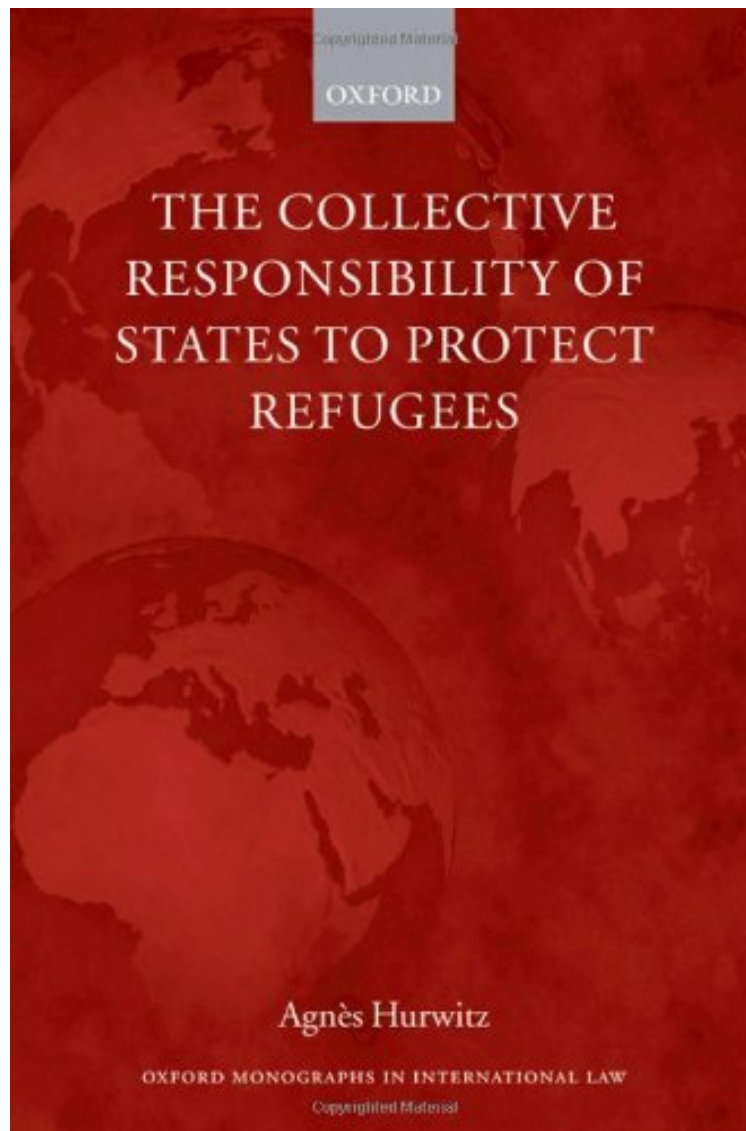


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## The Collective Responsibility of States to Protect Refugees (Oxford Monographs in International Law)

*Agnès Hurwitz*

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## The Collective Responsibility of States to Protect Refugees (Oxford Monographs in International Law):

In managing the growing number of refugees arriving in the industrialized world, States have devised increasingly restrictive policies since the end of the 1970s in order to restrict access to the territory or, at least, to asylum procedures. Thus, while international co-operation in the refugee field traditionally focused on protection and assistance, the last two decades have been characterized by the emergence of transnational policies aimed at containing refugee flows, primarily on the European continent. The convoluted refugee routes - often described as 'secondary' or 'irregular' movements of refugees between countries of origin and their final destination - have been one of the major preoccupations of States. To combat what they often perceive to be a proof of the fraudulent or manifestly unfounded nature of asylum claims, European States have passed legislation or agreed on international instruments designed to allocate and even evade responsibility for the examination of asylum applications. Even bolder solutions have been advocated more recently, such as the outsourcing of asylum procedures through regional or offshore schemes. This book presents a critical legal analysis of the mechanisms and arrangements devised by States to tackle secondary movements of refugees, and offers innovative solutions to the protection crisis afflicting the global refugee regime. After providing a comprehensive breakdown of the various legal tools used by States to combat secondary refugee movements, the book argues that, while the legality of these various arrangements is seriously in doubt, the most appropriate way to address these protection failures is to strengthen and develop adequate international accountability mechanisms.

About the Author Agns Hurwitz currently works at the Office of the President of the International Criminal Tribunal for the former Yugoslavia (ICTY). From January 2004 until December 2006, she conducted a research project on the Rule of Law and Peacebuilding at the International Peace Academy in New York, which led to the publication of several policy reports and the production of an edited volume entitled "Civil War and The Rule of Law: Security, Development, Human Rights" (Lynn Rienner pub.). Before joining the International Peace Academy, she was appointed as the Ford Foundation Research Fellow in International Human Rights and Refugee Law at the Refugee Studies Centre, University of Oxford. She completed her PhD at Oxford University, under the supervision of Professor Guy S. Goodwin-Gill and holds a B.A. in Law from the Free University of Brussels (Magna cum Laude) and an LL.M. in International Law from the University of Cambridge.