

# [Book] Asylum A Right Denied A Critical Analysis Of European Asylum Policy Law And Migration

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Asylum - A Right Denied-Helen O'Nions 2016-04-15 In recent decades, asylum has emerged as a highly politicized European issue. The term 'asylum seeker' has suffered a negative perception and has been associated with notions of illegality and criminality in mainstream media. These misconceptions have been supported by politicians as a distraction from economic and political uncertainties with the result that asylum seekers have been deprived of significant rights. This book examines the effect of recent attempts of harmonization on the identification and protection of refugees. It considers the extent of obligations on the state to admit and protect refugees and examines the 1951 Refugee Convention. The motivations of European legislators and legislation concerning asylum procedures and reception conditions are also analysed. Proposals and initiatives for refugee movements and determinations are examined and assessed. The author makes suggestions for better protection of refugees while responding to the security concerns of States, and questions whether European law and policy is doing enough to uphold the fundamental right to seek and enjoy asylum as set out in the Universal Declaration of Human Rights. This book takes a bold look at a controversial issue and generates discussion for those involved in the fields of human rights, migrational and transnational studies, law and society and international law.

Asylum Denied-David Ngaruri Kenney 2009-08-17 Describes one political refugee's long and difficult struggle through immigration processing, detailing his imprisonment in Kenya, his escape to the U.S., and the ordeal of dealing with a bureaucracy that sought to deport him.

Towards a Refugee Oriented Right of Asylum-Laura Westra 2016-03-09 This volume explores the factors that give rise to the number of people seeking asylum and examines the barriers they currently and will continue to face. Divided into three parts, the authors first explore the causality that generates displacement, examining climate change, illegal conflicts and the deprivation of natural resources. They argue that all of these problems either originate from human agency directly, or are strongly influenced by human activities, particularly those of wealthy countries in the North West. The study goes on to discuss how migrants are received and the problems they face on arrival, and concludes with confronting the fate and the status of asylum seekers after arrival, and the walls, both virtual and material, that they encounter. The authors propose ways of approaching the situation, beyond the present language and the limited interpretations of the Convention on the Status of Refugees. Written by leading experts in environmental ethics, asylum law, and international law, the book will be essential reading for those working in these and related areas.

Sanctuary and Asylum-Linda Rabben 2016-08-25 The practice of sanctuary giving refuge to the threatened, vulnerable stranger may be universal among humans. From primate populations to ancient religious traditions to the modern legal institution of asylum, anthropologist Linda Rabben explores the long history of sanctuary and analyzes modern asylum policies in North America, Europe, and elsewhere, contrasting them with the role that courageous individuals and organizations have played in offering refuge to survivors of torture, persecution, and discrimination. Rabben gives close attention to the mid-2010s refugee crisis in Europe and to Central Americans seeking asylum in the United States. This wide-ranging, timely, and carefully documented account draws on Rabben's experiences as a human rights advocate as well as her training as an anthropologist. Sanctuary and Asylum will help citizens, professionals, and policy makers take informed and compassionate action.

Human Rights Watch World Report-Human Rights Watch (Organization) 1996-12 Human Rights Watch, an international agency that advocates human rights worldwide, presents the online edition of its "World Report" for the year 2000. The report provides an overview of human rights abuses in individual countries worldwide.

Refugees in America in the 1990s-David W. Haines 1996 This volume introduces the reader to an important set of newcomers to America. Two overview chapters introduce the U.S. refugee program and the general patterns in resettlement and adaptation. The heart of the book includes chapters on the largest refugee groups who have settled in the United States since World War II, including Afghans, ethnic Chinese from Southeast Asia, Cubans, Eastern European refugees, Ethiopians and Eritreans, Haitians, Hmong, Iranians, Khmer, Lao, Soviet Jews, and Vietnamese. The final chapters provide additional comparative documentation of the refugee experience, a review of documentaries on refugee adaptation, and an extensive annotated bibliography.

Diplomatic Asylum-Carroll Neale Ronning 2012-12-06 The legal status of the institution of diplomatic asylum really presents two separate questions. (1) Is there evidence that states have regarded the practice of granting such asylum to political refugees as sanctioned by a rule of international law? (2) Assuming this to be the case, does the available evidence make it possible to define a "political refugee" and to determine which party to a dispute has the right to decide upon this question? While in many cases the two questions are not clearly separated in the discussions between the parties involved, they will be treated separately in the following pages. Part one will attempt to answer this question: Assuming the political nature of an offence can be established, is there evidence that states have regarded the practice of granting diplomatic asylum as sanctioned by a rule of international law? Obviously, the two questions cannot be separated entirely but it seems advisable to try to isolate them as much as possible.

