million refugees and migrants into Germany across 2016 and moving into 2017 Moving from this reality the research will focus on the importance of the compliance of Germany s migration policy with International Refugee and Migration Law as it is crucial for the country s survivability and move forward throughout this phase of its history The importance of the research lies in whether or not Germany s migration policy towards the Syrian Refugees in particular complies with its duties toward international law embodied in the treaties and conventions it has committed to

The Challenge of Asylum to Legal Systems
Prakash Shah,2020-07-26 A collection of papers presenting critical perspectives in the development of asylum law with a focus on European and UK developments incorporating international human rights law and comparative law perspectives Issues covered range from law making at the EU level with a particular focus on extra territorial processing of refugees claims asylum procedures family members of those in need of protection welfare benefits and impact of national level on the reception of EU norms Domestic and comparative perspectives offered include discussions on detention judicial decision making appeal rights claims processing with particular reference to the role of interpreters and developments in Australia which have provided a model of thought worthy of emulation in the UK

The 1951 Convention Relating to the Status of Refugees and its 1967 Protocol ,2024-01-10 The Convention Relating to the Status of Refugees adopted on 28 July 1951 in Geneva continues to provide the most comprehensive codification of the rights of refugees yet attempted Consolidating previous international instruments relating to refugees the 1951 Convention with its 1967 Protocol marks a cornerstone in the development of international refugee law At present there are 149 States Parties to one or both of these instruments expressing a worldwide consensus on the definition of the term refugee and the fundamental rights to be granted to refugees These facts demonstrate and underline the extraordinary significance of these instruments as the indispensable legal basis of international refugee law This Commentary provides for a systematic and comprehensive analysis of the 1951 Convention and the 1967 Protocol on an article by article basis exposing the interrelationship between the different articles and discussing the latest developments in international refugee law In addition several thematic contributions analyse questions of international refugee law which are of general significance such as regional developments the interrelationship between refugee law and general human rights law as well as the relationship between refugee law and the law of the sea

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