

## Index

Accountability Requirement, 58, 83, 133 contribution requirements, 5-7, 34, 39, Muslim ban, 84 55-56, 64-65, 76-77, 83, 87, 90, Africa, 35 103-106, 110, 133-135, 193-194, air marshals, 175 217 Al-Qaeda, 169 Convention Against Torture and Other Cruel, amnesty Inhuman, or Degrading Treatment, 96 objections to, 107 Convention on the Elimination of All Forms of Discrimination against Women, 46 anti-migrant sentiment, 1 anti-Muslim sentiment, 72-73 Convention on the Elimination of All Forms of as form of racism, 77 Racial Discrimination, 46, 55, 78 as racism, 78-79 Corbyn, Jeremy, 85 assault weapons, 175 Countering Violent Extremism program, asylum, 112, 115, 220 169 treaty obligations, 209 cyberattacks, 171 Czech Republic, 196 autonomy, 132 Beitz, Charles, x, 34, 40, 42-52 DACA, 106 Declaration on the Elimination of All Forms of Betts, Alexander, x, 114-115, 120, 124 Bin Laden, Osama, 169, 172 Intolerance and of Discrimination Based Boston bombing, 175 on Religion or Belief, 78 brain drain, 147, 199 Department of Homeland Security Intelligence Brexit, 1, 3, 12, 195 and Analysis unit, 67 Britain, 35, 92, 195 deportation, 88-89, 91, 93-94, 101, 106, 126, British Nationality Act (1948), 90 146, 155, 163, 220 DHS, 185 Burma, 60 dirty bomb, 170 Cameron, David, 119 discrimination, 65 Canada, 85, 148 displaced people, 3, 7-8, 117 Carens, Joseph, 40-42, 74, 89, 98-100 domestic workers, 144 Chad, 68, 128 Dreamers, 1, 3, 7, 88 Charlottesville, 82 early childhood education, 175 children, 95–96, 101, 156, 198 El Salvador, 92, 94, 106 obligations, 218-219 temporary protected status, 92-94 City of Sanctuary Movement, 220 Elimination of All Forms of Intolerance and Collier, Paul, 115, 120, 124 Discrimination Based on Religion, 78 Commitment To Action Under Relevant employers, 94, 211 Circumstances, 58, 83, 105, 133 Ethiopia, 130 Commitment to Development Index (CDI), ethnocentric dynamics, 12 57, 133 ethnocentricism, 205-206, 212, 226 Constraint Against Worsening, 58, 83, 86, 133 Ethos Requirement, 58, 83, 105, 133



## 244

Europe, 119, 139, 216
sanctuary cities, 220
Syrian refugees, 120
European Court of Human Rights, 47
European Court of Justice, 215
European states, 49
European Union, 119, 136, 218
embassies, 124
resettlement schemes, 134
Executive order on migration. See Muslim ban

fair process, 208–209 family unification, 209 Ferracioli, Luara, x, 53, 101 FIFA World Cup 2022, 143 Fiji, 18 Fiji, Indians, 138 Flynn, Michael, 66 France, 85, 179 freedom of movement, 52, 153, 160 religion, 81

gender issues, 198

Germany, 61, 85, 136, 179
Gibney, Matthew, 114
Global Compact for Safe, Orderly and Regular
Migration, 140, 150–152, 165, 191,
196–202, 221

Global Forum on Migration and Development, 201 green card lottery system, 166

green card lottery system, 166 Gulf states, 143, 148 Gutierrez, Luis, 101

Haiti, 92 Haitians, 93 Hawaii, 69 Health care, 161, 209, 220 Hondurans, 93 Honduras, 92 Hong Kong, Philippine migrant labor, 139 human migration, history of, 14-15 human rights, 6, 9, 37, 40, 155, 195 classification of, 45-47 domestic judicial capacity, 47 international auditing of, 48-49 international judicial capacity, 47 international practice of, 43 legitimacy, 34, 38-39, 51-62, 64 practice based conception, 34 religious freedom, 77 sources of, 43

## Index

Human Rights Commission, 44 human rights practice, 34–63, 197–228 responsibilities in relation to, 47–62, 190–228, *See also* Muslim ban, irregular migration, refugees, temporary labor migration, terrorism Hungary, 196