CHAPTER I NATURE AND SCOPE OF THE PROBLEM The term "asylum" is used to identify such a variety of phenomena that the following distinctions must be made before the problem can be properly discussed I. Between diplomatic and territorial asylum. The importance of this distinction was pointed out by the International Court of Justice in the Colombian-Peruvian Asylum Case, I often referred to as the Haya de la Torre Case.

Peace, Justice and Freedom-Gurcharan S. Bhatia 2000-03 On the fiftieth anniversary of the Universal Declaration of Human Rights, hundreds of people gathered in Edmonton, Alberta to reflect on the accomplishments of the Declaration and current challenges to human rights. This volume offers their collective insights. Participants in this landmark conference included: Desmond Tutu, Archbishop Emeritus of Cape Town; Francine Fournier, Assistant Director General of UNESCO; Her Excellency Mary Robinson, United Nations High Commissioner for Human Rights; and The Right Honourable Antonio Lamer, Chief Justice of Canada. "From federal ministers, to Chinese and Vietnamese dissidents, to academics, the judiciary, advocates for the poor, the disabled, the disenfranchised and the minorities; the delegates engaged in vibrant and compassionate dialogue which was both enriching and worrisome." —Canadian Senate Debates

The Arc of Protection-T. Alexander Aleinikoff 2019-10-01 The international refugee regime is fundamentally broken. Designed in the wake of World War II to provide protection and assistance, the system is unable to address the record numbers of persons displaced by conflict and violence today. States have put up fences and adopted policies to deny, deter, and detain asylum seekers. People recognized as refugees are routinely denied rights guaranteed by international law. The results are dismal for the millions of refugees around the world who are left with slender prospects to rebuild their lives or contribute to host communities. T. Alexander Aleinikoff and Leah Zamore lay bare the underlying global crisis of responsibility. The Arc of Protection adopts a revisionist and critical perspective that examines the original premises of the international refugee regime. Aleinikoff and Zamore identify compromises at the founding of the system that attempted to balance humanitarian ideals and sovereign control of their borders by states. This book offers a way out of the current international morass through refocusing on responsibility-sharing, seeing the humanitarian-development divide in a new light, and putting refugee rights front and center.

The Netherlands : Fleeting Refuge- 2003

Asylum and International Law-S.Prakash Sinha 2013-12-01

The Rights of Refugees under International Law-James C. Hathaway 2005-09-15 This book presents the first comprehensive analysis of the human rights of refugees as set by the UN Refugee Convention. In an era where States are increasingly challenging the logic of simply assimilating refugees to their own citizens, questions are now being raised about whether refugees should be allowed to enjoy freedom of movement, to work, to access public welfare programs, or to be reunited with family members. Doubts have been expressed about the propriety of exempting refugees from visa and other immigration rules, and whether there is a duty to admit refugees at all. Hathaway links the standards of the UN Refugee Convention to key norms of international human rights law, and applies his analysis to the world's most difficult protection challenges. This is a critical resource for advocates, judges, and policymakers. It will also be a pioneering scholarly work for graduate students of international and human rights law.

The Oxford Handbook of Refugee and Forced Migration Studies-Elena Fiddian-Qasmiyeh 2014-06-12 Refugee and Forced Migration Studies has grown from being a concern of a relatively small number of scholars and policy researchers in the 1980s to a global field of interest with thousands of students worldwide studying displacement either from traditional disciplinary perspectives or as a core component of newer programmes across the Humanities and Social and Political Sciences. Today the field encompasses both rigorous academic research which may or may not ultimately inform policy and practice, as well as action-research focused on advocating in favour of refugees' needs and rights. This authoritative Handbook critically evaluates the birth and development of Refugee and Forced Migration Studies, and analyses the key contemporary and future challenges faced by academics and practitioners working with and for forcibly displaced populations around the world. The 52 state-of-the-art chapters, written by leading academics, practitioners, and policymakers working in universities, research centres, think tanks, NGOs and international organizations, provide a comprehensive and cutting-edge overview of the key intellectual, political, social and institutional challenges arising from mass displacement in the world today. The chapters vividly illustrate the vibrant and engaging debates that characterize this rapidly expanding field of research and practice.

