SEEKING REFUGE:

ANALYSIS OF DETERRENCE POLICIES AND FORMAL RIGHTS

by

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To my loving family and friends, to the One who carried me through, and to all who inspired it.

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by

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DISSERTATION

Presented to the Faculty of

The University of Texas at Dallas

in Partial Fulfillment

of the Requirements

for the Degree of

DOCTOR OF PHILOSOPHY IN

POLITICAL SCIENCE

THE UNIVERSITY OF TEXAS AT DALLAS

May 2018

ACKNOWLEDGMENTS

SEEKING REFUGE:

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The University of Texas at Dallas, 2018

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Over the last twenty-five years, convergence towards deterrence policies has increased in both

traditional and new asylum granting countries. After the breakup of the Soviet Union, the rapid

increase in the number of people seeking refuge led countries adopt deterrence measures

regarding refugee rights. The deterrence literature has identified a strong convergence among

refugee-receiving states to adopt more and more preventative measures including restrictions and

reduction of refugee rights, which may include removal of formal rights, such as Germany

reforming its constitution in 1992 and removing absolute right to asylum. This growing body of

scholarly literature in forced migration has sought to understand the effect of the rights and

welfare policies on destination choice of refugees or forced migrants, but the research is limited

to developed or OECD (Organisation for Economic Co-operation and Development) countries.

This research aims to expand the existing research of refugees' rights and constitutional

protections to global countries. In addition, this research analyzes individual-level behavior

through a field-work conducted on African refugees in India. First, I identify seven constitutional

rights important for protecting forced migrants: the right to seek asylum, the right to seek refuge,

alien/non-citizen freedom of movement, gender equality, racial equality, freedom of religion, and writ of *habeas corpus.* Results from a large dyadic panel from 1993-2014 show the constitutional right to seek asylum, gender protection, and race/nationality protection lead to more inflow of refugees in a country. Second, I examine the factors that lead countries to adopt deterrence policies and to which extent these domestic deterrence policies affect the destination choice of refugees. Results from a large panel dataset from 1997-2014 shows significant effect of the convergence of deterrence policies in countries that lie within a region. I do not find evidence that increase in the inflow of refugees in a county have any effect on the adoption of deterrence policies. The results are supported by the analysis in step two, where I find highly significant evidence that refugees are more likely to go to the contiguous countries and are impacted by the presence of social networks. Next, I do not find any effect of the number of contiguous conflict-affected countries on the adoption of restrictive policies. The results in the second part of the dissertation indicate that most refugees take refuge in neighboring countries, as most refugees do not reach developed countries that adopt more restrictive deterrence policies, especially in regard to the detention policies. The paper also indicates that deterrence policies work but as convergence builds they stop having a deterrent effect. Lastly, most studies use aggregate level data analysis which provides important insights but it is ultimately inappropriate for assessing individual level choices. I extend rational-choice theory to complement refugee-centered approach. The approach refines 'micro-macro' linkage. I study individual-level behavior arguing that forced migrants are not bogus and move to a place where they feel safe along with assessing the present policies and living situation in India. For the paper, I interviewed 155 African refugees and asylum seekers living in India. Using both quantitative and qualitative analysis, I

find that the forced migrants take refuge in India due to many factors such as stable political conditions, social networks, role of agents, and for health and education purposes. I also find that forced migrants feel discriminated in India due to their skin color.

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CHAPTER 1

INTRODUCTION

Every year, thousands of people get displaced due to conflicts or human rights violation. The numbers of forced migrants are increasing tremendously every year. Countries have started adopting deterrence measures to restrict the inflow of forced migrants recently, which is the primary focus of my dissertation. The increasing number of asylum applications has also led to political controversy and policy backlash (Hatton 2011). The greatest challenge for policymakers is to balance the international obligations and the popular demand for stringent asylum policies (Hatton 2011). The adoption of deterrence policies is a legitimate response to the growing number of asylum applicants over a period of time.

