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Prospects for the governance of refugee protection: Exploring the effect of an unbalanced level of asylum recognition rates amongst European countries

Hannah Cooper



## **ABSTRACT**

The era of globalisation has brought about the arrival of the 'jet age' refugee, lessening the distance between the world's richest and poorest countries whilst at the same time exacerbating the inequalities that directly or indirectly cause much forced movement. Whilst the vast majority of displaced people remain in their regions of origin, an increasing number are arriving at the shores of European countries seeking protection. Varying asylum recognition rates in Europe for *prima facie* similar arrivals suggest that situations in asylum seekers' countries of origin are not the determining factor for acceptances but that the key to protection lies with the policies and approaches of the 'asylum states'. Here, fuzzy-set Qualitative Comparative Analysis is employed in order to examine the link between asylum recognition rates and countries' respect for human rights, a possible explanatory factor that is emphasised in much of the literature. After establishing whether human rights conditions can provide us with necessary or sufficient conditions for the presence of high recognition rates, this paper assesses the prospects for governance of the 'refugee regime'.

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## Introduction

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In 2009, the United Nations High Commissioner for Refugees (UNHCR) identified 43.3 million forcibly displaced people, of whom 15.2 million were refugees (UNHCR 2010:1). The vast majority of these refugees were hosted in the developing world and stayed in their countries of origin, and even amongst the 922,500 people who claimed asylum, which is generally thought to be an activity located in the “asylum states” (Betts 2008:158) of the global North, almost one quarter lodged their applications in South Africa (UNHCR 2010:16). However, with a total of 358,600 asylum applications made in Europe, it remained the primary asylum-receiving region (UNHCR 2010:17). The emergence of the “jet age” refugee (Loescher 2001b:41) is very much a product of the era of globalisation, a result of developments in transportation and communication “that have lessened the distance between the world’s richest and poorest countries” (Gibney 2004:4), whilst at the same time widening the gulf of inequality which is what often spurs these movements on in the first place. This “globalisation of asylum seeking”, as Gibney calls it, has resulted in a situation where few countries are immune to the arrival on their shores of people seeking refuge (2004:4). As a result, however, states are introducing increasingly restrictive approaches to refugee arrivals.

The principle of asylum, whilst not the only method of confronting forced displacement, is important in the “toolbox” (Helton 2002:154) of responses to these movements. Asylum seekers are the most important category of forced arrivals in Europe; unlike in other developed countries such as New Zealand, Europe has few large resettlement programmes (ECRE 2005:17). However, the ‘right’ to asylum is not a right *per se*, and relies on safeguards put in place in international law such as the principle of *non-refoulement* (Steiner

2000:16). However, whilst 147 states are now parties to either the 1951 Refugee Convention or the subsequent 1967 Protocol, or both, and so ostensibly all have the same obligations under these laws, it has been recognised that states' interpretation of the Convention differ significantly (see Neumayer 2005). There is a considerable amount of evidence that, since the 1990s, there has been a shift "from asylum to containment," whereby Western states have largely adopted a narrow interpretation of the Refugee Convention and thus limited the protection offered to refugees, resulting in claims that "non-compliance with international treaty obligations for refugees is becoming something of a global norm" (Loescher et al. 2008:100-101; Steiner 2000:107; Suhrke 1998:396). This has led to the current reality of refugee protection in Europe, which is a "lottery" (Neumayer 2005:64) for those arriving as asylum seekers, with recognition rates varying considerably for *prima facie* similar applicants (Neumayer 2005:43; Thielemann and Dewan 2006:356-357). So, despite frequent allusions to the 'regime' of refugee protection, it is less than clear that the 'norm' of refugee protection is one that countries consistently subscribe to.

### *Research question and hypothesis*

At the most basic level, this essay aims to address the question of why some states recognise high numbers of asylum seekers, when the tendency seems to be towards deflection. Following on from a literature review which demonstrates the propensity of scholarship in this field to portray refugee protection as the result of a conformity to human rights norms, whereas refugee deflection is seen as the inevitable result of a consideration by states of what their strategic interests would be, I study the link between human rights conditions and asylum recognition rates in European countries. My hypothesis is that there will be a positive

relationship between those countries with high asylum recognition rates and a commitment to human rights.

### *Methodology*

To study the relationship between countries' human rights conditions and high asylum recognition rates, I have chosen to use fuzzy-set Qualitative Comparative Analysis (fsQCA). Qualitative Comparative Analysis is a technique of cross-country comparison, based on Boolean algebra, relatively unexplored in the social sciences in comparison to more mainstream techniques such as regression analysis (Koenig-Archibugi 2004:150). Its use seems particularly relevant in this case because of its specific applicability to medium-*N* studies such as the 16 European countries considered here (Ragin and Rihoux 2004:5; see Ragin 2000:25). I have chosen to examine European countries (European Union Member States plus Norway and Switzerland) and exclude Canada and the United States, as these latter countries are not subject to the same regional agreements (including regarding human rights) as those within Europe and so are not so easily comparable; indeed, Ragin suggests that researchers select cases that are "alike enough to permit comparative analysis" (Ragin 2000:57; for a similar approach see Neumayer 2005:56).

A full explanation of fsQCA will be provided in Chapter Three. This follows on from the literature review provided in Chapter One, outlining the basis for an analysis of human rights conditions, and the examination of recognition rates provided in Chapter Two. Chapter Four, finally, discusses the fsQCA results and implications for governance of refugee protection. With regards to refugee protection, I subscribe here to the view that countries are not fulfilling their duties towards refugees and that a "common market of deflection" has been

established (Noll 2000). My argument is thus based on the premise that maximisation of refugee protection is the ultimate goal of the protection regime, which from the literature appears to be a widely held view. So, the discussion of governance will focus on how best to maximise this protection, rather than for instance sharing ‘burdens’ (see Thielemann 2003). Whilst much of the discussion is relevant to ‘burden sharing’, the emphasis in this study is on improvement of provisions from the perspective of the refugee, rather than the state. It contributes to the field of refugee protection by suggesting that we complicate our view of what is currently seen as a “tug-of-war” (Steiner 2000:7) between human rights norms and interests, and proposing a realistic response to the dilemma of protection that is currently being experienced, not just in Europe but across the world, by refugees.

## Chapter One: Explaining International Protection

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Despite the fact that refugees have been a recurring feature of international politics for centuries, international cooperation on the issue was late in coming. Whilst there was some action on refugee protection before World War II, what is now referred to as the “international refugee regime” (Loescher 1989:9) was only established in 1950 with the creation of UNHCR, followed a year later by the 1951 *Convention relating to the Status of Refugees* (hereon referred to as ‘the Convention’) which formalised protection in international law (see Goodwin-Gill 2008; Loescher 1989). Moreover, the Convention was very much a product of the Cold War, with several countries, and notably the Soviet Union, refusing to sign up to it (Loescher 1993:59, 63-64). Indeed, within the bipolar construction of international politics that existed from the end of World War II until the late 1980s, rather than being merely a norm that was confined to the West refugee protection was in fact used as a tool in the Cold War and was seen in terms of the interests of individual states (see Loescher 1993; 2001a). It was only in the years following the fall of Communism that the rhetoric of refugee protection became largely an issue of human rights rather than one of strategic state interest.

### *The logic of refugee protection during the Cold War*

Scholarship concerning refugee protection during the Cold War focuses heavily on the interest-based, strategic motivations of states, particularly the US, in accepting refugees. Gil Loescher’s contribution to the field has been invaluable, and several of his works document the evolution of UNHCR and states’ commitment to refugee protection (see Loescher 1993; 2001a; 2001b). Emma Haddad, too, talks of “the intensely political and strategic nature of the construction of the 1951 Convention within the Cold War refugee debate” (2008:138).



While refugee movements satisfied the desire of Western states to ideologically undermine the Soviet bloc, then, these movements were tolerable and, as the US Escapee Program showed, even encouraged (Loescher 2001a:60-61; 1993:59). The literature has highlighted that during the Cold War period any trace of humanitarianism to be found in this reception of refugees (a certain *kind* of refugees, however, as it was exclusively European refugees that were welcomed (Loescher 1993:57)) was ensconced in a “strategic conceptualisation” of refugees (Haddad 2008:138), expressed perfectly by the title of Loescher’s book, *Beyond Charity*. This ‘generosity’ was very much a product of its time; states’ willingness to accept refugees was assisted by the fact that the Iron Curtain kept most people from leaving the Soviet Union and so very few refugees actually made it to Western Europe or North America (Haddad 2008:143). The idea on the one hand of a concept of refugee protection based on human rights, and on the other the strategic interests of individual states, did not diverge. Life was “made easy” both for those who received asylum flows and those who were attempting to monitor international cooperation (Loescher 2001a:7).

However, by the 1980s it was clear that the situation was changing. This decade saw the increasing arrival in Europe of asylum seekers from conflicts in Africa, Asia, the Caribbean, Central America and the Middle East, “[ushering] in a new era of restrictions and challenges” (Loescher et al. 2008:31,101; Loescher 2001b:45). Interestingly, Loescher et al. put this change down to a “shift away from the focus on human rights that had defined the post-war era” (2008:31). However, from the literature discussed above it seems more likely that the shift was instead away from an understanding of refugees as useful somehow to the strategic interests of Western powers, primarily due to their increasing numbers and their increasingly diverse countries of origin, in addition to the fact that economic recession in the West had reduced the worth of refugees as extra labour and also no doubt partly due to the relaxation of

Soviet rule through Gorbachev's *glasnost* policies (Loescher et al. 2008:11-12). By the mid-1980s, therefore, the interests of European governments and the UNHCR had begun to diverge (Loescher et al. 2008:34) and the former became characterised by their constraint of asylum arrivals and refugee protection. It is notable that the rhetoric of the literature surrounding refugee protection, too, diverges. Whilst the Cold War is depicted as an era during which refugee protection was very much based on strategic interests, with humanitarian norms at best aligned with them and at worst irrelevant, literature discussing post-Cold War refugee protection constructs it as a period during which states' strategic interests have served only to limit refugee protection. Arguments for a commitment to protection are now based almost entirely on the importance of international human rights norms and the responsibility of states to uphold them, leading arguably to what could be called the 'humanitarianisation'<sup>1</sup> of the discourse of refugee protection.