ILO General Principles and Operational
Guidelines for Fair Recruitment, 152
immigration, 179–181, 190–228, See also
Muslim ban, irregular migration, refugees,
temporary labor migration, terrorism
communication about, 227
crime, 183, 205
economic benefits, 183
international co-operation, 227
law, 69, 91, 96, 108–110, 191, 204, 219
misinformation about, 203–206
objections to, 222–226
race-based exclusion, 75–76
Immigration Act (UK 1971), 91
immigration policy

Immigration Act (UK 1971), 91
immigration policy
justifications for, 211–215
India, 18
intellectual property rules, 50
interim legitimacy, 60
International Convention on Civil and Political

Liberties, 55 International Convention on Economic, Social and Cultural Rights (ICESCR), 45, 55 international co-operation, 227

International Covenant on Civil and Political Rights (ICCPR), 45, 77 International Criminal Court (ICC), 216

international firms, 121 international human rights regime, 77, 87 International Labor Organization (ILO), 138,

guidelines, 138–155 international legal system, 209 International Migration Review Forum, 201 International Organization for Migration (IOM), 140, 150, 193

International Recruitment Integrity System (IRIS), 152–154 international responsibilities, 37, 47–63,

nternational responsibilities, 37, 47–63, 190–228, *See also* Muslim ban, irregular migration, refugees, temporary labor migration, terrorism

Iran, 66, 68, 85, 128 Iraq, 66, 68, 85 Ireland, 85 irregular migrants, ix, 3, 88–110, 183 justified claims, 89

state obligations, 83

UN reporting agencies, 47



Index 245

Islamic State of Iraq and Levant (ISIL), 169	migrant labor
Muslim views towards, 80	abuses of, 143–145
Israel, 196	migrant workers, 9, 138–165, 228
•	abuse of, 153
Japan, 49	citizenship, 164
Japanese Americans, 173	contracts, 156
Jews, Turkish, 218	defining, 141–142
Johnson, Boris, 85	exploitation, 139
Jordan, 118–119, 129–130	fiscal constraint, 162
just occupation of territory, 4, 7, 14, 25–26, 62,	healthcare, 161
89	increase flows, 142
justice, 63	labor market, 210
global, 33–63, 190–228, <i>See also</i> irregular	private recruitment industry, 142
migration, refugees, temporary labor	programs for, 146, 149, 156–159
migration, and terrorism	right to family union, 162–163
needs and, 14-32, 111-137	right to free choice of employment, 161–162
regarding migration, 19–87, 190–228, See also	skill levels, 141
irregular migration, refugees, temporary	welfare, 161
migration, and terrorism	migrants
territory and, 14–32, 88–110	economic growth, 139
	feeling settled, 103
kafala system, 143	international exchange of ideas on, 199
Khamenei, Ayatollah, 84	large influxes, 210
Ku Klux Klan (KKK), 79	low-skilled, 148
Kuwait, 138	as percentage of labor force, 138
	right to fair process, 208
labor contracts, temporary, 141, 145, 153-160,	Miller, David, 74
162, 164	mixed status families, 101–102
labor migrants	modern slavery, 143, 145
temporary, 141	Moldova, 218
defining, 141–142	MS-13, 93
labor migration programs. See temporary labor	multinational corporations (MNCs), 126
migrants: programs for	Murrow, Edward R., 173
labor shortages, 157	Muslim Association of Hawaii, 69
legitimacy, 64, 190-228	Muslim ban, 1-2, 6-7, 60, 64-87, 166,
self-determination, 217	187, 211
states and human rights, 38-39	exemption system, 68
legitimate authority to exclude, 4, 15, 26, 33, 36,	extremists, 86
52, 74, 190, 209	grounds for, 73-74
legitimate state system, 33-63, 88-110	national security, 72
Libya, 66, 68	Myanmar, 18
Lister, Mathew, 53, 101, 147	
local laborers, effects of importing workers, 146	Nazi Germany, 97
local settlement, 9, 113, 137	needs and justice, 19-32, 103, 116-137
located life plans, 24-25, 102	Netherlands, 85
lone wolves, 168-170	New York Declaration for Migrants and
low-skilled migrants, 157	Refugees, 127
	New Zealand, 35, 60
Malaya, Chinese, 138	Nicaragua, 92
mass shootings, 176	nongovernmental organizations, 48
Mateen, Omar, 169	non-state actors, 123
Mencken, H. L., 178	North Korea, 60, 68
Mercosur, 216	Northern Africa, unemployment, 139
Mexico, 97, 166	Norway, 60
migrant, 138	nuclear power, 179