Until now, the research done on deterrence policies has been very limited and confined to OECD (Organisation for Economic Co-operation and Development) or European countries. Yoo and Koo (2014) assess the impact of deterrence policies globally to some extent, but the measures are limited to asylum recognition rates, the measure of social welfare contribution (percentage of revenue), and the adoption of a domestic refugee law. The aim of this dissertation is to systematically and quantitatively assess why do countries adopt deterrence policies for refugees? And whether or not do deterrence policies and the formal rights impact the decision of destination choice of forced migrants? The analysis on deterrence policies is followed by a survey of African forced migrants in India. More precisely, the analysis on African refugees in India will assess the factors that lead African refugees to take refuge in India. My study is driven by many factors and contributes to the deterrence literature. Specifically, my research assesses the impact of deterrence policies on the destination choice of forced migrants. Despite the

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importance of assessing deterrence policies, scholars have ignored the topic due to the lack of available data, the gap that I try to fill. In the following paper of my dissertation, I introduce the literature on forced migration and different deterrence policies adopted by various countries. I then summarize the chapters of my dissertation. Next, I discuss the literature related to forced migration and deterrence policies before I turn to the discussion of my chapters in the dissertation.

Determinants of Forced Migration

Scholars in the field of forced migration are largely informed by the rational choice theory, i.e., forced migrants have destination preferences over others before leaving their origin country. Rational choice theory is the process of determining available choices and choosing the most preferred choice. An individual or 'rational actors' weigh the pros and cons of moving over staying based on the available information (Neumayer 2005a). People migrate due to economic concerns or when they think their personal safety is in jeopardy. People must behave as self-interested rational human beings if they are to survive. Neumayer (2005a) and Moore and Shellman's (2004) study assumes both forced migrants and host states as rational actors, and they have certain goals, choices, and intentions. All rational actors try to minimize costs and maximize benefits. People decide to leave their origin country when the fear of victimization is higher. Neumayer (2004) develops his hypotheses within the framework of expected utility theory. In other words, the decision to leave a country and file an application for seeking asylum is a direct consequence of utility-optimizing actions. An individual weigh the cost of staying relative to the cost of leaving and if the expected utility of leaving is more than the expected

utility of staying, then the individual or the whole family decides to leave their country. This paper assumes people have access to nearly the same information in forming the beliefs and expectations by observing the activities of the political players in their country (Moore and Shellman 2004, 2006).

The next few paragraphs describe the determinants of forced migration, in other words 'push factors' and 'pull factors'. 'Push factors' causes one to flee their origin country (Moore and Shellman 2007). For example, if the country fails to protect their citizens from violent or coercive activity of the dissidents, state, or foreign soldiers, the chances of people fleeing the country increases (Moore and Shellman 2007). Hence, poor human rights conditions, poor economic opportunity, and oppressive political conditions increase the chances of people leaving their origin country. The presence of diaspora reduces the cost of migration by providing information on how to reach the destination country and the lifestyle after arriving. Social networks also provide the opportunity to find their family and culture away from home which also encourages people to abandon their origin country.

The decision where to go or 'pull factors' are the factors that center on the expectations about the social, political, and economic opportunities and victimization of the potential destination (Moore and Shellman 2007). The factors that attract people to another country include the formal asylum status, economic stability, cultural and religious similarity, geographical proximity, and a common language (Moore and Shellman 2006, Schmeidl 1997). Other factors include low transportation cost (Moore and Shellman 2006, Schmeidl 1997), the presence of diaspora in the destination country, and the low cost of relocation. More the cost of relocation, lesser is the

movement of refugee to the potential destination (Kunz 1973, Neumayer 2004). Next, I review

the literature on the factors affecting the decision to flee and where to flee.

The Literature on the Decision to Flee

The decision to flee or the 'push factors' leads an individual to leave or abandon their home

country (Moore and Shellman 2007). For example, if a country fails to protect the basic human

rights of their citizens, the chance of people leaving their origin country increases. The decision

to flee is influenced by many factors such as costs of living, transportation cost, geographical

distance of destination country to origin country, and near co-ethnics (Riddle and Buckley 1998).

Other factors that influence the decision to flee includes the availability of health care, accessible

transportation, knowledge of asylum determination procedures, languages, networks and wish to

join others such as relatives and family reunification, and knowledge of society (Barsky 1995,

2000). The choice of the destination country is an outcome of achievability, knowledge of the

prospective area, and desirability (Barsky 1995, 2000). Other studies such as Thielemann (2004)

finds other reputational, economic, and historical factors influence choices, and Bocker and

Havinga (1998) find language, colonial links, transportation and migrant workers also affect

choices.