#### *The humanitarianisation of post-Cold War refugee protection*

The concept of a humanitarianisation of refugee protection seems useful for referring to the tendency of the literature to link protection with compliance to human rights norms. This does not seem to be an unreasonable connection to make, and indeed follows an accepted interpretation of refugee protection as an issue of human rights, despite the normatively unsavoury motivations of Cold War protection. Article 1 of the 1951 Convention, which in 1967 was updated to remove temporal and spatial restrictions (Loescher et al. 2008:100), defined a refugee as any person who:

“...owing to well-founded fear of being persecuted for reasons of race, religion, nationality, membership of a particular social group or political opinion, is outside the country of his nationality and is unable or, owing to such fear, is unwilling to avail

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<sup>1</sup> The term 'humanitarianisation' here is taken from Paul Hoebink's usage, in his discussion of the relevance of humanitarian and other motives for Dutch international aid donations (Hoebink 1999).

himself of the protection of that country; or who, not having a nationality and being outside the country of his former habitual residence as a result of such events, is unable or, owing to such fear, is unwilling to return to it” (UN General Assembly 1951:152).

The implications in terms of human rights are clear: creation of refugees, at the most fundamental level, is a result of the violation of fundamental human rights which safeguard against persecution. Moreover, the timing of the drafting of the 1951 Convention to come within three years of the Universal Declaration of Human Rights (UDHR) seems like more than mere coincidence. Emerging from World War II, the international (or at least the ‘First World’) community seemed to have embraced the notion of human rights, and the Refugee Convention seemingly came under this broad umbrella (Haddad 2003:6-7; Stern 1987:44).

Of course, the fact that the *creation* of refugees may be an issue of human rights is not the same as claiming that refugee *protection* is the display of a country’s commitment to human rights norms, which is the issue being explored here. However, the idea of refugee protection as a standard of human rights is pervasive in the literature pertaining to refugee protection, and the very number of academic works which discuss the ethics of refugee protection is indicative of this (see Gibney 2004; Boswell 2005; Singer and Singer 2010). Indeed, Article 14 of the UDHR states: “Everyone has the right to seek and to enjoy in other countries asylum from persecution” (UN 1948) and, whilst the refugee regime only provides for the safeguard of *non-refoulement*, rather than guaranteeing asylum *per se*, granting asylum is seen as an act concomitant with protection of human rights (Stein 1987:59). Roger Winter, Executive Director of the U.S. Committee for Refugees from 1981 to 2001, commented at a conference in Montreal in 1987: “... refugee protection, although it has an immigration impact, is inherently a human rights issue” (Winter 1987:41), and numerous scholars and practitioners cite the willingness of a state to protect refugees as a measurement of its “moral

character” (Stern 1987:45; for a similar view of refugee protection see also Goodwin-Gill 1987:158; Coles 1987:196; Gordenker 1987:184; Gibney 2004:195). Indeed, in addition to stating that the principle of refugee protection is based on principles of fundamental human rights, Goodwin-Gill goes on to specify some of these, for instance the right to life, the right to be protected against torture or cruel or inhuman treatment or punishment, and the right to liberty and security of the person (Goodwin-Gill 1987:158-159). By implication, protection of refugees is an indication of a country’s willingness to apply human rights norms to their own practice and of their commitment to these values. “[A]sylum policy”, claim Hatton and Williamson, “is altruistic: asylum seekers are admitted because of the benefit it brings to *them*, not to the host society” (2004:22). According to them, this altruism works against the “desired direction” for states, that is, exclusion (2004:32). So, the general discourse is that maximisation of protection is a result of commitment to human rights, whilst restriction is the result of states following their strategic interests. Steiner, indeed, fittingly uses the metaphor of a “tug-of war” to refer to the tendency of the literature to assume that “international norms and morality [loosen] asylum on the one hand and national interests [tighten] it on the other” (Steiner 2000:7, 133).

Chapters Two and Three will take as their basis this humanitarianisation of refugee protection, and especially the idea that it is international human rights norms and morality which act to ‘loosen’ refugee protection; after examining countries’ varying recognition rates in Chapter Two, Chapter Three will go on to analyse the relationship between recognition rates and human rights conditions.

## Chapter Two: Asylum Recognition Rates in Europe

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As discussed above, critics frequently point to the tendency of ‘asylum states’ to minimise their protection, thus resulting in low recognition rates. However, the situation is more complicated than an across-the-board curtailment of protection based on the 1951 Refugee Convention, and claims such as Hatton’s that, “when adapting their own legislation, individual countries will take the opportunity to lower their standards” (2005:110), ignore the fact that recognition rates vary greatly across Europe. Not only do recognition rates differ from country to country but there seems to be little evidence that the level of asylum seekers accepted by states, even ones with strong regional affiliations such as those studied here, is converging (see Vink and Meijerink 2003; Neumayer 2005). This Chapter presents an explanation of asylum recognition rates in Europe, establishing what is meant in this case by ‘high recognition rates’ and discussing the issues involved in using these statistics.

### *Examining asylum recognition rates*

Since its creation in 1950 UNHCR has produced statistics on refugees and other populations that it considers to be at risk, as demanded in its Statute (Hovy 2000:1). Table 1 shows the recognition rates, as produced in UNHCR Statistical Yearbooks, for all the European countries that received asylum applications from Iraqi asylum seekers from 2006 to 2008 inclusive (UNHCR 2006; 2007; 2008).

The key documents in terms of third-country protection of refugees through an asylum application process are the 1951 Refugee Convention and the 1967 Protocol (Hatton 2005:

**Table 1*****Asylum Recognition Rates for Iraqis in selected EU Member States***

<i>Country</i>	<i>Asylum Recognition Rates for Iraqis 2006-2008 and Average (Mean)</i>			
	<i>2006</i>	<i>2007</i>	<i>2008</i>	<i>Mean</i>
<b>Austria</b>	49	47	49.9	48.63
<b>Belgium</b>	12	30	38	26.67
<b>Cyprus</b>	0	6	15.9	7.3
<b>Denmark</b>	0	0	6.4	2.13
<b>Finland</b>	6	9	15.6	10.2
<b>France</b>	10	30	72.4	37.47
<b>Germany</b>	7	63	91	53.67
<b>Greece</b>	0	0	0.1	0.03
<b>Hungary</b>	*	84	28.4	56.2
<b>Ireland</b>	51	49	52.4	50.8
<b>Italy</b>	*	52	42.8	47.4
<b>Netherlands</b>	1	12	5.4	6.13
<b>Norway</b>	3	0	7.5	3.5
<b>Sweden</b>	4	1	6	3.67
<b>Switzerland</b>	16	13	14.9	14.63
<b>United Kingdom</b>	5	15	16.9	12.3

*Sources: UNHCR Statistical Yearbooks 2006, 2007, 2008; figures shown to 2 decimal places;  
\* indicates no data available*

108). It is Convention recognition that is focused on here, rather than the various types of complementary humanitarian protection that exist in countries of asylum, for two reasons. Firstly, whilst humanitarian protection varies among states, the Refugee Convention is in theory consistent and so countries ought to have a similar level of recognition of *prima facie* similar cases (see ECRE 2009; Neumayer 2005:43). Humanitarian protection rates are no doubt useful in looking at countries' relative willingness to protect asylum seekers, but are less convincingly comparable. Secondly, Neumayer has demonstrated that whilst combined recognition rates (that is, recognition rates for both Convention refugees and those offered humanitarian protection) show very little variation when considering conditions in the country of asylum, Convention rates are more sensitive to factors "outside the merit of the

asylum claim” (Neumayer 2005:64). This could plausibly be explained by the fact that states offer an inferior protection category when it is in their interests to do so, however no matter what the explanation it seems from the evidence presented that a focus on Convention recognition rates will give us a more valuable measure of variation amongst countries of destination.

Moreover, whilst some scholars have argued that it is more useful to look at recognition rates per GDP or population, here the recognition rate is used alone (Vink and Meijerink 2003:300; Steiner 2000:7-8). Whilst the argument for sharing the ‘burden’ of refugees in terms of countries’ GDPs or population sizes is a compelling one, “in principle... the Convention provides access to asylum procedures for an unlimited number of applicants” (Hatton 2005:108). Convention recognition should therefore not be related to a country’s financial situation and, on the contrary, “should be assessed purely with regards to the merits of the claim” (Neumayer 2005:43). Thus, it is assumed here that recognition rates do not have a simple linear relationship to GDP. This is, admittedly, a questionable and highly normative assumption, however Thielemann and Dewan (2006) have demonstrated that recognition rates do not display obvious ‘free-riding’ of smaller states on larger ones and this suggests to us that there is no coherent reason why we should measure recognition rates in terms of GDP. Nor does Hatton’s claim that “[c]ountries that have fewer applications have been free to adopt somewhat more generous policies” seem to hold empirically (2005:116). Table 1, for instance, shows Germany to have a high recognition rate despite having received large numbers of Iraqi asylum seekers, second only to Sweden in 2008 (UNHCR 2009:114-115). Finally, variation in recognition rates is often accounted for as being due to the different countries of origin of asylum seekers (Vink and Meijerink 2003:310; personal

communication with Henrik Pilgaard, UNHCR Statistician, 22 April 2010) and so in this study Iraqi asylum seekers have been singled out to eliminate this country of origin bias. Cases will therefore be *prima facie* similar to as great an extent as possible; variation in recognition rates is unlikely in this case to be based on differences in countries of origin, making them more directly comparable. Iraqi cases were chosen because they were frequently amongst the highest applicants for asylum in Europe, and applications were lodged in numerous European countries (see UNHCR 2007; 2008; 2009). However, in cases where data was not available for specific countries this has been indicated in Table 1.

