

Refugees and the Asylum Dilemma in the West

Edited by Gil Loescher



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Gil Loescher



Refugees And The Asylum Dilemma In The West:

Refugees and the Asylum Dilemma in the West Gil Loescher, 2010-11-01 **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 **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 **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 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 *The Social Science Encyclopedia* Adam Kuper,1996 This reference has been written by an international team of contributors presenting a global understanding of the key issues within social sciences A board of advisory editors has worked closely with the editors in determining the most important concepts thinkers and techniques in each field **States and Strangers** Nevzat Soguk,1999 Refugees may flee their country but can they escape the confining defining logic of all the voices that speak for them As refugees multiply in our troubled world more and more scholars studies and pundits focus on their plight Most of these attempts says Nevzat Soguk start from a model that shares the assumptions manifested in traditional definitions of citizen nation and state Within this hierarchy he argues a refugee has no place to go States and Strangers questions this paradigm particularly its vision of the territoriality of life A radical retheorization of the refugee from a Foucauldian perspective the book views the international refugee regime not as a simple tertiary response arising from the practice of states regarding refugee problems but as itself an aspect of the regimentation of statecraft The attendant discourse negates the multiplicity of refugee events and experience by assigning the refugee an identity someone without the citizen s grounding within a territorial space the state renders him voiceless and

deprives him of representation and protection States and Strangers asks how this happens and how it can be avoided Using historical archival research and interpretive strategies drawn from a genealogical approach Soguk considers the role of the refugee in the emergence and maintenance of the sovereign territorial state from the late seventeenth century to contemporary times

The Cambridge Survey of World Migration Robin Cohen,1995-11-02 This extensive survey of migration in the modern world begins in the sixteenth century with the establishment of European colonies overseas and covers the history of migration to the late twentieth century when global communications and transport systems stimulated immense and complex flows of labour migrants and skilled professionals In ninety five contributions leading scholars from twenty seven different countries consider a wide variety of issues including migration patterns the flights of refugees and illegal migration Each entry is a substantive essay supported by up to date bibliographies tables plates maps and figures As the most wide ranging coverage of migration in a single volume The Cambridge Survey of World Migration will be an indispensable reference tool for scholars and students in the field

Beyond Charity: International Cooperation and the Global Refugee Crisis Gil Loescher,1996-08-08 With more than 18 million refugees worldwide the refugee problem has fostered an intense debate regarding what political changes are necessary in the international system to provide effective solutions in the 1990s and beyond In the past refugees have been perceived largely as a problem of international charity but as the end of the Cold War triggers new refugee movements across the globe governments are being forced to develop a more systematic approach to the refugee problem Beyond Charity provides the first extensive overview of the world refugee crisis today asserting that refugees raise not only humanitarian concerns but also issues of international peace and security Gil Loescher argues persuasively that a central challenge in the post Cold War era is to develop a comprehensive refugee policy that preserves the right of asylum while promoting greater political and diplomatic efforts to address the causes of flight He presents the contemporary crisis in a historical framework and explores the changing role of the Office of the United Nations High Commissioner for Refugees Loescher suggests short term and long term reforms that address both the current refugee crisis and its underlying causes The book also details the ways governmental structures and international organizations could be strengthened to assume more effective assistance protection and political mediation functions Beyond Charity helps frame the debate on the global refugee crisis and offers directions for more effective approaches to refugee problems at present and in the future