Legislative Scrutiny: Borders, Citizenship and Immigration Bill Ninth Report of Session 2008-09 Report, Together with Formal Minutes and Written Evidence-Great Britain. Parliament. Joint Committee on Human Rights 2009 In this report on the Borders, Citizenship and Immigration Bill, the Joint Committee on Human Rights says the Government should reconsider proposed changes to the pathway to British citizenship. Whilst the Bill does not change the underlying position of migrants' access to benefits, it extends the time it takes to get to applying for citizenship by a year. During this period a person given the new 'probationary citizenship' will be ineligible for 15 different types of benefit that are available to those with 'indefinite leave to remain'. The Committee is also concerned that the new rules may be applied retrospectively and urges the Government not to override the legitimate expectations of migrants already on the path to citizenship under the current rules. The Committee also has concerns about the proposed 'short cut' to citizenship, reducing the time it takes to naturalise can by two years if applicants participate in unpaid community activity. Tracking this activity risks infringing people's right to privacy, and the Committee is also concerned that the requirement risks penalising people who are unable to undertake such activities, because of disability or caring responsibilities or because they are already in paid full time work. The Committee welcomes the new positive duty to safeguard and promote the welfare of children in the discharge of immigration, asylum, nationality and customs functions and the reversal of the Government's previous policy of excluding children subject to immigration control from the protection of the UN Convention on the Rights of the Child.

Kashani V. Nelson- 1984

Human Rights, Migration, and Social Conflict-Ariadna Estévez 2012-07-02 This book uses human rights as part of a constructivist methodology designed to establish a causal relationship between human rights violations and different types of social and political conflict in Europe and North America.

The Oxford Handbook of Refugee and Forced Migration Studies-Elena Fiddian-Qasmiyeh 2014-06-12 Refugee and Forced Migration Studies has grown from being a concern of a relatively small number of scholars and policy researchers in the 1980s to a global field of interest with thousands of students worldwide studying displacement either from traditional disciplinary perspectives or as a core component of newer programmes across the Humanities and Social and Political Sciences. Today the field encompasses both rigorous academic research which may or may not ultimately inform policy and practice, as well as action-research focused on advocating in favour of refugees' needs and rights. This authoritative Handbook critically evaluates the birth and development of Refugee and Forced Migration Studies, and analyses the key contemporary and future challenges faced by academics and practitioners working with and for forcibly displaced populations around the world. The 52 state-of-the-art chapters, written by leading academics, practitioners, and policymakers working in universities, research centres, think tanks, NGOs and international organizations, provide a comprehensive and cutting-edge overview of the key intellectual, political, social and institutional challenges arising from mass displacement in the world today. The chapters vividly illustrate the vibrant and engaging debates that characterize this rapidly expanding field of research and practice.

Detained, Denied, Deported-Karin König 1989 Contents.

Are Human Rights for Migrants?-Marie-Benedicte Dembour 2011-06-01 Human rights seemingly offer universal protection. However, irregular migrants have, at best, only problematic access to human rights. Whether understood as an ethical injunction or legally codified norm, the promised protection of human rights seems to break down when it comes to the lived experience of irregular migrants. This book therefore asks three key questions of great practical and theoretical importance. First, what do we mean when we speak of human rights? Second, is the problematic access of irregular migrants to human rights protection an issue of implementation, or is it due to the inherent characteristics of the concept of human rights? Third, should we look beyond human rights for an effective source of protection? Written in an accessible style, with a range of socio-legal and doctrinal approaches, the chapters focus on the situation of the irregular migrant in Europe and the United States. Throughout the book, nuanced theoretical debates are put in the context of concrete case studies. The critical reflections it offers on the limitations and possibilities of human rights protections for irregular migrants will be invaluable for students, scholars and practitioners.

Legal Aid-Great Britain. Parliament. House of Commons. Constitutional Affairs Committee 2005-03-23 Legal Aid : Asylum appeals, fifth report of session 2004-05, Vol. 2: Oral and written Evidence

The Refugee in International Law-Guy S. Goodwin-Gill 2007 The situation of refugees is one of the most pressing and urgent problems facing the international community and refugee law has grown in recent years to a subject of global importance. In this long-awaited third edition each chapter has been thoroughly revised and updated and every issue, old and new, has received fresh analysis.

Australian Asylum Policy-Human Rights Watch (Organization) 2002 Conclusions and recommendations -- Overview: refugees' path of flight to Australia -- Why refugees flee their own regions -- Experiences and choices during flight -- Why refugees do not remain in transit countries -- Measures used by Australia to deter "uninvited" refugees -- Future directions -- Acknowledgements.