#### *Establishing high recognition rates*

The “theoretically correct” asylum recognition rate is obtained by dividing the number of positive Convention decisions (in the first instance) by the total number of asylum applications lodged and turning this into a percentage (Neumayer 2005:51). However, the fact that many claims are not decided during the year that they were made means that in reality recognition rates are reflective of the number of successful *decisions* in any one year, rather than the amount of successful *applications*. There is no officially recognised threshold for when a country has a ‘high’ recognition rate, and indeed Convention recognition rates in theory should reflect ‘genuine’ applications so none is recommended. However, countries have been criticised for their low recognition rates, as well as being commended for exemplary ones. Canada, for instance, is “praised by UNHCR as an ‘exemplar’ in refugee recognition” (Gibney and Hansen 2003:3) despite a rate of less than 50 percent. For our purposes, ‘high’ recognition rates are taken as meaning any rate above the mean average of recognition rates across the years, and countries’ rankings are displayed in the first column (‘O’) of Table 3. In fuzzy-set membership terms (explained fully below), they are described



as being ‘members of the set of countries with high recognition rates’; a 1 displays consistently high rates, a 0 consistently ‘not high’ rates, and a value of 0.66 signifies countries who were ‘more in than out’ of the set, with high recognition rates on average but a below-average rate in certain years. No countries were considered to be ‘more out than in, but not completely out’ (see Chapter Three).

### *Questioning the figures*

It is important to offer a caveat regarding the employment of UNHCR statistics. For the countries under study here, statistics are provided by governments from their own records and, indeed, asylum can only be awarded by states (UNHCR 2009:41). When studying recognition rates it is clear that comparison between countries becomes very difficult due to varying methods of reporting to UNHCR (personal communication with Henrik Pilgaard, 22 April 2010). Indeed, considering the highly politicised nature of international comparisons it does not seem surprising that directly comparable tables, even if they could be obtained, are unavailable (see Landman 2004:910). Moreover, whilst a wider selection of years would have been preferable to studying trends over only three years, this was not possible because of the lack of disaggregated statistics for countries of destination with regards to the places of origin of asylum applicants between 1999 and 2006 (Neumayer 2005:51; UNHCR 2006). This limits the current study to a very specific time period, and also indicates that the statistics produced each year by UNHCR often lack comparability. The importance of approaching these statistics with caution should not be underestimated, however despite the difficulty in the production of statistics on asylum and refugee protection, and the problems with directly comparing cross-country data, UNHCR still remains the only body which produces broadly

reliable statistics on global refugee protection and they remain the most useful way of measuring refugee protection.

The next Chapter will examine these figures and attempt to determine whether the variation in recognition rates can be accounted for by specific combinations of human rights conditions in each of the countries under study.

## **Chapter Three: Examining Necessary and Sufficient Conditions**

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Through the use of fsQCA, it is possible to explore the connection between hypothesised explanatory conditions and a particular outcome, with an allowance for causal complexity rather than looking at each variable as independent (Avdagic 2010:635; Ragin 2000:33). The ‘humanitarianisation’ of refugee protection leads us to suppose that varying conditions of human rights in different countries will account for their varying recognition rates; in the case of human rights, it is clear that the conditions outlined below are highly related and so studying them from a position of causal complexity is more appropriate than treating them as independent of each other. Allowing for multiple causality, whereby different causes can result in the same outcome, is an advantage of QCA and is appropriate here because of the different conditions used which all indicate that a country is more or less ‘committed’ to human rights norms.

### *Distribution of fuzzy-set membership*

The logic of set theory employed in the fuzzy-set version of QCA used here is a useful tool for a study based on such qualitative documents as the Amnesty International Reports and the United States Department of State (US DoS) Human Rights Reports. These sources have been employed in literature on asylum regarding the state of human rights in different countries, however whilst the literature has hitherto concentrated on human rights conditions in countries of origin (see Rosenblum and Salehyan 2004:685; Neumayer 2005:53), here the situation in destination countries is considered. Indeed, only once is reference made to human rights conditions within the literature relating to the role of human rights norms in asylum recognition rates. Thielemann uses Overseas Development Aid (ODA), expenditure on social protection and total asylum recognition rates as measures of a country’s commitment to these

norms (2003:269). I have chosen different measures for several reasons; firstly, asylum recognition rates could not be used in this case because this is the outcome being measured; secondly, there is considerable debate over the instrumental use of ODA and doubts over whether it can be convincingly linked to human rights norms (see McKinley and Little 1979); thirdly, human rights norms seem more convincingly explained with reference to the categories set out in the UDHR. Weiner points to various human rights norms applicable to refugee protection, such as the right to free movement, the right to fair trial, respect for human life and commitment to non-discrimination, which overlap with the human rights regime (Weiner 1998:437). I have therefore chosen to focus on measures linked to the UDHR, and have used five key conditions and subsections as identified in the US DoS Reports, which are shown in Table 2. All of the conditions here could lead to high recognition rates, though in particular it will be interesting to see whether C2) and C5), with their references to the rights of asylum seekers and ethnic minorities, stand out in the fsQCA analysis. Of course, the fact that this analysis eliminates causality based on strategic interests limits the scope of this study. However, as explained above, this essay sets out to explore an outcome of high recognition rates as a product of commitment to human rights *only*, following on from a literature review that suggested that ‘interests’ will minimise protection, whereas in cases where it is maximised human rights will emerge as the key explanation. Moreover, even in a broader consideration of causal configurations it is unlikely that it is ever possible to identify all possible causal conditions, and an exploration which sets out to examine relationships between outcomes and likely conditions seems to be the best that can be hoped for.

**Table 2*****Key human rights conditions identified in US Department of State Human Rights Reports***

<b>Condition</b>	<b>Subsections</b>
<b>C1) <i>Membership of the set of European countries which display a commitment to the Integrity of the Person</i></b>	<ul style="list-style-type: none"> <li>a) Arbitrary/unlawful deprivation of life</li> <li>b) Disappearance</li> <li>c) Torture and other cruel treatment, including prison and detention conditions</li> <li>d) Arbitrary arrest/detention</li> <li>e) Fair trial</li> <li>f) Interference with privacy</li> </ul>
<b>C2) <i>Membership of the set of European countries which display a commitment to Civil Liberties</i></b>	<ul style="list-style-type: none"> <li>a) Freedom of speech/press</li> <li>b) Peaceful assembly/association</li> <li>c) Freedom of religion<sup>1</sup></li> <li>d) Freedom of movement, treatment of asylum seekers, protection of refugees</li> </ul>
<b>C3) <i>Membership of the set of European countries which display a commitment to Political Rights</i></b>	<ul style="list-style-type: none"> <li>a) Free and fair elections</li> <li>b) Government corruption (in the 2009 Reports, this is a separate category but for our purposes it has been included in C3) throughout)</li> </ul>
<b>C4) <i>Membership of the set of European countries which displays a commitment to IGO and NGO Operations</i></b>	[no subsections]
<b>C5) <i>Membership of the set of European countries which displays a commitment to ending Discrimination and Societal Abuses</i></b>	<ul style="list-style-type: none"> <li>a) Women</li> <li>b) Children</li> <li>c) Trafficking</li> <li>d) Disabled people</li> <li>e) Ethnic/religious minorities</li> <li>f) Other</li> </ul>

***Sources: United States Department of State Human Rights Reports 2007, 2008, 2009***

The Appendix presents the coding of the sources, giving a summary of the situation in each country under study. It is not exhaustive, and for full details reference must be made to the original documents; however, it sets out the reasoning for the set membership allocated to each country. Amnesty International and US DoS Reports give little indication of any ‘ranking’ of countries based on their performance, a practice followed by a majority of organisations for fear of recriminations and loss of credibility (Landman 2004:910), and set membership has therefore been devised according to a ranking developed from a close

reading of the primary sources. A four-point calibration scale was used because the nature of the sources made a continuous ranking impractical, but a crisp set analysis inadequate. Set membership is calculated in a variety of different ways in separate studies, including directly translating variable-based figures (see Avdagic 2010:636; Koenig-Archibugi 2004:156; Ochel and Rohwer 2009:9). Set membership values used here gave substantial consideration to the distinctly non-numerical nature of the sources used and, as Ragin advises, a “*conceptual understanding*” (2000:157) of the fuzzy set in assigning membership. In particular, judgement of when a country could be considered ‘more’ or ‘less’ a member of a set is considered an important area of focus, and ‘crossover point’ into membership (that is, when set membership ranking is  $> 0.5$ ) is emphasised by Ragin (2000:153-158). In this case, government involvement has been considered key because of the nature of international norm violation, which is considered particularly serious when “governments are unprepared or unwilling to force compliance” (Weiner 1998:440) and, moreover, due to the fact that in the case of asylum recognition rates states are the main actors (Loescher 2001b:33). Countries are thus considered ‘more out than in’ of a set when governments do little to resolve human rights violations, and completely out when violations are largely based on legislation introduced by governments. The following scale has been used to rank countries:

### ***1.0 Completely in the set***

Absence of reports of violations in all areas; in the case of conditions which have *isolated* reports of violations in *one* area, there is clear evidence that the government/authorities acted to *effectively* rectify this.

### ***0.67 Not completely in the set, but ‘more in than out’***

On the whole, absence of violations, however reports of violations will be present in several areas; *recurrent* reports will not be present in all areas, however. In the majority of cases, the government will have acted on violations; serious violations are likely to be absent, or isolated.

### ***0.33 Not completely out of the set, but ‘more out than in’***

Violations in several, or all, areas; if violations occur only in some areas, these will be numerous; violations may be serious, and will certainly be recurrent; little evidence of government action, and often criticism from international bodies will be evident. Violations by authorities will likely occur, and there may be evidence of legislation facilitating violations.

### ***0.0 Completely out of the set***

Serious violations likely to have occurred in all areas; little or no evidence of government efforts to address violations, and in many cases government actions or laws will have contributed to violations. Criticism from international bodies will often be evident.