The subsequent section discusses the following factors that affect the decision to flee: political

factors, economic factors, role of social networks, culture, and geographical distance.

Political Factors

Individuals are rational actors and value their physical safety. They make decisions to flee their home if their physical security is threatened. The physical security can be threatened by the domestic state violence. Davenport, Moore, and Poe (2003) have expanded on the work of Schmeidl (1995, 1997) on human rights and ethnic dissent as factors of forced migration by being more nuanced in conceptualizing and measuring the relevant threat factors. Many kinds of threats exist and Davenport, Moore, and Poe (2003) have categorized and expanded the sources of violence into three groups: the state and the threat, the dissidents and the threat, and state-dissident interaction and threat. Following Davenport, Moore and Poe (2003), Moore and Shellman (2004) identify four sources of threat: dissident forces, government forces, the interaction of dissident and government forces, and the presence of foreign troops. Greater the threat by these groups, greater the number of forced migrants the country will produce (Moore and Shellman 2004).

Human Rights Violations: People decide to leave their home if they face human rights violation. Apodaca's (1998) study on 20 developing countries over the time span between 1985 and 1994 finds a very strong relationship between the refugee migration and the human rights violation. Similarly, Gibney, Apodaca, and McCann (1996) analysis finds that the countries that produce most of the refugees and IDPs are the countries with gross human rights violations and these people tend to flee to the countries that provide them better human rights conditions. The studies by Apodaca (1998) and Gibney, Apodaca, and McCann (1996) show a strong correlation between refugee migration and human rights violation, but these studies do not control for any

other variables other than human rights violation and hence are susceptible to the omitted variable bias (Neumayer 2005a). Moore and Shellman (2004), and Neumayer (2005a) finds human rights violation as a strong deciding factor to leave the country of origin.

Genocide/Politicide: Following Neumayer (2005b), this paper defines genocide and politicide as 'the calculated physical destruction of a communal or political group in whole or part' (p. 54). Davenport, Moore, and Poe (2003) note that the state can create threat through both 'active and passive' ways. Many groups become targets of the repressive actions such as imprisonment, murder by government or torture by the government directly to push out the unwanted population of the country, while in some cases people choose to flee persecution after voicing their opposition to the government. Yet some others might flee if the people perceive themselves in danger because of their acquaintance, friend, or family member was the target of government violence (Davenport, Moore, and Poe 2003). Schmeidl (1997), Davenport, Moore and Poe (2003), Moore and Shellman (2004) finds high genocide/politicide leads to more outflow of people, while Neumayer (2005a) does not find genocide/politicide significant in the study.

Dissidents and the Threat: Though many scholars emphasize on state violence, few scholars also focus on dissident violence (Hakovirta 1986, Davenport, Moore, and Poe 2003). Dissident violence is an organized violence by the dissident groups that attacks population and/or state and can be a main source of threat that produces forced migration (Davenport, Moore and Poe 2003, Moore and Shellman 2004). Angola, Peru, and Mozambique in the 1980s and Sierra Leone in 1990s are some of the examples where dissidents were responsible for most of the human rights

abuses (Moore and Shellman 2004). Hence, the larger the dissident activities, the more the number of forced migrants from a given country.

State-Dissident Interaction and Threat (Ethnic and Civil Conflicts): Ethnic and civil conflicts can increase because of the power struggle between an insurgent group and the government or between two equally powerful group competing for power in an unstable or weak political environment (Schmeidl 1997). When both the state and dissident engage into an armed struggle, the chances of violence increase as both try to torture and abuse people to gain information (Gibney, Apodaca, and McCann 1996, Apodaca 1998, Davenport, Moore, and Poe 2003). Sri Lanka, Afghanistan, and Colombia in the 1980s and 1990s are some of the examples (Davenport, Moore and Poe 2003). Some internal conflicts do not stay long and yield lasting peace such as the conflict in Kenya (1991-1993), Paraguay (1947), and Costa Rica (1948) (DeRouen and Barutciski 2007). These cases do not lead to protracted refugee situations (PRS). Fearon (2004) notes that the internal conflicts are asymmetrical, where one party (usually the insurgents) typically does not enjoy sovereignty, legitimacy, or control over a territory. The conflict is influenced by the ability of the rebel group to sustain themselves in the adverse economic and political conditions prevailing in the state (Fearon 2004). Feraon (2004) argues that the theory of asymmetry leads to longer civil wars; insurgents are much weaker relative to the government, but the asymmetry actually prolongs the war such as Uganda in the 1980s, and Ethiopia. The low intensity long civil wars are difficult to maintain in wealthier countries where the government is more effective in preventing rebels from contraband exploitation and engaging in extortion (Fearon 2004).