No Return, No Refuge-Howard Adelman 2011-07-05 Refugee displacement is a global phenomenon that has uprooted millions of individuals over the past century. In the 1980s, repatriation became the preferred option for resolving the refugee crisis. As human rights achieved global eminence, refugees' right of return fell under its umbrella. Yet return as a right and its practice as a rite created a radical disconnect between principle and everyday practice, and the repatriation of refugees and Internally Displaced Persons (IDPs) remains elusive in cases of forced displacement of victims by ethnic conflict. Reviewing cases of ethnic displacement throughout the twentieth century in Europe, Asia, and Africa, Howard Adelman and Elazar Barkan juxtapose the empirical lack of repatriation in cases of ethnic conflict, unless accompanied by coercion. The emphasis on repatriation during the last several decades has obscured other options, leaving refugees to spend years warehoused in camps. Repatriation takes place when identity, defined by ethnicity or religion, is not at the center of the displacing conflict, or when the ethnic group to which the refugees belong are not a minority in their original country or in the region to which they want to return. Rather than perpetuate a ritual belief in return as a right without the prospect of realization, Adelman and Barkan call for solutions that bracket return as a primary focus in cases of ethnic conflict.

A Documentary Companion to Storming the Court-Brandt Goldstein 2009 A Documentary Companion to Storming the Court, using key litigation documents, leads the reader through the high-profile lawsuit chronicled in Storming the Court, a nonfiction title by Brandt Goldstein that tracks the lawsuit filed by human rights lawyers and Yale law students on behalf of Haitian refugees detained at the American Navy base in Guantanamo Bay, Cuba. Following in the tradition of books such as The Buffalo Creek Disaster and A Civil Action, Storming the Court is an engaging, easy-to-read account of a complex civil trial in which law students play many of the key roles. Meticulously documented to make moving between the original book and the companion trouble-free, this lively, accessible book will provoke energetic discussion and debate among your students. Suitable for use in any civil procedure course, the documentary companion: Uses the real case to illustrate a wide array of important legal concepts, particularly those taught in first-year civil procedure Includes key litigation documents and other original materials from the case along with notes, comments, hypotheticals, and questions that serve as excellent teaching tools Features photos of the key characters in the lawsuit and of the naval base at Guantanamo Bay, which further enhances the realism for students What better way to bring litigation to life for your students and help them understand what the concepts and rules look like in practice than to follow a complex trial step-by-step. A Documentary Companion to Storming the Court takes a gripping and extremely readable book and turns it into a powerful teaching tool.

Action on Poverty Today Issue 17 (Summer 2007)-

The State of the World's Refugees 2006-Office of the United Nations High Commissioner for Refugees 2006 This title includes the following features: UNHCR is a high-profile organization, seldom out of the news; Contains a wealth of statistical tables, graphs, and maps; Humanitarian aid and refugee crises are topics of continual public debate

The Rights Revolution-Michael Ignatieff 2008-12-01 With an updated preface by the author. Since the proclamation of the Universal Declaration of Human Rights in 1948, rights have become the dominant language of the public good around the globe. Indeed, rights have become the trump card in every argument. Long-standing fights for aboriginal rights, the issue of preserving the linguistic heritage of minorities, and same-sex marriage have steered our society into a full-blown rights revolution. This revolution is not only deeply controversial in North America, but is being watched around the world. Are group rights jeopardizing individual rights? When everyone asserts their rights, what

happens to responsibilities? Can families survive and prosper when each member has rights? Is rights language empowering individuals while weakening community? Michael Ignatieff confronts these controversial questions head-on in *The Rights Revolution*, defending the supposed individualism of rights language against all comers. For Ignatieff, believing in rights means believing in politics, believing in deliberation rather than confrontation, compromise rather than violence.

*Rethinking Asylum*-Matthew E. Price 2009-05-14 Each year, hundreds of thousands of people apply for asylum in Europe, North America, and Australia. Some fear political persecution and genocide; some are escaping civil war or environmental catastrophe; others flee poverty, crime, or domestic violence. Who should qualify for asylum? Traditionally, asylum has been reserved for the targets of government persecution, but many believe that its scope should be widened to protect others exposed to serious harm. Matthew Price argues for retaining asylum's focus on persecution - even as other types of refugee aid are expanded - and offers a framework for deciding what constitutes persecution. Asylum, he argues, not only protects refugees but also expresses political values by condemning states for mistreating those refugees. Price's argument explains not only why asylum remains politically relevant and valuable, but also why states should dismantle many of the barriers they have erected against asylum seekers over the last fifteen years.

*Sanctuary Denied*-Gerhard P. Bassler 1992 This is the first book-length inquiry into Newfoundland immigration prior to Confederation in 1949. *Sanctuary Denied* sheds new light on the preservation of Newfoundland's culturally "distinct" homogeneous society and its endemic difficulties. Refuting a widespread assumption that pre-Confederation Newfoundland was unable to attract immigrants, Dr. Bassler identifies numerous requests involving thousands of potential immigrants eager to move to Newfoundland in the half century prior to Confederation. Despite the existence of a uniquely liberal refugee law from 1906 to 1949, Newfoundland immigration policy developed a tradition of refusing asylum to all refugees and of deporting and excluding non-British immigrants as undesirable. The analysis of this immigration record raises intriguing questions about the legacy of nation-building in Newfoundland.