So, for instance, France has been given a low membership score for C1), despite violation not having occurred in all areas; this is due to the lack of government response to the majority of violations, in addition to specific government policies (such as the introduction into law of ‘preventive detention’) which demonstrated a disregard for this area of human rights. In Austria, on the other hand, whilst their performance in C1) is not exemplary, many of the violations are addressed by the government and there is no evidence to suggest that any of the violations have been incorporated into legislation, so the country is ranked as ‘more in than out’ of the set of European countries which respect the Integrity of the Person (see Appendix). Table 3 sets out the five conditions and the outcomes of the 16 countries under study here.

The very fact that Ragin termed his method ‘Qualitative Comparative Analysis’ itself indicates that he grouped it with qualitative methods, suggesting that interpretation of the data will often depend on the researcher (Wagemann and Schneider 2007:10). An effort has been made to clarify the reasons for set membership values, though ultimately it is for the reader to decide if they believe membership to have been appropriately allocated.

**Table 3*****Outcome (O) and Conditions (C1)-C5)) for the 16 European Countries studied here***

<b>Country</b>	<b>O</b>	<b>C 1)</b>	<b>C 2)</b>	<b>C 3)</b>	<b>C 4)</b>	<b>C 5)</b>
<b>Austria</b>	1	0.67	0.67	0.67	0.67	0.67
<b>Belgium</b>	1	0.67	0.67	1.0	1.0	0.67
<b>Cyprus</b>	0	0.33	0.33	0.67	0.33	0.33
<b>Denmark</b>	0	0.67	1.0	1.0	1.0	0.67
<b>Finland</b>	0	0.67	1.0	0.67	1.0	0.67
<b>France</b>	0.67	0.33	0.67	0.67	1.0	0.33
<b>Germany</b>	0.67	0.67	0.67	0.67	1.0	0.67
<b>Greece</b>	0	0	0	0.67	0.67	0.33
<b>Hungary</b>	0.67	0.67	0.67	0.33	1.0	0.33
<b>Ireland</b>	1	0.67	1.0	1.0	1.0	0.67
<b>Italy</b>	1	0.33	0.33	0.67	1.0	0.67
<b>Netherlands</b>	0	0.67	0.67	1.0	1.0	0.67
<b>Norway</b>	0	0.67	1.0	1.0	1.0	0.67
<b>Sweden</b>	0	0.67	0.67	1.0	1.0	0.67
<b>Switzerland</b>	0	0.67	0.67	1.0	1.0	0.67
<b>United Kingdom</b>	0	0.67	0.67	0.67	1.0	0.67

***Source: own calculations; see Appendix and above.******Analysis of Necessary Conditions***

Here, I follow Ochel and Rohwer (2009) in using fsQCA to assess the necessary and sufficient conditions for a particular outcome (O), in this case high recognition rates. Using the programme fsQCA 2.0 (Ragin et al. 2006), Table 4 shows the results when inputting O as present and analysing for necessary conditions. Conditions are considered necessary when they occur in all instances of an outcome. Consistency scores range from 0 to 1, with 0 indicating no relationship; a relatively high consistency threshold of 0.85 has been used here (Ochel and Rohwer 2009:17). Table 4 shows that the only condition that can be considered necessary for the presence of O is C4). This result will be discussed below, after analysing for the presence of sufficient conditions.



**Table 4***Consistency and Coverage levels for Necessary Conditions when O is present*

	Consistency	Coverage
<b>C1)</b>	0.667221	0.444075
<b>C2)</b>	0.778702	0.437792
<b>C3)</b>	0.833611	0.394799
<b>C4)</b>	0.945091	0.387185
<b>C5)</b>	0.667221	0.428419

*Sources: own calculations, using fsQCA 2.0 (Ragin et al. 2006)**Analysis of Sufficient Conditions*

Whilst a condition is considered necessary if it must be present for the outcome to occur, configurations in fsQCA are sufficient if by themselves they can produce the desired outcome, so, if always when the condition is present, the outcome is also present (Wagemann and Schneider 2007:3). After data input, the fsQCA programme produces a truth table which displays all logically possible combinations of causal conditions, indicating distribution of these configurations, as fuzzy-set QCA terms them. The truth table consist of  $2^k$  rows, with k representing the number of causal conditions, and indicates the number of cases residing in each sector (Ochel and Rohwer 2009:15). In our case, there were six configurations where cases resided. Consistency scores, as for necessary conditions, range from 0 to 1, however for sufficient conditions a consistency value of below 0.75 indicates substantial inconsistency (Ochel and Rohwer 2009:15). Presence of a one indicates a consistent sufficient condition for the outcome, whereas a zero indicates that the configuration is not sufficient for the outcome to be present. After the construction of the truth table and the ‘Standard Analyses’, we are presented with an output including measures of coverage and consistency for each solution.

Table 5 shows the results of the analysis of sufficient conditions for the outcome ‘high recognition rates’ (see Ochel and Rohwer 2009:17 for an explanation of raw/unique coverage). The low consistency (consistency < 0.75) across all configurations in this analysis of sufficient conditions indicates at the simplest level that there is no subset relationship between this combination of case aspects and the outcome (Ochel and Rohwer 2009:15). It seems, therefore, that there is little relationship between high recognition rates and a country’s human rights conditions, at least not in a consideration of whether a ‘better’ human rights record is sufficient for resulting in high recognition rates, as hypothesised at the outset of this study.

The presence of C4) as necessary for the outcome is interesting because of the idea of ‘shared sovereignty’ (see Sicakkan 2008) and, moreover, Weiner’s comment that “[c]ompliance with human rights norms can be particularly great if countries have civic organizations... [that] press for domestic legislative action” (1998:436). This condition is not, however, *sufficient* for the desired outcome and so it would lead us to conclude that other factors must be considered to determine the reasons for a country’s high recognition rates. Moreover, the very low coverage suggests that the condition is substantively trivial (Ochel and Rohwer 2009:16; see Braumoeller and Goertz 2000). Interesting to briefly note, too, is that when ‘Standard Analyses’ are run for ~Outcome (where ~ signifies negation of the Outcome, thus testing for ‘not high’ recognition rates) we are given a parsimonious solution indicating a sufficient condition of ~c2\*~c5, with a consistency score of 78.66. In plain English, this means that a sufficient condition for ‘not high’ recognition rates is the absence of conditions C2) and C5). Whilst here we are examining reasons for high recognition rates, rather than ‘not high’ ones (Ragin warns against assuming that, for instance, ‘not high’ can be equated

**Table 5***Coverage and Consistency levels for Sufficient Conditions when O is present*

	Raw coverage	Unique coverage	Consistency
$\sim c1 * \sim c2 * c3 * \sim c5$	0.329451	0.000000	0.426724
$\sim c1 * c3 * c4 * \sim c5$	0.440932	0.056572	0.444631
$\sim c1 * \sim c2 * c3 * c4$	0.386023	0.056572	0.500000
$c1 * c2 * \sim c3 * c4 * \sim c5$	0.331115	0.056572	0.667785
$c1 * c2 * c3 * c4 * c5$	0.610649	0.226290	0.422325

*Sources: own calculations, using fsQCA 2.0 (Ragin et al. 2006)*

with ‘low’ (2000:164)), it certainly seems worthy of further study, particularly because C2) and C5) were previously given as conditions that seemed especially relevant to refugee protection.

Little evidence has been presented as a result of this fsQCA analysis to suggest that a commitment to respecting human rights is the main determinant of a country’s high asylum recognition rate, particularly shown by a lack of ‘sufficient’ conditions. Chapter Four will therefore depart from the idea, demonstrated as being pervasive in much of the literature on refugee protection, that human rights is the primary cause of a maximisation of protection. Instead, it will consider the idea that state interests are an important reason for higher asylum recognition rates and discuss the implications of this for governance of international refugee protection.

## Chapter Four: Re-examining the Motivations for Protection

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Having been left with little certainty over either the necessary or sufficient human rights conditions that a country must display for high recognition rates after the fsQCA carried out above, we are led to reasonably conclude that other factors must be examined in order to provide an explanation for high asylum recognition rates. Whilst it would be jumping to conclusions to entirely rule out the possibility that commitment to human rights has an impact on recognition rates, and further examination would be required to determine this, it seems that varying rates of commitment alone do not provide us with an explanation for different recognition rates. The ‘tug-of-war’ between human rights norms and interests pointed to earlier, which sees the former maximising refugee protection and the latter minimising it, seems not to hold up to empirical scrutiny. This Chapter will argue, indeed, that there is little precedent in reality for expecting it to. ‘Governance’ in this case must be based on practical solutions to maximise protection rather than approaches that, despite being more normatively appealing, have little practical effect.

### *Strategic explanations for high recognition rates*

Despite the common view in the literature cited above that commitment to human rights guides states’ commitment to refugee protection, scholars have also recognised the important role that strategic interests have played in asylum recognition rates, even in the post-Cold War period. Notably, in the “norms-versus-interests” debate Rosenblum and Salehyan endeavour to show in the case of US asylum policy that, “when the normative goal of granting asylum to applicants in need conflicts with US strategic interests”, it is the latter that prevail (2004:677). In an earlier article Salehyan, similarly, explores the primary reasons that

the US engages in refugee protection efforts and argues that state interests have taken precedence over humanitarian concerns (2001). Thielemann, meanwhile, approaches the debate by considering burden-sharing initiatives and, within this, asks a similar question to the one posed here: “Why is it that some EU Member States are prepared to accept higher relative burdens than others?” (2003:254). His conclusion suggests some optimism in its conclusion that “looking at countries’ commitment to certain distributive and humanitarian norms in order to explain the varying willingness of states to accept burdens offers a plausible [explanation]” (Thielemann 2003:270). Notwithstanding the differences between Thielemann’s study and this one, our findings here suggest otherwise or, at least, they lead us to severely doubt an explanation that is solely centred on human rights.