246 Index

Obama administration, 3	Second World War, 116
Obama, Barack, 119	security and migration, 166-182
occupation, justified, 106-107	self-determination, 215–218
occupation, right to, 14, 25–26, 62, 89	race-based exclusion, 75
open borders, 190, 226	rights of states, 33–35
Overseas Development Assistance (ODA), 56	settled migrants, 3, 7
Owen, David, 41–42, 114	settled ways of life, 100
- · · · · · · · · · · · · · · · · · · ·	Shariah law, 79
Pakistan, 18, 128	Sheffield, 220
Philippines, 119, 139	shipping containers, 170
migrant workers in Gulf states, 145	Singapore, 148
Portugal, 218	social membership, irregular migrants and, 89
post-conflict recovery, 8, 114, 120, 122, 130,	Somalia, 66, 68
133, 136	Sotomayor, Justice, 69, 72–73
"post-truth" environment, 2	South America, 216
Protecting the Nation from Foreign Terrorist	South Sudan, 92
Entry into the United States, 66	Special Economic Zones (SEZs), 118–119,
Optor 128	128–129 Sri Lanka, 18
Qatar, 138	
World Cup, 143	state system, 36
magnitum and according 711 715 752	state-centric approaches, 122
recruitment agencies, 144–145, 153	states
recruitment fees, 145, 153–154	banning individuals from certain groups, 65
refugee	behavior of, 216
defining, 111, 114	illegitimate and migration, 89–110
Latin American Convention definition,	legitimacy, 34, 38–39, 58, 64, 110
III	positive obligations, 34–63, 91–110,
OAU Convention definition, 111	197–228
Refugee Convention (1951), 114, 116	self-determination, 33–41, 215–218
refugees, 39, 204, 213, 220, 228	Stilz, Anna, 24
assessment points, 123	Sudan, 66
autonomy, 131–132	suicide bombing, Muslim attitudes towards, 80
labor market access, 124–128	Supreme Court, 64, 69
processing at embassies, 124	sustainable development, 199
responsibilities towards, 111–137	Sweden, 60, 85, 148
right to work, 116–117	synagogues, 82
Syrian, 121–122, 129–130	Syria, 35, 60, 66, 68, 92, 115–116, 119,
systemic failure, 135	121–122, 136
targeted persecution, 116	refugees, 120, 126, 129–130
UDHR, 112	Syrian refugees, 113, 118, 120
Uganda, 117–118	
relative legal validity, 108	Talent Beyond Boundaries, 127
religion and admission policy, 6, 64-87	temporary labor migration. See migrant worker
resettlement, 9, 113, 137	Temporary Protected Status, 92–95, 105
risks, assesment of, 177	territory and justice, 19–32, 88–110
Rohingya Muslims, 113	terrorism, 166–182
Rudd, Amber, 91	irrational fear of, 173, 176, 186
Ruhs, Martin, 147, 162	traffic fatalities, 174
Rumsfeld, Donald, 178	terrorism attacks, 168
Russia, 97, 218	Thailand, 119
Rust Belt, 185	trade policy, 50
	Transportation Security Administration (TSA),
sanctuary cities, 39, 219-222	174
scapegoating, ix, 10, 167, 188, See also	treaty obligations, 209
Muslim ban	Trump administration, 187



Trump, Donald, 66, 68-72, 79-80, 85, 166

Index 247

anti-Muslim videos, 71 TSA. See Transportation Security Administration (TSA) Turkey, 126-127 2030 Agenda for Sustainable Development, 197 Uganda, 18, 117, 119-120 Ukraine, 218 unauthorized migrants. See irregular migrants United Arab Emirates, 138, 143 United Kingdom, 85, 90-92, 119, 142, 220 United Nations, 150, 196-197 General Assembly, 78, 196 Guiding Principles on Business and Human Rights, 152 High Commissioner for Refugees (UNHCR), 112, 115, 123 United States, 35, 49, 92-95, 97, 139, 168, 179-181, 196 cyber attacks, 171 dirty bombs, 170

seasonal migrants, 138

social division, 180-181 US born children, 102 Universal Declaration of Human Rights (UDHR), 44–45, 77, 81, 104, 112, 159, 207-208, 210 Venezuela, 68 vetting procedures, 67 voluntary repatriation, 9, 113, 137 Welcoming America, 221 welfare, 161 Wellman, Christopher, 75-76 Westphalian state system, 36 Windrush generation, 90-92, 106 health care, 91 World Bank, 119 Wuco, Frank, 73

Yemen, 66, 68 youth unemployment, 158

Zimbabwe, 18