Schmeidl (1997) finds countries facing civil war lead to more outflows of people but ethnic rebellion does not affect refugee flow. Sambanis (2001), and Moore and Shellman (2004) also find ethnic civil wars lead to more refugees than non-ethnic civil wars. Davenport, Moore and Poe (2003), Neumayer (2005a), and Adhikari (2013) also confirm to other studies that civil war pushes individuals more to leave their origin country.

The presence of Foreign Troops (International Wars): International war, like civil war, can also create an atmosphere of generalized violence that can create a threat to the population (Moore and Shellman 2004). The drop in the rate of international war after WW II has reduced the war's significance as a potential cause of producing forced migrants (Weiner 1996). Scholars, in general, see international war as external aggression and not as a potential cause of refugee flow relative to civil conflicts as a potential cause of refugee flow (Schmeidl 1997). Although the hostility comes from across the borders of the country, international wars can force people to leave their home such as Iraq's intrusion of Kuwait produced over a million refugees (Schmeidl 1997). Scholars that study the impact of international war on refugee flow differ in their findings. Schmeidl (1997), and Zolberg, Suhrke and Aguayo (1989) find international war as one of the potential causes of refugee flow, while Melander and Oberg (2006) and Davenport, Moore and Poe (2003) do not find international war as a significant factor contributing to refugee flow. The presence of foreign troops on one's soil is certainly public and an individual is more likely to feel threatened (Moore and Shellman 2004).

Regime Type: People are rational actors and they value the rule of law and political freedom (Moore and Shellman 2006). Democracy is associated with the rule of law and political freedom (Moore and Shellman 2006). Moore and Shellman (2004, 2006) and Neumayer (2005a) suggest that as wealth affect the number of people who flee a country, same should be true for the level of democracy. Moore and Shellman (2004, 2006) do not find the level of democracy as significant while Neumayer (2005a) finds it does. Some Westerners believe that forced migrants are attracted to democracy and are opportunists (Moore and Shellman 2007). Robinson and Segrott (2002) study on the asylum seekers in the UK finds many interviewees confirm that UK is a tolerant democracy and hence they will have freedom to do anything in the UK.

Economic Theory

Many studies examine the impact of economic conditions in origin country on forced migration. Many western scholars argue that forced migrants are bogus refugees and want to take advantage of rich countries. Schmeidl (1997) finds the economic hardships do not have much impact on the migration flows. Davenport, Moore, and Poe (2003) also concur to the Schmeidl study. Moore and Shellman (2004) extend the study of Davenport, Moore, and Poe (2003) to the period between 1964 and 1995. The results of the study reveal a positive and significant correlation between the average incomes (measured by GNP/capita) with the higher refugee and IDP flows and the finding is in contradiction to the study done by Schmeidl (1997) and Davenport, Moore, and Poe (2003). But, GNP does not have a large impact relative to the factors such as civil wars and political violence. In sum, the above-mentioned existing quantitative studies confirm to the fact that the political violence and civil wars lead to the higher number of refugee flows and

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IDPs. The reason might be attributed to the fact that refugee population fleeing the countries with civil war are recognized under the international convention and get more protection than the people who flee due to economic conditions. The economic migrants feel more threatened to be repatriated and hence do not register themselves in the host countries.

Neumayer's (2005a) study on the determinants of asylum seekers conceptualizes the hypotheses within the expected-utility theory. Neumayer presumes that the asylum seekers weigh their cost and benefit even when they are making a decision under pressure. Neumayer does not discount the interaction of mutually non-exclusive factors in the decision of asylum seekers to flee and discusses the various factors of "costs of staying" and 'the costs of migrating'. 'The costs of staying' are measured in terms of economic factors such as the employment opportunities, and living standards. People in working age tend to migrate more as these people will have better chances to improve their living standards. In particular, Neumayer addresses the popular perception of asylum seekers in Western Europe as "bogus refugees" by examining the effect of economic factors relative to the other factors such as political repression on the flow of asylum seekers in Western European countries from 1982-1999. He reports that the economic factors matter and finds a negative relationship between the average income (GDP/capita) and the number of refugees that seeking asylum in Western Europe.