This concept of ‘norms-versus-interests’ perhaps obscures the considerable overlap of human rights norms and strategic interests, and the possibility that it can be in a state’s interests to be seen as committed to human rights. Betts indicates the possible “*excludable prestige*” and “*excludable altruistic*” benefits that can be derived from refugee protection, the former deriving from a country’s desire to be seen as having a strong human rights record and the latter based on norm diffusion (Betts 2003:286-287; see Salehyan 2001:4; Gibney and Hansen 2003:14). This essay does not deny this possibility entirely, however takes issue with the idea on two counts. Firstly, if ‘excludable prestige’ benefits had played a large part in refugee protection in the countries under study here, arguably the fsQCA would have shown a stronger pattern of human rights compliance for those countries with high recognition rates. Secondly, in the case of ‘excludable altruistic’ benefits, it is not claimed here that norm diffusion in the area of refugee protection is completely absent, and indeed this would be difficult to demonstrate. However, the deflection that has characterised states’ reaction to the

“asylum crisis” (Loescher 2001:12) is indicative of a failure of the international community, and especially those in the global North, to protect people seeking asylum. Indeed, it is this ‘crisis’, arguably a sign of the lack (or at least inadequacy) of a norm of protection, that is considered with here. Varying recognition rates are a crucial aspect in this regard, to indicate the conditions under which protection is *not* under-provided.

Haddad provides us with an interesting view of the “clash of values” involved in refugee protection, that is, the fact that “human rights are inherently cosmopolitan whereas refugees are an expression of positive law in a pluralist world” (2003:7). It is, she says, “important to remember... that while natural rights would still exist in a world without states, the refugee would not” (2003:7). Her conceptualisation of the refugee problem is one that relies on the existence of a state-based international system in the first place, and the cosmopolitan aspiration of the human rights regime “to a solidarist world beyond the nation state” (2003:10) thus seems entirely redundant for those caught up in a state system yet denied the protection of any state. She provides us with a convincing basis for separation of refugee protection and human rights; the latter, based as it is on cosmopolitan idealism, has only limited relevance to the issue of refugee protection.

Having argued here that human rights are not the sole determinant for countries’ high recognition rates, and indeed are unlikely to ever be due to an inherent clash of the very systems which underpin refugee protection on the one hand and human rights protection on the other, it seems that we arrive at a position very similar to that taken by scholars of Cold War refugee protection. Like Goodwin-Gill, who recognises that “[i]t is unrealistic to

imagine that the problem of refugees can ever be entirely non-political” (2008:8), we question here the notion that refugee protection has evolved “from the “political”” of the mid-20<sup>th</sup> century, “finally to the humanitarian” of the present day (2008:11). Instead, it seems more reasonable to take a position that recognises strategic interests as important in the determination of asylum recognition rates.

### *The (im)possibility of governance?*

We are left, therefore, with a thoroughly realist perspective of refugee protection. Not only has the analysis presented here indicated that factors based on strategic interests will be important in explaining variations in recognition rates, but following on from Haddad it has been suggested that refugees (and as a result their protection) can *only* exist in an international system characterised by the predominance of states. However, despite an acceptance of the view expressed by scholars such as Gilpin that a system of governance is not possible in the state-based system (2002:237), adoption of a realist perspective does not preclude the possibility of regulating the system of refugee protection *tout court*. “Realists”, Snyder tells us, “are often described as amoral, because they do not reduce morality to Kantian categorical imperatives” (2008:4). However, rather than being discouraged by the idea that strategic interests provide the motivation for much humanitarian action, this very realisation can provide us with a more empirically-grounded response to the issue of refugee protection.

Weiner’s notion of ‘instrumental humanitarianism’ (1998:442) seems to offer a framework around which to base a new rhetoric of refugee protection. His assessment of humanitarian

policies considers “whether there is a reasonable likelihood that particular humanitarian objectives can be achieved” (1998:442), rejecting the idea that ““all good things go together”” (1998:442) and instead arguing for policies based on pragmatism which attempt to maximise the humanitarian ‘good’ through instrumental means. This could be criticised for being a thoroughly utilitarian perspective but seems to match the empirical reality of refugee protection well. Indeed, despite criticism by UNHCR of interest-based approaches to refugee protection which “[brought] political considerations into an essentially humanitarian context” (Goodwin-Gill 2008:18), there is evidence that important international organisations such as UNHCR and Amnesty International see moral arguments as limited in convincing parliamentarians to adopt a looser approach to asylum (Steiner 2000:142). Loescher (2001b) has pointed to the importance of UNHCR in the domain of refugee protection and, whilst here a state-based approach has been adopted, the contribution of other actors cannot be ignored. So, whilst UNHCR cannot be seen as an over-arching system of *government*, it can still be considered an influential actor in the refugee regime, giving it a key role in the implementation of ‘instrumental humanitarianism’. Indeed, during the 1990s Sadako Ogata, the High Commissioner, “regularly briefed the UN Security Council on humanitarian situations and frequently drew their attention to the political and strategic significance of refugee and other forced movements of people” (Loescher 2001b:43-44). “Instrumental-communitarian” and “hegemonic” models of protection, adopted in the post-World War II period and during the Vietnam War, further show the ability of UNHCR to respond to issues of refugee protection by recognising power- and interest-based motivations for protection (Suhrke 1998:413-414).



Betts has already pointed out the importance of the use of ‘linkages’ in the refugee regime, because of the reluctance of Northern states to contribute to protection in the South when this protection is not obviously in their own interest (see 2008). However, his assumption that refugee protection in the North is an established norm (Betts 2009:11) seems too optimistic when applied to the context of this essay. It is clear from the discussion presented in the first two Chapters that states are increasingly unwilling to assume the ‘duty to protect’ that they espouse in their rhetoric. However, we reject here as Betts does the idea that “states only perceived the refugee regime as a monolithic burden to be shirked” (Betts 2008:160) and instead point to the excludable benefits that evidence would suggest states derive from refugee protection. There is little precedent, in either the literature or empirical study, to suggest that states disregard their strategic interests in their provision of protection to refugees. Betts’ notion of refugee protection as satisfying a ‘joint-product model’ is useful in our case because it helps to explain why recognition rates vary, rather than consistently being low; whilst I reject the idea that countries primarily benefit because of commitment to norms or altruism, it does seem that refugee protection allows for excludable benefits which have the potential to be managed (see Betts 2003). His notion of issue linkages, too, can be applied to regional protection just as it can be to the “North-South impasse” (Betts 2008:157) in order to facilitate this ‘management’. UNHCR, by no means an insignificant actor in the realm of refugee protection, has the potential to harness these benefits and to reframe refugee protection as concomitant with strategic interest.

This essay has indicated that strategic interests are still important for refugee protection, even in the post-Cold War world, and there is little reason to think this will not continue. By linking asylum and refugee protection to states’ other interests, a model of ‘instrumental

humanitarianism' could help to maximise protection thus introducing a decentralised market-based model of 'protection by persuasion' (Betts 2009) firmly based on realistic expectations.

## Conclusion

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“... [N]o one really wants a return to principle-free power politics. Rather, they want principled policies that are effective and take into account the world as it really is, not as ideologues would wish it to be. Realism in this sense can be a great ally of humanitarianism” (Snyder 2008:2).

This essay set out to explore the hypothesised link between European states’ commitment to human rights and their asylum recognition rates. Having found little evidence to point to a commitment to human rights as the main determining factor of a country’s recognition rates, however, the conclusion here cannot be definitive. Whilst it would be rash to completely rule out human rights in countries of destinations as contributing to protection levels, the evidence presented suggests that we must look elsewhere for our key determining factors. Drawing upon the literature, I have therefore suggested that strategic interests must be a serious consideration in the attempt to maximise refugee protection, and proposed a decentralised market-based system in which UNHCR can exercise its influence to encourage issue-linkage and the view of refugee protection as being in states’ interests. There is much precedent, in both the literature and empirical studies, to substantiate this.

Here, I have focused on asylum provision rather than any other type of protection associated with forced migration. However, given that “the problem [of asylum] is generally located in the South and the means to resolve it lies primarily in the North” (Betts 2008:175), it is key that a practical and durable solution to the ‘asylum crisis’ is overcome. Further study in this area would do well to look at the form that the proposed market-based system could take and the role of UNHCR within it. Though perhaps normatively unappealing (Betts 2003:293), it is arguably the best way to realistically ensure maximisation of refugee protection and the most effective compromise “between the is and the ought” (Haddad 2003:23).

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## Appendix

Country	Human Rights Condition	Details of human rights situation and QCA set membership <sup>i</sup>
Austria	1. <i>Respect for the Integrity of the Person</i>	a) One incident of police involvement in the death of a teenage burglar, addressed by authorities b) No reported violations c) Some reports of excessive police abuse, government had mechanisms in place to address this; conditions in prisons and detention centres did not always meet international standards due to overcrowding; several allegations of mistreatment of detainees which were investigated by the government d) Strict application of slander laws discourages reports of police abuse; some criticism of police targeting minorities, with government response; criticism of long pre-trial detention; concern over lack of legal aid e) Isolated violations of the right to a fair trial found by the ECHR f) ECHR found the government in violation of the right to respect for private and family life in one case <b>0.67</b>
	2. <i>Respect for Civil Liberties</i>	a) Isolated concerns over strict libel laws, including from the ECHR. b) No reported violations c) 'Sects' complained about "second-class status"; isolated reports of discrimination due to religious dress d) Some concern over the treatment of asylum seekers, including from the Council of Europe <b>0.67</b>
	3. <i>Political Rights</i>	a) No reported violations b) A Council of Europe report found that the country was still at an early stage in the fight against corruption, though anticorruption initiatives had been adopted; the report cited instances of a lack of police independence and transparency <b>0.67</b>
	4. <i>IGO and NGO operations</i>	Isolated reports of dissatisfaction with information supplied by authorities to NGOs <b>0.67</b>
	5. <i>Discrimination and Societal Abuses</i>	a) Some reports of violence against women and UN criticisms that the government had insufficient measures to combat this, which the government addressed; government implemented awareness-raising campaign of gender inequalities b) Isolated reports of child abuse, with government efforts to monitor abuse and prosecute offenders c) Trafficking a recurrent problem, addressed by the government d) No reported violations e) Reports of anti-Islam discrimination, including from authorities; isolated anti-Semitic incidents including amongst authorities, who were reprimanded; recurrent discrimination against Roma, but improving with government response; members of sects reported societal discrimination; government continued to implement educational programmes to combat discrimination f) Isolated reports of societal discrimination against homosexuals <b>0.67</b>
Belgium	1. <i>Respect for the Integrity of the Person</i>	a) No reports of violations b) No reports of violations c) Frequent and consistent overcrowding of prisons; concern over airport detention centres and immigration