*The Dispossessed*-John Washington 2020-05-05 The first comprehensive, in-depth book on the Trump administration's assault on asylum protections Arnovis couldn't stay in El Salvador. If he didn't leave, a local gangster promised that his family would dress in mourning—that he would wake up with flies in his mouth. "It was like a bomb exploded in my life," Arnovis said. *The Dispossessed* tells the story of a twenty-four-year-old Salvadoran man, Arnovis, whose family's search for safety shows how the United States—in concert with other Western nations—has gutted asylum protections for the world's most vulnerable. Crisscrossing the border and Central America, John Washington traces one man's quest for asylum. Arnovis is separated from his daughter by US Border Patrol agents and struggles to find security after being repeatedly deported to a gang-ruled community in El Salvador, traumatic experiences relayed by Washington with vivid intensity. Adding historical, literary, and current political context to the discussion of migration today, Washington tells the history of asylum law and practice through ages to the present day. Packed with information and reflection, *The Dispossessed* is more than a human portrait of those who cross borders—it is an urgent and persuasive case for sharing the country we call home.

*Asylum and the European Convention on Human Rights*-Nuala Mole 2000-01-01 In this 3rd edition, the author draws extensively on the recent case-law of the Strasbourg organs to present a wide-ranging account of the protection afforded to refugees under the European Convention on Human Rights.

*Protecting Refugees*-Office of the United Nations High Commissioner for Refugees 1999 *Asylum*.

*World Refugee Survey*- 2002

*Rights*- 1978

Link- 1991

*Report on the Situation of Fundamental Rights in the European Union in 2003*-E.U. Network of Independent Experts in Fundamental Rights 2004

*Denial of Human Rights in Eastern Europe*-ACEN (Organization) 1958

*Paradise Denied*-Zekarias Kebraeb 2014-11-10 Zekarias Kebraeb was just seventeen when he fled his home in Eritrea in 2002 to escape his impending forced military service. To stay would have meant abuse, torture, and possibly even his death. Zekarias had no idea that his journey would span four years, and no concept of how brutal some of the choices along the way would be. He was marched through the wilderness, spent two weeks crossing the Sahara in a truck with no food and far too little water, and then traversed the Mediterranean Sea from Tripoli to Italy in a tiny rowboat. But Zekarias is just one of 67 million refugees in the world today, according to a report by the UN Refugee Agency. Since the beginning of the year and the revolutions in North Africa, more than 30,000 people have fled the region. Behind each number, however, lies the fate of a human being. *PARADISE DENIED* gives a face to the thousands of refugees who have no choice but leave behind their homes and risk their lives while hoping for a better destiny for themselves and their family.

*The Diplomatic Kidnappings*-Carol Edler Baumann 2012-12-06 The recent series of diplomatic kidnappings has produced some serious thinking not only in Washington but in most of the foreign offices and embassies throughout the diplomatic world. The kidnappings-and how to deal with them-have been the subject of Congressional committee hearings, State Department deliberations, and international debate and action by the Organization of American States. It is the purpose of this study to analyze them within the context of urban guerilla terrorism, international legal norms, and world diplomatic practice. Selected examples of diplomatic kidnappings, particularly those in Latin America and Canada, strikingly illustrate the new revolutionary strategy of utilizing terrorism as a political tactic to achieve long-range political goals. As with its kindred phenomenon-the airplane hijackings-the kidnappings of foreign diplomats seize upon and exploit innocent victims as hostage pawns; a bargaining situation is thus created in which the revolutionary minority can achieve a diplomatic leverage which is far greater than in proportion to its numbers, military strength, or popular appeal. Through terrorism the urban guerillas hope to achieve tactical advances within the general strategy of political revolution; even temporary governmental repression if it occurs in reprisal becomes part of that strategy. Chapter I in particular and the entire manuscript in general examine the kidnappings within the parameters of revolutionary terrorism. The kidnappings have also had serious legal and political ramifications in the realm of world diplomacy.

*Essential AS Geography*-Simon Ross 2000 *Essential AS Geography* provides comprehensive coverage of the range of subjects and themes for AS Geography. The book has been designed to smooth the transition between GCSE and A Level standard and rapidly instill confidence in the first year student, providing the means to achieve examination success.

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