Social Networks

Literature on the "push" factors has shown that the presence of nationals, relatives, and friends is a strong determining factor (Neumayer 2005a, Havinga and Bocker 1999, Moore and Shellman 2007). Davenport, Moore, and Poe (2003), Schmeidl (1997), and Moore and Shellman (2004,

2007) argue that presence of social networks lowers the risks and costs related to migration (Davenport, Moore and Poe 2003). Other migrant members of the community provide information about the opportunities available in the destination country and also the experience of the journey, which lowers the costs and risks while making the decision to flee (Davenport, Moore and Poe 2003, Moore and Shellman 2007). Hume and Hardwick (2005) notes that each African community in Portland, Oregon has its own association, which celebrates their festivals, weddings, and other joyous occasions. The gatherings in the celebrations are not limited to any specific country's association. Crisis brings together Pan-African support, not limited to one country (Hume and Hardwick 2005). Hume and Hardwick (2005) work outlines three primary impacts of networks: first, networks help refugees to flee and people are more attracted to the success stories than by accurate information about the difficulties faced. Second, networks provide means and organizational arrangement to mobilize finances for moving from one country to another. And third, networks help newcomers in getting jobs, medical care, subsistence, and other required support when forced migrants arrive at the destination country. Davenport, Moore and Poe (2003) find the networks as positive and significant and hence presence of social networks lowers the costs of relocation by information exchange. Zimmermann's (2010) work on the movements of Somali people observes that the planning for four of the thirteen interviews was entirely done by their relatives while other nine refugees have contemplated about their destinations in Europe through knowledge from earlier migrants, fellow migrants living in Ethiopia/Kenya, media, agents, and general perception and knowledge about areas. Neumayer (2005a) argues that the presence of asylum seekers from the country of origin decreases the cost of migration for the people left behind. He finds a strong correlation between

the presence of social networks and past migration. Schuster (2003) finds most of the interviewees had contacts in England with the belief of fair treatment, desire, and knowledge to learn English, prospect to find work, which contrasted with the conditions in France.

Geographical Distance

Geographical proximity has held significance in the literature of forced migration. Most large cross-sectional studies find positive relationship between the host country and the origin country of refugees such as Moore and Shellman (2007) illustrates that the data and literature on the flow of refugees' runs counter to the popular perception of the Western image of the refugees fleeing to the "first world" from the "third world". First, neighboring countries absorb 90% of the fleeing population. Second, some refugees seek refuge in the nearby countries and some travel long distances. Third, forced migration counts to 32 million people but it constitutes only five-tenths of the 1% of the world population. Fourth, some countries produce more refugees than others (Moore and Shellman 2007). Scholars observe the people fleeing their home country make decisions under highly constrained choices and try to reach to the nearest safe country (Neumayer 2005a, Moore and Shellman 2007). The evidence also demonstrates out of the refugees, who are forced to cross the border, few can manage to take refuge in the countries close by (i.e. non-bordering) and very few further away (Moore and Shellman 2007). Neumayer (2005a) finds support for the argument that geographical proximity would reduce "the cost of migration" as cheap transportation is available through land and boats.

However, some scholars such as Barsky (2000) suggests that some asylum seekers want radical change and hence do not go to nearby countries even if they have linguistic similarity or colonial

ties, rather these asylum seekers travel to distant countries which have few connections to their

home country even when they can easily get asylum in the nearby country. He identifies four

reasons for such decisions: first, nearby countries may have low recognition rates for refugees or

their applications were already rejected. Second, neighboring states may be perceived as unsafe

or dangerous by asylum seekers. Third, asylum seekers fleeing government persecution may

avoid going to countries that have good political relations with their origin country to avoid the

fear of deportation. And fourth, the presence of co-ethnic communities can be a source of further

persecution hence, some of the interviewees in Barsky's study took refuge in Canada as they

only know a fairly small number of co-ethnics in Canada. Robinson and Segrott (2002) find

refugees fleeing violence are more concerned with safety first and then about the eventual

destination.