		centres in general; isolated police corruption; one case ruled by the European Court of Human Rights of violation by the country of provisions prohibiting inhuman or degrading treatment, but willingness shown by the government to respond with legislation.	
		d) Concerns over 90-day pre-trial detention; ; ECHR reported one denial of a fair hearing due to legal issue, and the government introduced changes to the law in response	
		e) No reported violations	
		f) No reported violations	<b>0.67</b>
	<i>2. Respect for Civil Liberties</i>	a) No reported violations	
		b) No reported violations	
		c) The courts dealt with one instance of violation of religious freedom of four Sikh pupils; isolated report of police entering a Sikh temple in a raid	
		d) Some NGO criticism of conditions for asylum seekers in closed centres	<b>0.67</b>
	<i>3. Political Rights</i>	a) No reported violations	
		b) Isolated corruption of civil servants effectively dealt with by authorities	<b>1.0</b>
	<i>4. IGO and NGO operations</i>	No reported violations	<b>1.0</b>
	<i>5. Discrimination and Societal Abuses</i>	a) Domestic violence a problem, though it is criminalised and the government has attempted to deal with it in legislation; some reported discrimination against women with response in legislation.	
		b) Some reports of child abuse, investigated by the authorities; concerns about the treatment of the children of asylum seekers dealt with by authorities	
		c) Trafficking a recurrent problem, addressed by the government who fully complied with the standards for elimination of trafficking	
		d) Isolated discrimination against disabled people, dealt with through government legislation	
		e) Recurring anti-Semitic and anti-Islam incidents, with a government response in legislation.	
		f) Isolated complaints of societal discrimination based on medical conditions	<b>0.67</b>
Cyprus <sup>ii</sup>	<i>1. Respect for the Integrity of the Person</i>	a) Several reports of police killings, generally dealt with in courts	
		b) No reports of violations	
		c) Recurrent reports of serious incidents of police abuse, including a video of officers beating two unarmed men; problems with overcrowding in prisons; Council of Europe's Committee for the Prevention of Torture reports possible torture in detention; the physical mistreatment of persons deprived of their liberty by police continued to be a serious problem in the country, and there was a lack of evidence of government response.	
		d) European Commission against Racism and Intolerance concern over extensive use of detention for foreign nationals; deportations of foreign nationals permitted in the public interest whether or not crime had been committed; some reports of police corruption, and evidence that the government lacked a body to deal with these; isolated ECHR judgments found the country in violation of the right to a fair hearing within a reasonable time	
		e) No reported violations	

		f) The ECHR found two violations of the right to respect for private and family life, in both cases involving police officers who had been dismissed and later reinstated following allegations of torturing detainees, and the court failed to provide an explanation for withholding compensation	<b>0.33</b>
	2. <i>Respect for Civil Liberties</i>	<p>a) Significant government restrictions placed on Turkish journalists reporting in the government-controlled area</p> <p>b) The government exerted political pressure on universities to refrain from any contact with universities in the Turkish Cypriot community because the government considered them illegal</p> <p>c) Reports from Buddhist groups of government obstacles to use property for worship, despite legislation</p> <p>d) Prohibition of Turkish nationals coming into government-controlled area; frequent reports of discrimination against asylum seekers, in addition to their detention and deportation; NGO allegations what the state was permitting the exploitation of asylum seekers</p>	<b>0.33</b>
	3. <i>Political Rights</i>	<p>a) Generally free and fair elections; the Attorney General denied 78 Turkish Cypriots the right to run because they were not living in government-controlled areas, and this was addressed in court</p> <p>b) Isolated corruption reported amongst prominent officials, addressed by the government</p>	<b>0.67</b>
	4. <i>IGO and NGO operations</i>	Ability of organisations and individuals to carry out bi-communal activities impinged upon by the government (led to UNDP having problems operating); political pressure on universities to refrain from contact with universities in the Turkish Cypriot community; UN General Secretary calls these impingements on NGOs by the authorities a “trend”; lack of international organisations operating in the country; evidence of the government consistently ignoring ombudsman consultations	<b>0.33</b>
	5. <i>Discrimination and Societal Abuses</i>	<p>a) Little effective protection given to victims of domestic violence; equal pay laws at blue-collar level ineffective despite a strong legal framework; report of sexual harassment by a government ambassador, who was charged by subsequently acquitted</p> <p>b) Some reports of child abuse, investigated by the authorities</p> <p>c) Trafficking a recurrent problem; understaffed trafficking unit and reports of government tolerance of trafficking, including corruption and xenophobia in police dealings with victims of trafficking; leak by the press of a report submitted by the police that stated that traffickers have an influence on government officials</p> <p>d) Little provision in infrastructure for the physically disabled and few centres for mentally disabled; government enforcement of legislation ineffective</p> <p>e) No firm immigration and integration policy; recurrent reports of mistreatment of asylum seekers; attacks on Turkish Cypriots within schools; in schools, classes continued to use textbooks with inflammatory language derogatory of Turks and Turkish Cypriots; complaints from Turkish Cypriots over lack of Turkish-language school seemingly ignored by government</p> <p>f) Some evidence of discrimination against homosexuals, including by authorities; no specific LGBT legislation</p>	<b>0.33</b>
Denmark	1. <i>Respect for the Integrity of the Person</i>	<p>a) No reported violations</p> <p>b) No reported violations</p>	

		c) Military police sergeants charged with improper interrogation of detainees (charges later overturned, but this still lead to improvements in rules of conduct); isolated reports of use of excessive force by police	
		d) Pre-trial detainees held with convicted criminals; some reports of lack of access to lawyers; concerns over transfers of prisoners led Minister of Defence to announce that troops would monitor treatment of prisoners	
		e) No reported violations	
		f) No reported violations	<b>0.67</b>
	<i>2. Respect for Civil Liberties</i>	a) No reported violations	
		b) No reported violations	
		c) No reported violations	
		d) No reported violations	<b>1.0</b>
	<i>3. Political Rights</i>	a) No reported violations	
		b) Isolated cases of official corruption, dealt with effectively by the government (country reports mention reports of corruption but give no further details or evidence)	<b>1.0</b>
	<i>4. IGO and NGO operations</i>	No reported violations	<b>1.0</b>
	<i>5. Discrimination and Societal Abuses</i>	a) Women underrepresented in senior business positions, government responded with gender mainstreaming projects; violence against women reported as a problem, addressed by government; isolated reports of honour killings, with government response	
		b) Some concern expressed regarding discrimination against children of migrant families	
		c) Trafficking identified as a problem, which the government effectively addressed	
		d) No reported violations	
		e) Some low-level racially motivated assaults, addressed by the authorities; reports of some discrimination in employment; legislative provisions made disproportionately restrictive for members of ethnic minorities when acquiring Danish citizenship, benefiting from family reunification and accessing social benefits	
		f) No reported violations	<b>0.67</b>
Finland	<i>1. Respect for the Integrity of the Person</i>	a) No reported violations	
		b) No reported violations	
		c) No reported violations	
		d) No reported violations	
		e) Continued reports of difficulty of access to lawyers for detainees; ECHR issued several judgments against the government for violating the rights of accused persons.	
		f) No reported violations	<b>0.67</b>
	<i>2. Respect for Civil Liberties</i>	a) No reported violations	
		b) No reported violations	
		c) No reported violations	
		d) No reported violations	<b>1.0</b>

	<i>3. Political Rights</i>	a) No reported violations b) One major allegation of improper campaign contributions to members of the prime minister's party, including the prime minister himself, and funds were returned though no investigation is mentioned in the reports	<b>0.67</b>
	<i>4. IGO and NGO operations</i>	No reported violations	<b>1.0</b>
	<i>5. Discrimination and Societal Abuses</i>	a) Problem with societal violence against women, actively combated by police and government; wage inequalities dealt with in legislation b) Some reports of child abuse, dealt with by government c) Some incidents of trafficking, with government response d) No reported violations e) Reports of racist and xenophobic attacks, dealt with by authorities; some concerns over government use of Sami land f) No reported violations	<b>0.67</b>
France	<i>1. Respect for the Integrity of the Person</i>	a) No reported violations b) No reported violations c) Repeated allegations of excessive police force; overcrowding and unacceptable hygienic conditions in some prisons, and slow government reaction; accusations of "irresponsibility" by suburban police in events surrounding the death of two teenagers; reports of police blackmailing of prostitutes, dealt with in courts; degrading treatment in prisons reported by the Council of Europe Committee for the Prevention of Torture, with lack of evidence of government response; Human Rights Watch stated that the government did not provide "real protection for fundamental rights" in the treatment of foreigners suspected of terrorist ties; reported participation in renditions; some violation of the principle of non-refoulement; d) Serious concerns over the introduction of 'preventive detention'; long pre-trial detention e) Isolated Council of Europe criticism of lack of access to case files f) No reported violations	<b>0.33</b>
	<i>2. Respect for Civil Liberties</i>	a) No reported violations b) No reported violations c) Some concerns over the 'Picard Law' (permitting the government to dissolve religious groups under certain circumstances), though it has never been used in practice; prohibition of the wearing of 'conspicuous' religious symbols in certain public places d) Criticism of expulsion practices, especially in cases of suspected links with terrorism	<b>0.67</b>
	<i>3. Political Rights</i>	a) No reported violations b) Some accusations of corruption against prominent officials, generally dealt with in courts	<b>0.67</b>
	<i>4. IGO and NGO operations</i>	No reported violations	<b>1.0</b>
	<i>5. Discrimination and Societal Abuses</i>	a) Recurrent discrimination against women wearing Islamic dress; violence against women a recurring problem; gender inequality in the workplace dealt with by authorities	

