

Refugees and the Asylum Dilemma in the West

Edited by Gil Loescher



Refugees And The Asylum Dilemma In The West

Niraj Nathwani



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 Provides a state of the art comprehensive analysis of the field of international refugee law Global in scope with 10 chapters focusing in detail on specific regions Critiques the status quo and sets the agenda for future academic research Book jacket

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

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

States and Strangers Nevzat Soguk,1999 Looks at the role of refugees in international relations 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 analyses 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 ISBN 0 8166 3166 2 Cloth jacket 00 00 62 95x 340 Pages 5 7 8 x 9 March Borderlines Series volume 11 Translation inquiries University of Minnesota Press *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

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