Cultural Similarity

Neumayer (2005a) notes that there can also be more than one complex factors involved in the

decision to migrate. 'The costs of migrating' are normally high in terms of adapting to the new

culture. The cultural and religious similarity reduces the costs of migrating (Neumayer 2005a).

Moore and Shellman (2007) argue that people value their culture i.e. religion, language,

customs, and their families. They find people are more likely to flee to the neighboring countries

with similar language, but this does not hold true when countries are non-bordering. But not

many scholars assess cultural similarity due to lack of data. Neumayer (2005a) do not find results

positive and significant.

Ru¨egger and Bohnet (2015) have argued the people flee to the neighboring countries with ethnic kin populations. Refugees also prefer countries with a history of accepting other co-ethnic refugees (Ru¨egger and Bohnet 2015). From 2.15 million refugees fleeing Afghanistan, 1.6 million fled to Pakistan followed by 10,000 to India, and 8000 to Iran and several Western states, while other neighboring countries such as China, Turkmenistan, and Uzbekistan do not host a significant number of Afghan refugees (Ru¨egger and Bohnet 2015).

Literature on the Decision of Where to Go?

The decision where to go or the 'pull factors' are the factors that attract people to another country. These factors include formal asylum status, economic stability, cultural and religious similarity, geographical proximity, and a common language (Moore and Shellman 2006, Schmeidl 1997). Other factors that attract forced migrants are low transportation cost (Moore and Shellman 2006, Schmeidl 1997), the presence of diaspora in the destination country, and the low cost of relocation. More the cost of relocation, lesser is the movement of refugee to the potential destination (Kunz 1973, Neumayer 2004).

So where do people take refuge? UNHCR data indicates the top ten destinations are Iran, Pakistan, Democratic Republic of Congo, Somalia, Sudan, U.S.A., Germany, Tanzania, Hong Kong, and Zaire. It is interesting to note, with the exception of USA and Germany all other countries share a border with the countries where most of the people find refuge. Iran and Pakistan hosts' refugees fleeing from Iraq and Afghanistan respectively, whereas, Zaire and Tanzania hosts Burundis and Rwandans. Similarly, Hong Kong in the 1950s gave refuge to the people fleeing from China. Sudan, Somalia, and Tanzania shared populations amongst

themselves (Moore and Shellman 2007). The data above implies that "forced migrants" prefer to seek refuge in their respective neighboring countries but the presence of U.S.A. and Germany on the list also implies that the story is not simple (Moore and Shellman 2007). Many scholars observe the people fleeing their home country take decisions under highly constrained choices and respond to the nearest safe haven (Neumayer 2005a, Moore and Shellman 2007). Moore and Shellman (2007) notes that most refugees do cross the border, but very few can manage to take refuge in the close-by countries (i.e. non-bordering) and only few can manage further away. Some scholars argue that the choices are passive, and refugees do not have choice in choosing their destination (Day and White 2002) while some others argue that even if the decision to leave a country is immediate and only few destination choices are available, there is some kind of decision-making involved (Adhikari 2013, Moore and Shellman 2006). Still many studies explicitly argue that refugees do not leave a country arbitrarily to any country rather the refugees are pulled in a certain direction (Davenport, Moore and Poe 2003, Neumayer 2004). A significant body of empirical studies has examined the flow of refugees with a rationalist framework in large cross-sectional time series analysis with the focus on *dyadic* characteristics between the destination and origin countries (Moore and Shellman 2007, Neumayer 2004, 2005, Schmeidl 1997). These studies have developed within the rationalist and utility-maximizing theory which assumes people are purposive and value their life, liberty, and property.

The data and literature on forced migration suggest a number of conventional facts: First, geographical proximity is very important. 90% of the people go to neighboring countries (Moore and Shellman 2007). Second, not all people take refuge in the nearest country, some take refuge in nearby non-bordering countries and others travel a long distance (Moore and Shellman 2007).

Third, ethnicity plays a very important role. Ru¨egger and Bohnet (2015) argue that the people flee to the neighboring countries with ethnic kin populations. Fourth, some countries produce more refugees than other countries (Moore and Shellman 2007). Fifth, forced migrant's follow earlier refugee flows because of established transportation networks (Ru¨egger and Bohnet 2015).