		b) Some reports of child abuse, with government response c) Trafficking a problem and generally dealt with by authorities, however in French Guyana laws were applied inconsistently and there was evidence of ignorance amongst authorities of procedures d) High unemployment rates of disabled people; evidence that companies unaware of their obligations e) Frequent anti-Semitic and anti-Islamic incidents (reported that a cemetery is desecrated every three days), generally dealt with in courts; frequent racist attacks in Corsica; recurrent reports of racist remarks made by high-level officials and discrimination against minorities, particularly Roma, by the authorities; travellers subject to laws regarding identity cards and employment that do not apply to settled citizens; institutionalised discrimination against migrants and very low migrant employment rate, with little evidence of government response; slow government implementation of anti-discrimination programmes f) Reported age-based discrimination, and discrimination against people with HIV/AIDS	<b>0.33</b>
Germany	1. <i>Respect for the Integrity of the Person</i>	a) No reported violations b) No reported violations c) Reports of poor prison conditions; isolated reports of mistreatment by army officials; Council of Europe Committee for the Prevention of Torture reported allegations of use of excessive force by police officers, which the government responded to; some evidence of participation in renditions d) Concerns over 'subsequent preventative detention' e) Isolated instances of the violation of the right to a fair trial and length of proceedings f) Reports of violations of privacy of officers for the protection of the constitution, investigated by the authorities	<b>0.67</b>
	2. <i>Respect for Civil Liberties</i>	a) No reported violations b) Concerns raised over the monitoring of organisations and the ability of the government to ban certain groups, however this was not employed c) Banning of headscarf in certain public places, generally addressed in court d) Criticism of obligation on authorities to report undocumented migrants; isolated criticism over conditions for detained asylum seekers; Bavarian law to control the right of assembly was declared unconstitutional in court and changed	<b>0.67</b>
	3. <i>Political Rights</i>	a) No reported violations b) Isolated reports of government corruption and criticism by the Council of Europe of Germany's anticorruption efforts, though accusations generally dealt with in courts	<b>0.67</b>
	4. <i>IGO and NGO operations</i>	No reported violations	<b>1.0</b>
	5. <i>Discrimination and Societal Abuses</i>	a) Violence against women a problem, addressed by the government; wide gender gap in earnings addressed by legislation b) Concern over child abuse, addressed in legislation c) Trafficking reported as being a problem, addressed by the government d) No reported violations e) Some violent anti-Semitic acts, which the government responded to; incidents of violence against	

		Muslims	
Greece	<i>1. Respect for the Integrity of the Person</i>	f) Isolated reports of discrimination against homosexuals, dealt with by authorities	<b>0.67</b>
		a) Excessive use of force by police in killing of Alexis Gregoropoulos; ECHR found Greece in violation of the right to life on several occasions	
		b) No reported violations	
		c) Reports of systematic abuse by borders officials; ECHR found Greece in violation of Article 3 and Article 14; reported use of excessive force by police officials; recurrent accusations of torture by Coast Guard in treatment of migrants; Council of Europe Committee for the Prevention of Torture repeatedly reported that the rights of people in police detention centres were not respected, with little improvement over time; World Organisation Against Torture expressed concern over lack of investigation into torture by authorities; video evidence of police violence; poor prison conditions, and independent observers often not allowed entry; accusations of police corruption, with court failure to prosecute effectively; UNHCR, along with several other international organisations, reported serious violation of human rights in migrants' detention centre, and Medecins sans Frontieres reported a "continuing humanitarian crisis"	
		d) Excessively long pre-trial detention; concerns over poor conditions for the reception of refugees and asylum seekers, and lack of government action; agents of the Hellenic Intelligence Service charged with abduction of one Indian and six Pakistani nationals; anticorruption efforts criticised; arbitrary arrests made during 2008 riots	
		e) Concerns expressed by the ECHR over inefficient court system, with reports that the judiciary was subject to influence	
		f) Frequent raids of Roma camps, with reports of police abuse and violation of the law	<b>0.0</b>
	<i>2. Respect for Civil Liberties</i>	a) Concerns over legislative restrictions on freedom of speech, though rarely invoked; requirements for radio and television stations to broadcast primarily in Greek; Reporters Without Borders reported several attacks on journalists covering the Athens riots which began in 2008	
		b) Prohibition of associations using the word 'Turkish' in their names; reports that a UN special rapporteur was held illegally at a police station for several hours after participating in demonstrations, with no response by the government	
		c) Reported obstacles to non-Orthodox religious practice; some negative reference to non-Orthodox religions in textbooks used in schools	
		d) Recurrent violations of the rights of asylum seekers; the government largely has not brought the law into compliance with the standards of UNHCR with regard to asylum procedures, though some evidence of government efforts to address poor facilities for asylum seekers; limited protection against refoulement; the Council of Europe human rights commissioner and the Committee for the Prevention of Torture criticised detention facilities; Norway stopped returning refugees and asylum seekers to the country after receiving information from Greek NGOs, and testimonies from asylum seekers, that returnees were mistreated and that their rights infringed upon in Greece, and Sweden and the Netherlands also suspended the return of certain asylum seekers; the European Council on Refugees and Exiles (ECRE)	

		reported that the rights of asylum seekers were routinely violated.	<b>0.0</b>
	3. Political Rights	<ul style="list-style-type: none"> <li>a) Despite the presence of free and fair elections, reports of discrimination against Roma in voting;</li> <li>b) Reports of corruption with impunity amongst government officials; widespread bribery; access to government information sometimes difficult to obtain; World Bank indicated that corruption a serious problem, though this was largely dealt with in court and the Prime Minister made clear moves to tackle this by making anticorruption a key element of his party's programme</li> </ul>	<b>0.67</b>
	4. IGO and NGO operations	Isolated reports of harassment or threats of NGO workers; government largely effective in cooperating with NGOs in different years	<b>0.67</b>
	5. Discrimination and Societal Abuses	<ul style="list-style-type: none"> <li>a) Reported problems with domestic violence and sexual harassment, including in the workplace</li> <li>b) Lack of government provisions for protection for vulnerable children and lack of effort by the government to prevent the exploitation of street children; legislation punishing possession of paedophilic material introduced in 2008</li> <li>c) Trafficking a problem, and there was reportedly poor treatment of trafficked minors; charges against senior police officers of trafficking complicity</li> <li>d) Reported lack of implementation of laws relating to disabled people</li> <li>e) Discrimination against and segregation of Roma occurred, including by government authorities, and was noted with concern by the ECHR</li> <li>f) Discrimination of homosexuals by authorities, but ombudsman advising police on behaviour; institutionalised discrimination against conscientious objectors</li> </ul>	<b>0.33</b>
Hungary	1. Respect for the Integrity of the Person	<ul style="list-style-type: none"> <li>a) No reported violations</li> <li>b) No reported violations</li> <li>c) Reports of excessive force used by police, especially against Roma; problems with prison overcrowding; recurrent reports of police involvement in criminal acts, and evidence of police impunity, but the government took measures to regulate this and many violations dealt with in court</li> <li>d) Some reports of police corruption, dealt with in courts</li> <li>e) Some concerns over the transparency of courts</li> <li>f) No reported violations</li> </ul>	<b>0.67</b>
	2. Respect for Civil Liberties	<ul style="list-style-type: none"> <li>a) Charges of biased government-owned media, though generally a free media; libel laws could discourage criticism of the government; Organisation for Security and Cooperation in Europe criticised regulations covering disclosure of classified information by journalists</li> <li>b) Isolated incidents of government denial of the right to demonstrate</li> <li>c) Isolated report of government failure to effectively disburse subsidies to religious schools</li> <li>d) Some concerns over the treatment of asylum seekers</li> </ul>	<b>0.67</b>
	3. Political Rights	<ul style="list-style-type: none"> <li>a) No reported violations</li> <li>b) Both high- and low-level officials believed to frequently engage in corrupt practices with impunity; the World Bank criticised widespread government corruption, and little effective action was taken; the 18-member Anticorruption Coordination Board ceased its activity; Prime Minister lied during election</li> </ul>	

		campaign; report of government unwillingness to make public information available	<b>0.33</b>
	<i>4. IGO and NGO operations</i>	No reported violations	<b>1.0</b>
	<i>5. Discrimination and Societal Abuses</i>	a) Violence against women a problem; government efforts to defend women from domestic violence said to be ineffective, and police reluctant to arrest abusers; narrow definition of rape; law does not prohibit domestic abuse or spousal violence, and Amnesty International warned that law and government action was ineffective b) Reports of abuse of children, and the police lacked competences to effectively protect children c) Trafficking a problem, and the government failed to effectively combat it d) Concern over discrimination against people with disabilities, and despite government efforts civil society representatives criticised the government for failing to make Hungarian laws compatible with the UN Convention on the Rights of Persons with Disabilities e) Roma received unequal treatment in the judicial process, and discrimination against them was widespread and institutionalised in all sectors; anti-Semitic incidents occurred, which were condemned by the government; discrimination based on language in schools f) Some reports of violence against homosexuals, dealt with by authorities	<b>0.33</b>
Ireland	<i>1. Respect for the Integrity of the Person</i>	a) No reported violations b) No reported violations c) Recurrent reports of abuse by police officers, particularly in detention, generally investigated by the authorities; minors held in prisons with adults; poor conditions in some facilities d) Isolated incidents of corruption within the police; some reports of mentally ill patients being inappropriately imprisoned e) No reported violations f) No reported violations	<b>0.67</b>
	<i>2. Respect for Civil Liberties</i>	a) No reported violations b) No reported violations c) Isolated concerns over prohibition of religious dress, resolved by authorities d) No reported violations	<b>1.0</b>
	<i>3. Political Rights</i>	a) No reported violations b) No reported violations [isolated allegations of government corruption were unconfirmed]	<b>1.0</b>
	<i>4. IGO and NGO operations</i>	No reported violations	<b>1.0</b>
	<i>5. Discrimination and Societal Abuses</i>	a) Isolated reports of violence against women b) Some concern over child poverty c) Isolated reports of trafficking, dealt with by the government d) No reported violations e) Isolated anti-Semitic incidents; recurrent reports of discrimination against ethnic minorities, addressed by the authorities f) No reported violations	<b>0.67</b>



