

Immigration And Refugee Law And Policy

International Refugee Law and Socio-Economic Rights
Refugee Law and Practice in Japan
International Refugee Law and Socio-Economic Rights: Refuge from Deprivation. Cambridge Studies in International and Comparative Law.
Access to Asylum
Refugee Law and Policy
Law and Asylum
The Global Reach of European Refugee Law
The Land Beyond Refugees, Asylum Seekers and the Rule of Law
Human Rights and The Revision of Refugee Law
Refuge from Inhumanity? War Refugees and International Humanitarian Law
The Refugee in International Law
'Protection' in European Union Asylum Law
Refugees, Democracy and the Law
Conflict Displacement and Legal Protection
Refugee Law and Durability of Protection
Current Issues of UK Asylum Law and Policy
Elgar Concise Encyclopedia of Migration and Asylum Law
The Oxford Handbook of International Refugee Law
States, the Law and Access to Refugee Protection
Michelle Foster Osamu Arakaki Michelle Foster Thomas Gammeltoft-Hansen Karen Musalo Simon Behrman Helle Lambert Jane Mcadam and Maryellen Fullerton Gudmundur Alfredsson Susan Kneebone Romit Bhandari David Cantor Guy S. Goodwin-Gill Julian Lehmann Dana Schmalz Charlotte Lill Maria O'Sullivan Frances Nicholson Vincent Chetail Cathryn Costello Maria O'Sullivan

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publisher description

this volume examines the development of refugee law and policy in japan the book discusses systemic weaknesses and compares the evolution of law in other states to highlight problems in japan s refugee determination system ultimately the book calls for japan to reform failing systems and take innovative action towards refugee protection

this book assesses the ability of the refugee convention to encompass socio economic based claims

is there still a right to seek asylum in a globalised world migration control has increasingly moved to the high seas or the territory of transit and origin countries and is now commonly outsourced to private actors under threat of financial penalties airlines today reject any passenger not in possession of a valid visa and private contractors are used to run detention centres and man border crossings in this volume thomas gammeltoft hansen examines the impact of these new practices for refugees access to asylum a systematic analysis is provided of the reach and limits of international refugee law when migration control is carried out extraterritorially or by non state actors state practice from around the globe and case law from all the major human rights institutions is discussed the arguments are further linked to wider debates in human rights general international law and political science

in contrast to the claim that refugee law has been a key in guaranteeing a space of protection for refugees this book argues that law has been instrumental in eliminating spaces of protection not just from one s persecutors but also from the grasp of sovereign power by uncovering certain fundamental aspects of asylum as practised in the past and in present day social movements namely its concern with defining space rather than people and its role as a space of resistance or otherness to sovereign law this book demonstrates that asylum has historically been antagonistic to law and vice versa in contrast twentieth century refugee law was constructed precisely to ensure the effective management and control over the movements of forced migrants to illustrate the complex ways in which these two paradigms asylum and refugee law interact with one another this book examines their historical development and concludes with in depth studies of the sanctuary movement in the united states and the sans papiers of france the book will appeal to researchers and students of refugee law and refugee studies legal and political philosophy ancient medieval and modern legal history and sociology of political movements

this book collects professor atle grahl madsen s essays on refugee law and policy in a single volume including commentary on the principles of refugee law and on important refugee crisis situations arranged in chronological order the compilation of work contains all the author s scholarly english language articles dedicated to the needs and rights of refugees and asylum seekers the republication of these articles makes an important part of atle grahl madsen s written work more easily accessible than before the objective of the book is to provide a new perspective on grahl madsen s approach his ideas and the results of his research and thinking as the united nations high commissioner for refugees mrs sadako ogata has stated in the foreword the timelessness of professor grahl madsen s writings stems from his conscientious and comprehensive research and his clarity of thought as an analyst his dedication and precision should serve as both an inspiration and aspiration to all who work to defend the rights of the displaced the collection shows the extent and quality of atle grahl madsen s legacy in the field of refugee law and human rights and demonstrates the diversity of the subject of international refugee law and its relevance to the world in which we live

an assessment of the impact of asylum on the integrity of the rule of law in five common law jurisdictions

this book addresses the relationship between international refugee law and international human rights law using international refugee law's analytical turn to human rights as its object of inquiry it represents a critical intervention into the revisionism that has led to conceptual fragmentation and restrictive practices mainstream literature in refugee law reflects a mood of celebration a narrative of progress which praises the discipline's rescue from obsolescence this is commonly ascribed to its repositioning alongside human rights law its veritable rediscovery as an arm of this far greater edifice by using human rights logic to construct the current legal paradigm and inform us of who qualifies as a refugee this purportedly lent areas of conceptual uncertainty a set of objective modern criteria and increased enfranchisement to new non traditional claimants the present work challenges this dominant position by finding the untold limits of its current paradigm it stands alone in this orientation and hereby represents one of the most comprehensive heterodox and structurally detailed reviews of this connection the exploration of the gap between modern approaches and the unsatisfactory realities of seeking asylum forms the substance of this book it asserts by contrast the existence of revolution rather than evolution human rights law has erased the founding tenets of the refugee convention enabling powerful states to contain refugees in their region of origin the book will be essential reading for those interested in refugee law refugee studies postcolonial legal studies postmodern critiques and critical legal theory additionally given its relevance for the adjudication of refugee claims it will be an important resource for solicitors barristers and judges