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 Refuge Beyond Reach David FitzGerald, 2019 Why do people seeking asylum often break immigration laws *Refuge Beyond Reach* shows how rich democracies deliberately and systematically shut down most legal paths to safety An architecture of repulsion in the air at sea and on land keeps most refugees far away from places where they can ask for sanctuary The Australian Year Book of International Law , 1994 Annual survey of current problems of public and private international law with a digest of Australian practice *The Grand Alliance and Ukrainian Refugees* M. Dyczok, 2000-07-11 This study explores the role of refugees in international relations by looking at the largest involuntary migration of Ukrainians in history Using both Western and newly available Soviet sources it sheds light on Grand Alliance policies towards World War II Ukrainian refugees It demonstrates how the activities of this particular group of refugees had an impact on international refugee policy and provides insight into the origins of the Cold War **The International Humanitarian Order** Michael Barnett, 2009-12-16 This book provides a critical exploration of the politics and practice of global ethical interventions Organized in four parts Michael Barnett examines the tensions in the relationship between global governance ethics and international order Immigration Admissions Kay Hailbronner, David A. Martin, Hiroshi Motomura, 2000-07-01 There is general agreement today that traditional approaches to immigration admissions in the major receiving countries of the West have serious shortcomings either in concept or implementation or at times in both These essays all written by leading immigration experts consider the philosophical and moral constraints on immigration law and policy the basic elements of a comprehensive migration policy and specific policy areas including family reunification and asylum Taken together these perspectives represent a fresh comparative look at some of the most urgent issues in this pivotal area of law and policy Rules for the World Michael Barnett, Martha Finnemore, 2012-04-15 *Rules for the World* provides an innovative perspective on the behavior of international organizations and their effects on global politics Arguing against the conventional wisdom that these bodies are little more than instruments of states Michael Barnett and Martha Finnemore begin with the fundamental insight that international organizations are bureaucracies that have authority to make rules and so exercise power At the same time Barnett and Finnemore maintain such bureaucracies can become obsessed with their own rules producing unresponsive inefficient and self defeating outcomes Authority thus gives international organizations autonomy and allows them to evolve and expand in ways unintended by their creators Barnett and Finnemore reinterpret three areas of activity that have prompted extensive policy debate the use of expertise by the IMF to expand its intrusion into national economies the redefinition of the category refugees and decision to repatriate by the United Nations High Commissioner for Refugees and the UN Secretariat's failure to recommend an intervention during the first weeks of the Rwandan genocide By providing theoretical foundations for treating these organizations as autonomous actors in their own right *Rules for the World* contributes greatly to our understanding of global politics and global governance *The State of*

the World's Refugees, 1993 Office of the United Nations High Commissioner for Refugees, 1993 Includes statistics

Problems of Protection Niklaus Steiner, Mark Gibney, Gil Loescher, 2013-10-31 First Published in 2003 Of all the humanitarian impulses in world politics today one of the most widely recognized is the need to protect refugees However as The Problems of Protection explores what on the surface appears to be a simple proposition can quickly become complex and controversial This complexity results in troubling variation in how we respond to our obligation to protect refugees while NATO launches a major military intervention on behalf of Albanians in Kosovo amidst worldwide media attention the international community's response to Sierra Leonean refugees is slow inefficient and inadequate Who qualifies as a refugee in need of protection Should refugees be returned as soon as possible or integrated into safer host countries The contributors to this volume address the often lacking political will among powerful countries and donors shifting attitudes among affected countries and the difficulty of rebuilding societies in a world in which the number of refugees will almost certainly continue to increase *Contemporary Issues in Refugee Law* Satvinder Singh Juss, Colin Harvey, 2013-01-01 Refugee law is going through momentous times as dictatorships tumble revolutions simmer and the Arab Awakening gives way to the spread of terror from Syria to the Sahel in Africa This compilation of topical chapters by some of the leading scholars in the field covers major themes of rights security the UNHCR international humanitarianism and state interests and sets out to map new contours The concerns over our security are replacing humanitarian concerns over the plight of others Securitization exclusion and the internal relocation of genuine refugees are now the favoured policies Yet while central idioms of protection persecution and non refoulement have changed there are also new demands on refugee law The contributors to this book ask whether there are new spheres of protection emerging for which refugee law must find a clear space such as the protection of child refugees trafficked persons gender related asylum and conscientious objectors to military service This timely and valuable book shows that in these uncertain times refugee law still has an exciting and challenging future ahead *Contemporary Issues in Refugee Law* will appeal to academics researchers students and practitioners

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