

Rethinking Asylum

History, Purpose, and Limits



MATTHEW E. PRICE

CAMBRIDGE

Rethinking Asylum History Purpose And Limits

Peer Zumbansen



Rethinking Asylum History Purpose And Limits:

Rethinking Asylum Matthew E. Price, 2014-05-14 Defends the current laws limiting asylum to those fearing persecution

The Evolution of Humanitarian Protection in European Law and Practice Liv Feijen, 2021-04-01 The last couple of years have witnessed an unprecedented battle within Europe between values and pragmatism and between states interests and individuals rights This book examines humanitarian considerations and immigration control from two perspectives one broader and more philosophical the other more practical The impetus to show compassion for certain categories of persons with vulnerabilities can depend on religious philosophical and political thought Manifestation of this compassion can vary from the notion of a charitable act to aid the wretched in their home country to humanitarian assistance for the distant needy in foreign lands and finally to immigration policies deciding who to admit or expel from the country The domestic practice of humanitarian protection has increasingly drawn in transnational law through the expansion of the EU acquis on asylum and the interpretation of the European Court of Human Rights

Realising Socio-Economic Rights of Refugees and Asylum Seekers in Africa Ebenezer Durojaye, Robert Doya Nanim, Abiola Idowu-Ojo, Gladys Mirugi-Mukundi, 2023-10-31 This book examines the socio economic rights challenges of refugees and asylum seekers in Africa It seeks to fill a major gap in the literature by providing a nuanced discussion of the barriers to the realisation of the socio economic rights of refugees and asylum seekers in Africa It equally aims to provide some concrete recommendations to African governments towards the realisation of the socio economic rights of refugees and asylum seekers With the aid of lessons from selected African countries this book highlights the gaps challenges and good practices regarding the realisation of the socio economic rights of refugees and asylum seekers in the region The book will be useful to researchers students academicians policymakers and international organisations or institutions interested in advancing the rights of refugees and asylum seekers

The Oxford Handbook of Transnational Law Peer Zumbansen, 2021 The Oxford Handbook of Transnational Law offers a comprehensive compendium for the field of Transnational Law by providing a unique and unparalleled treatment and presentation in an area that has become one of the most intriguing and innovative developments in legal doctrine scholarship theory as well as practice today With a considerable contribution from and engagement with social sciences the Handbook features numerous reflections on the relationship between transnational law and legal practice

The Refugee in International Law Guy S. Goodwin-Gill, Jane McAdam, Emma Dunlop, 2021 Millions of people are today forced to flee their homes as a result of conflict systematic discrimination or other forms of persecution The core instruments on which they must rely to secure international protection are the 1951 Convention Relating to the Status of Refugees and its 1967 Protocol This book the leading text in the field examines key challenges to the Convention such as the status of refugees applications for asylum and the international and domestic standards of protection 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

fourth edition each chapter has been thoroughly revised and updated and every issue old and new has received fresh analysis The books includes analysis of internally displaced persons so called preventive protection access to refugees safety of refugees and relief personnel the situation of refugee women and children a detailed examination of the role of the UNHCR and the Palestinian situation and an assessment of the protection possibilities or lack of them in the European Convention on Human Rights This new edition has been expanded with coverage of forced migration and displacement as a result of disasters and climate change It is once again an unmissable reference work for practitioners and students in the field

The Ethics of Exile Ashwini Vasanthakumar, 2021-11-04 Exiles have long been transformative actors in their homelands they foment revolution sustain dissent and work to create renewed political institutions and identities back home Ongoing waves of migration ensure that they will continue to play these vital roles Rather than focus on what exiles mean for the countries they enter a perspective that often treats them as passive victims The Ethics of Exile recognises their political and moral agency and explores their rich and vital relationship to the communities they have left It offers a rare view of the other side of the migration story Engaging with a series of case studies this book identifies the responsibilities and rights exiles have and the important roles they play in homeland politics It argues that exile politics performs two functions it can correct defective political institutions back home and it can counter asymmetries of voice and power abroad In short exiles can act both as a linchpin and a buffer between political communities in crisis and the international actors who seek to variously aid and exploit them When we think about the duties we owe to those forced to leave their homes we should consider how to enable rather than thwart these roles 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 Migration and the European Convention on Human Rights Başak Çalı, Ledi Bianku, Iulia Motoc, 2021-02-25

This edited collection investigates where the European Convention on Human Rights as a living instrument stands on migration and the rights of migrants This book offers a comprehensive analysis of cases brought by migrants in different stages of migration covering the right to flee who is entitled to enter and remain in Europe and what treatment is owed to them when they come within the jurisdiction of a Council of Europe member state As such the

book evaluates the case law of the European Convention on Human Rights concerning different categories of migrants including asylum seekers irregular migrants those who have migrated through domestic lawful routes and those who are currently second or third generation migrants in Europe The broad perspective adopted by the book allows for a systematic analysis of how and to what extent the Convention protects non refoulement migrant children family rights of migrants status rights of migrants economic and social rights of migrants as well as cultural and religious rights of migrants

Refugee Law Colin Yeo, 2022-04-26 The word refugee is both evocative and contested it means different things to different people For lawyers the main legal reference point is the UN Refugee Convention of 1951 This concise and engaging book follows the structure of the Convention to explore international refugee law Including an introduction to the historical and legal context Colin Yeo draws on his experience as an immigration barrister to explain the present day legal framework for global refugee protection Chapters consider well founded fear persecution the loss of refugee status and exclusion the rights of refugees and state responses to refugee claims The book includes studies of key legal cases reviews the successes and failures of the Convention and looks ahead to the future including the impact of climate change and the Global Compact on Refugees Communicating important legal concepts in an approachable way this is an essential guide for students lawyers and non specialists

Refugees, Prisoners and Camps B. Møller, 2014-12-09 What do refugee and concentration camps prisons terrorist and guerrilla training camps and prisoner of war camps have in common Arguably they have all followed an outside inside model enforcing a dichotomy between perceived desirable and undesirable characteristics This separation is the subject of Møller's multidisciplinary study

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