this book contributes to a long standing but ever topical debate about whether persons fleeing war to seek asylum in another country war refugees are protected by international law it seeks to add to this debate by bringing together a detailed set of analyses examining the extent to which the application of international humanitarian law ihl may usefully advance the legal protection of such persons this generates a range of questions about the respective protection frameworks established under international refugee law and ihl and specifically the potential for interaction between them as the first collection to deal with the subject the eighteen chapters that make up this unique volume supply a range of perspectives on how the relationship between these two separate fields of law may be articulated and whether ihl may contribute to providing refuge from the inhumanity of war

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 book 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

asylum law in the european union is ripe with caveats that allow authorities to reject asylum applications due to protection received in the home country or another location but what does protection mean in this context and when is it strong enough to make denying an application lawful departing from the notion that refugee status is a surrogate for lacking protection at home julian m lehmann investigates the interplay of international law and european union law on protection against harm by non state actors the internal protection alternative concept and asylum in third countries en route to the european union lehmann demonstrates how conflating these concepts risks equating international protection with mere safety which stands in contrast to the very purpose of refugee law

the book provides an in depth discussion of democratic theory questions in relation to refugee law the work introduces readers to the evolution of refugee law and its core issues today as well as central lines in the debate about democracy and migration bringing together these fields the book links theoretical considerations and legal analysis based on its specific understanding of the refugee concept it offers a reconstruction of refugee law as constantly confronted with the question of how to secure rights to those who have no voice in the democratic process in this reconstruction the book highlights on the one hand the need to look beyond the legal regulations for understanding the challenges and gaps in refugee protection it is also the structural lack of political voice the book argues which shapes the refugee s situation on the other hand the book opposes a view of law as mere expression of power and points out the dynamics within the law which reflect endeavors towards mitigating exclusion the book will be essential reading for academics and researchers working in the areas of migration and refugee law legal theory and political theory

while the 21st century bears witness to several conflicts leading to mass displacement the conflict in syria has crystallised the need for a solid legal framework and legal certainty this book analyses the relevant legal instruments for the provision of a protection status for persons fleeing to europe from conflict and violence it focuses on the conceptualisation of conflict and violence in the countries of origin and the different approaches taken in the interpretation of them in the 1951 refugee convention the recast qualification directive of the european union and the european convention on human rights it traces the hierarchical order of protection granted starting with refugee protection status to subsidiary protection status and finally with the negative protection from non refoulement recent case law and asylum status determination practices of european countries illustrate the obstacles in the interpretation as well as the divergence in the application of the legal instruments the book fills an important gap in examining the current practices of key actors including the united nations high commissioner for refugees and european states tracing changes in national and international policies and revealing discrepancies towards contemporary approaches to conflicts it refines the interaction and cross fertilisation of the different relevant fields of european asylum law human rights law and the laws of armed conflict in order to further the development of a harmonised protection regime for conflict induced displacement

this book examines the link between refugee protection duration of risk and residency rights it focuses on two main issues of importance to current state practice the use of temporary forms of refugee status and residency and the legal criteria for cessation of refugee status under article 1c 5 of the 1951 refugee convention in analysing this issue this book canvasses debates which are pertinent to many other contentious areas of refugee law including the relationship between the refugee definition and complementary protection application of the refugee convention in situations of armed conflict and the role of non state bodies as actors of protection it also illustrates some of the central problems with the way in which the 1951 refugee convention is implemented domestically in key asylum host states the arguments put forward in this book have particular significance for the return of asylum seekers and refugees to situations of ongoing conflict and post conflict situations and is therefore highly pertinent to the future development of international refugee law

published in 1998 this title brings together 18 essays by a selection of experts in the area of refugee and asylum law and policy each essay examines an issue of contemporary interest to those working in the refugee field in the uk they have been selected from papers presented at a highly successful conference on refugee rights and realities which was held at the university of nottingham in november 1996 organized by the human rights law centre at the university and funded by the airey neave trust the essays are organised into two sections the first covers issues of legal process and policy ranging from the development of asylum law and policy in the uk to the country's obligations under international law special emphasis is placed on the most recent developments surrounding the 1996 asylum and immigration act the second section provides the context for a more detailed examination of the social health and welfare issues relevant to refugees and asylum seekers these range from access to health care housing rights and the education of refugees in london to questions of language and of race relations

this concise encyclopedia provides a comprehensive overview of the rapidly developing field of migration and asylum law it brings clarity on key terms and critical notions while challenging misconceptions in this highly politicized sphere

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

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

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