Italy	1. <i>Respect for the Integrity of the Person</i>	a) Concern over the involvement of authorities in several controversial killings, and the authorities did not investigate in several cases b) No reported violations c) Reports of excessive force and violence used by police; recurrent reports of police corruption, usually dealt with by government; some overcrowded prisons; torture not included in legislation as a specific crime, and frequent allegations of torture use by authorities, which the government failed to investigate; ECHR reports of frequent violations of articles of the Convention. d) Reports of overuse of pre-trial detention; recurrent violation of the principle of non-refoulement, with government facilitation of this through, for instance, its repatriation deal with Libya e) Reports of judicial corruption f) No reported violations	<b>0.33</b>
	2. <i>Respect for Civil Liberties</i>	a) Concerns over media ownership, especially by prominent officials; criticism of judicial actions against journalists; prohibition of publication of information about government officials; threats against journalists from criminal organisations; Freedom House ranked the country only as 'partly free' b) No reported violations c) Concerns over prohibition of religious dress, including by government officials; Muslims encountered difficulties in getting permission of authorities of construct mosques d) Biometric data collected from persons living in encampments; Human Rights Watch claimed that the government's targeting of Roma violated international human rights obligations; serious concerns over treatment of asylum seekers, and a law was introduced making undocumented status a crime	<b>0.33</b>
	3. <i>Political Rights</i>	a) No reported violations b) Reports of government corruption, including against the Prime Minister, and popular belief that authorities were corrupt, but evidence of efforts to combat this	<b>0.67</b>
	4. <i>IGO and NGO operations</i>	No reported violations:	<b>1.0</b>
	5. <i>Discrimination and Societal Abuses</i>	a) Frequent reports of violence against women, dealt with by authorities b) Concerns over child abuse, addressed by authorities c) Trafficking a problem, but evidence of authorities addressing it d) No reported violations e) Isolated anti-Semitic and anti-Muslim incidents; discrimination against Roma, and the European Committee of Social Rights criticised systematic discrimination against Roma, but efforts by the authorities to address this; concerns over the intensification of police patrols in areas of Roma settlement. f) Isolated reports of discrimination based on sexual orientation	<b>0.67</b>
Netherlands	1. <i>Respect for the Integrity of the Person</i>	a) No reported violations b) No reported violations c) Some concerns over prison overcrowding; reports of ill-treatment of detainees by Military Intelligence personnel investigated	

		d) Isolated reports of violation of non-refoulement	
		e) Isolated reports of lack of access to legal assistance, addressed by government	
		f) No reported violations	<b>0.67</b>
	<i>2. Respect for Civil Liberties</i>	a) Isolated reports of curtailment of freedom of expression over anti-Islam statements	
		b) No reported violations	
		c) Freedom of religion	
		d) Concerns procedures over asylum seekers, reviewed by the government	<b>0.67</b>
	<i>3. Political Rights</i>	a) No reported violations	
		b) Isolated reports of low-level government corruption, dealt with effectively by authorities	<b>1.0</b>
	<i>4. IGO and NGO operations</i>	No reported violations	<b>1.0</b>
	<i>5. Discrimination and Societal Abuses</i>	a) Domestic violence described as the most prevalent form of violence in society, addressed by authorities	
		b) Child abuse reportedly a problem, addressed by authorities	
		c) No reported violations	
		d) Government prevention of discrimination against disabled persons inadequate	
		e) Discrimination against Muslims, including amongst politicians, that the government attempted to combat; some anti-Semitic incidents; widespread discrimination against migrants	
		f) No reported violations	<b>0.67</b>
<i>Norway</i>	<i>1. Respect for the Integrity of the Person</i>	a) No reported violations	
		b) No reported violations	
		c) Isolated reports of use of excessive force by police; juveniles held with adults	
		d) No reported violations	
		e) Isolated reports of violation of the right to a fair trial	
		f) No reported violations	<b>0.67</b>
	<i>2. Respect for Civil Liberties</i>	a) No reported violations	
		b) No reported violations	
		c) No reported violations	
		d) No reported violations	<b>1.0</b>
	<i>3. Political Rights</i>	a) No reported violations	
		b) No reported violations	<b>1.0</b>
	<i>4. IGO and NGO operations</i>	No reported violations	<b>1.0</b>
	<i>5. Discrimination and Societal Abuses</i>	a) Reports of violence against women, with government response	
		b) Isolated reports of discrimination against the children of immigrants	
		c) Isolated incidents of trafficking, acted on by authorities	
		d) No reported violations	
		e) Several anti-Semitic incidents that the authorities addressed	
		f) No reported violations	<b>0.67</b>
<i>Sweden</i>	<i>1. Respect for the Integrity of the</i>	a) No reported violations	

	<i>Person</i>	b) No reported violations c) Isolated reports of police use of excessive force; some overcrowding of prisons, which the government responded to d) Reports of violation of the principle of non-refoulement e) No reported violations f) Concern expressed over surveillance methods	<b>0.67</b>
	<i>2. Respect for Civil Liberties</i>	a) Isolated report of violation of the principle of freedom to receive information, dealt with by authorities b) No reported violations c) Isolated reports of denial of employment to women wearing headscarves, which was compensated and overturned d) Some criticism of forced repatriation of asylum seekers	<b>0.67</b>
	<i>3. Political Rights</i>	a) No reported violations b) Isolated cases of corruption of public officials, dealt with effectively by the government	<b>1.0</b>
	<i>4. IGO and NGO operations</i>	No reported violations	<b>1.0</b>
	<i>5. Discrimination and Societal Abuses</i>	a) Some reports of honour killings, with government action on this; workplace gender discrimination addressed by authorities b) Child abuse identified as a problem, addressed by the government c) Isolated cases of trafficking reported d) No reported violations e) Some anti-Semitic incidents reported, with government response f) No reported violations	<b>0.67</b>
Switzerland	<i>1. Respect for the Integrity of the Person</i>	a) No reported violations b) No reported violations c) Alleged mistreatment, use of excessive force, and racist abuse by police officers; Council of Europe Committee for the Prevention of Torture reported police abuse which was addressed by the government; overcrowding in prisons; juveniles sometimes held with adults d) No reported violations e) Isolated reports of asylum seekers denied legal representation; lengthy pre-trial detention f) No reported violations	<b>0.67</b>
	<i>2. Respect for Civil Liberties</i>	a) No reported violations b) No reported violations c) Repeated reports of discrimination against some religious groups, particularly Muslims, though the government worked to address this; a ban on minarets was introduced by referendum (though a majority in parliament opposed this) d) Some concerns over harsh requirements for people seeking asylum	<b>0.67</b>
	<i>3. Political Rights</i>	a) No reported violations b) No reported violations	<b>1.0</b>

	<i>4. IGO and NGO operations</i>	No reported violations	<b>1.0</b>
	<i>5. Discrimination and Societal Abuses</i>	a) Violence against women a recurrent problem, addressed by authorities b) No reported violations c) Reports of trafficking as a problem, with government response d) No reported violations e) Recurrent anti-immigrant incidents reported, which the government addressed; reports of institutionalised discrimination against immigrant, including in election campaigns, and the UN reported a lack of coherent political and legal strategies to combat this; Council of Europe's European Commission against Racism reported widespread racism, but an attempt by authorities to combat this; rejected asylum seekers excluded from the welfare system f) No notable violations	<b>0.67</b>
United Kingdom	<i>1. Respect for the Integrity of the Person</i>	a) Isolated reports of killings by police, investigated by authorities b) No reported violations c) Reports of police violence and abuse of detainees, investigated by the government; allegations of military complicity in the torture of detainees abroad, which lead to government investigation; IRA violence investigated by authorities; concerns over violation of the principle of non-refoulement; isolated instances of complicity with renditions d) Isolated reports of violation of the right to liberty and security e) Reports that some procedures introduced to combat terrorism constituted preventative detention. f) European Court of Human Rights ruling that the government had violated the right to privacy on occasion	<b>0.67</b>
	<i>2. Respect for Civil Liberties</i>	a) Isolated concerns over libel laws; isolated incident of violation of freedom of expression of protestors b) No reported violations c) Some concerns over prohibition of religious dress, usually addressed by the government; reports that 'stop-and-search' discriminatory; d) Some concerns over treatment of failed asylum seekers, investigated by the government	<b>0.67</b>
	<i>3. Political Rights</i>	a) No reported violations b) Reports of government corruption, addressed by authorities; criticism over the government decision to abandon an investigation of corruption in the arms trade, linked to high-level officials; Organisation for Economic Cooperation and Development expressed concern over poor implementation of its Bribery Convention	<b>0.67</b>
	<i>4. IGO and NGO operations</i>	No reported violations	<b>1.0</b>
	<i>5. Discrimination and Societal Abuses</i>	a) Isolated reports of honour killings and violence against women, addressed by the government b) Some reports of child abuse, with government efforts to combat this; criticism of antisocial behaviour orders for youths c) Trafficking a problem addressed by the government d) No reported violations	

e)	Concerns over discrimination against Roma; recurrent reports of racist attacks, particularly against Muslims, generally dealt with by authorities; lack of provisions for domestically abused migrants due to immigration laws	
f)	Isolated reports of discrimination against homosexuals, dealt with in legislation	<b>0.67</b>

*Sources: US DoS Human Rights Reports 2006, 2007, 2008; Amnesty International Reports 2007, 2008, 2009.*

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<sup>i</sup> The details are intended to be a brief summary of the main human rights violations in each country under examination, taken from the sources studied; they do not include all reported actions.

<sup>ii</sup> Refers to the Republic of Cyprus