

Editorial

In his recent address to the United Nations Security Council António Guterres, the United Nations High Commissioner for Refugees, noted that, as a result of the current crisis in Syria, ‘a quarter of the entire population of the country has been forced to leave their homes’.¹ Guterres described the ‘impossible’² and ‘unsustainable’³ task of the UNHCR, its partner organisations and the bordering countries of Jordan and Lebanon to provide assistance to the ever increasing number of Syrian refugees. In his speech, he called for ‘international solidarity’ to assist these refugees and their hosts.⁴ His choice of phrase reflects the preamble to the 1951 Convention Relating to the Status of Refugees which calls for ‘international co-operation’ in refugee protection.

The contributions to this latest edition of the *Oxford Monitor of Forced Migration* provide a timely reflection on the concepts of ‘international solidarity’ and ‘international co-operation’ in refugee protection. The articles included in this edition demonstrate that, in the face of global and national events such as conflict, discriminatory and persecutory practices and natural disasters, which often heighten the risk of forced displacement, the international response is rarely one of co-operation and solidarity. Instead, each article provides evidence of a fractured and diluted system of protection often more concerned with domestic concerns than national solidarity.

This edition opens with our *Field Monitor* in which Nele Weßels and Janna Weßels present the findings of their rich empirical study of asylum seekers in Greece. The authors’ interviews with asylum seekers in Greece and Greek Border Police evidence the tensions that exist between international expectations and national capacity. Despite the country having no functional system for asylum claimants, the European Union nonetheless has continued to delegate responsibility for asylum processes to the national level. The lack of solidarity, co-operation and support at the European level is shown to clearly manifest itself in the lack of protection experienced by the asylum seekers interviewed in this piece, whom locate their existence as firmly ‘trapped in Greece’.

The articles in this edition’s *Policy Monitor* examine both new and pre-existing policies that seek to limit the protection provided to asylum seekers by governments in the developed world. Lane Krainyk evaluates a new Canadian policy that denies healthcare to asylum seekers from ‘designated countries of origin’. It highlights how the restrictive measures constituted a governmental appeal to those sections of the Canadian populous who felt aggrieved by the supposed generosity of Canada’s refugee protection policies. Krainyk, however, argues that such a policy is inconsistent with Canada’s international obligations. Francesco Vecchio and Cosmo Beatson suggest a different, and more optimistic, state-society relationship in Hong Kong. They discuss the politics behind Hong Kong’s enduring reticence to accede to the 1951 Convention Relating to the Status of Refugees, but also highlight the mounting local resistance to this lack of protection through an examination of a recent protest

¹ **UN HIGH COMMISSIONER FOR REFUGEES** (2013) *Remarks to the United Nations Security Council António Guterres, United Nations High Commissioner for Refugees 18 April 2013*. Available from: <<http://www.unhcr.org/517008e49.html>> (accessed 13 May 2013) at 1.

² *Ibid* at 1.

³ *Ibid* at 2.

⁴ *Ibid* at 3.

march. Though a progressive step forward, these two articles nonetheless demonstrate the shortfalls exhibited in the protection standards provided by developed countries towards refugees, despite their playing host to a comparatively small number.

Sasan Panbehchi's contribution to *First Hand Monitor* provides a personal and very moving account of the impact of such policies. He provides an overview of a new policy introduced by the UK Government that treats asylum seekers who wish to enrol in a UK university as international students. Panbehchi's account of his struggle, to continue his medical degree while finding the necessary funds to pay upfront international student fees, is an acute example of the ways in which asylum seekers wishing to contribute to their new society face unanticipated challenges, imposed by the government, that often prevent them from doing so.

The theme that emerges from the contributions to *Law Monitor* is that, in an effort to achieve international solidarity in the area of refugee protection, there is not the need for 'more law' but rather augmented rigorous analyses and implementation of existing legal frameworks. Catherine Drummond provides a detailed examination of judicial interpretation and application of the exclusion clause in the 1951 Convention Relating to the Status of Refugees and argues that it has been misapplied, often to the disadvantage of those seeking asylum. Martha Marrazza discusses Kenya's new forced encampment policy and highlights the ways in which it places Kenya in breach of the 1951 Convention Relating to the Status of Refugees, the 1966 International Covenant on Economic, Social and Cultural Rights and Kenya's *non-refoulement* obligations. Johanna Gusman analyses a new refugee policy introduced in Ecuador that limits the definition of who is a 'refugee' enshrined in the 1984 Cartagena Declaration on Refugees, and highlights how this may escalate the sexual and gender-based violence experienced by women and girls seeking asylum in Ecuador.

Finally, our *Academic Articles* illustrate the fecundity of applying different academic disciplines to the study of Forced Migration. Daniel Murphy utilises a historical approach to suggest a series of factors which emerged and were institutionalised during the colonial era, but have played a major constitutive role in the contemporary situation of the Karen of eastern Burma. Murphy links these with a host of proximate causes to provide a narrative which skilfully links, geographically, historically and politically, current patterns of displacement with two hundred years' worth of colonial and neo-colonial intervention. Jonas Ecke then provides an empirically-driven piece to illustrate the enhancement to protection that a greater dialogue between anthropological methods and practice could engender. Through a case study of Buduburam Refugee Camp in Ghana, Ecke suggests that minor amendments to how information and knowledge is solicited within camp environments could produce huge dividends in terms of enhanced protective capacity.

Whilst discussing 'enhanced capacity', we, as Co-Editors-in-Chief, would like to convey our thanks to those individuals whom made this edition possible. Firstly, we would like to thank our team of editors who continue to volunteer their time to ensure OxMo comes to print. Secondly, we wish to thank the contributors to this issue for their fascinating articles and patient cooperation. Thirdly, our thanks must be conveyed to OxMo's board of senior editors whose commitment and enthusiasm for this publication and its goals has provided a source of ongoing inspiration. The precedent of high quality and richly diverse articles is now well-established for OxMo, and we hope that you find Volume 3 as a continuation of this tradition.

Kate Ogg and Georgia Cole
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