Next, I discuss the factors that influence the decision of forced migrants of where to take refuge which includes political factors, economic factors, cultural factors, geographical proximity, presence of social networks, welfare policies, role of agents, education, healthcare, and the presence of national policies on refugees.

Political Factors

Individuals are rational actors and value their physical safety and make decisions to flee their home if their physical security is under threat. The increase in the level of violence increases the flow of refugees and people seek protection in countries where they feel secure. Scholars on forced migration classify and assess many indicators of the levels of violence in a country on the decision to where to take refuge. The detailed discussion of the indicators is discussed in the previous section on the decision to flee. Not many studies assess the variables of political factors focusing on the decision of where to flee.

Human Rights Violations: Human rights scholars predict that the refugees and asylum seekers go to the countries where they feel safe and secure. Apodaca's (1998) study on 20 developing countries over the time span between 1985 and 1994 finds a very strong relationship between the

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refugee migration and the human rights violation. Gibney, Apodaca, and McCann (1996) find that the countries that produce most of the refugees and IDPs are the countries with gross human rights violations and these people tend to flee to the countries that provide them better human rights conditions.

Genocide/Politicide: Moore and Shellman (2007) find the event of genocide/politicide in a country decreases the flow of refugees to that country.

Dissidents and the Threats: Moore and Shellman's (2007) global analysis on the destination of refugees did not find dissident violence significant.

State-Dissident Interaction and Threat (Ethnic and Civil Conflicts): Moore and Shellman (2007) find that refugees avoid noncontiguous potential destination countries experiencing civil war.

The presence of Foreign Troops (International War): Moore and Shellman (2007) find that refugees avoid countries facing international war in a noncontiguous country.

Regime Type: Some Westerners believe that forced migrants are attracted to democracy and are opportunists (Moore and Shellman 2007). Moore and Shellman (2007) do not find the level of democracy affecting refugee flow, while Neumayer (2004) finds it does. Robinson and Segrott's (2002) study on the asylum seekers in the UK finds many interviewees confirm that UK is a tolerant democracy and hence, they will have freedom to do anything in the UK.

Economic Factors

Scholars which work with large cross-sectional analysis argue the level of economic

development and poverty in the destination and origin countries are associated with forced

migration (Moore and Shellman 2004, 2006, 2007, Davenport, Moore and Poe 2003, Schmeidl

1997). Studies on forced migration have examined the impact of economic conditions in host

countries. Moore and Shellman (2007) relate the domestic institutions with the economic

opportunity. Authors argue that people value domestic institutions which increase economic

opportunity for the people and protect individual rights and freedoms. Economic theory predicts

that asylum seekers apply in countries which have high economic growth rate, and low

unemployment (Massey et al 1993, Borjas 1994). Rich countries with high economic growth

make it easier to find a job for forced migrants (Neumayer 2004). Neumayer (2004) reports that

the share (of the European total) of the applications received in the Western European countries

is positively related to the average wage (GDP/capita) in the Western European country. Moore

and Shellman (2007) also find that the average wages matter and people who seek refuge in

neighboring countries tend to go to the well-to-do countries than their homeland. Yoo and Koo

(2014) do not find economic factors measured in GDP as significant on asylum applications.

Cultural Factors

Neumayer (2005a) lists migration networks and the natural disasters like floods, earthquakes

apart from economic, oppressive political conditions, and a threat to personal integrity can

increase the cost of staying. More in-depth discussion of theory is discussed in the previous

section on the decision to flee. Moore and Shellman (2007) find people are more likely to flee to

the neighboring countries with similar language, but this does not hold true when countries are non-bordering. Geographical proximity is also a measure to test cultural proximity as geographically near countries translate to cultural proximity (Neumayer 2004).

Geographical Proximity

The detailed discussion of the theory is discussed in the earlier section on the decision to flee. Moore and Shellman (2007) illustrate that the data and literature on the flow of refugees' runs counter to the popular perception of the Western image of the refugees fleeing to the "first world" from the "third world". Yoo and Koo (2014) also expand on the argument. They report that the geographically closer countries and the welfare provisions become the targets for the asylum seekers, while geographically distant and politically secured countries tend to recognize asylum seekers. Neumayer (2004) finds that geographically closer countries receive more asylum seekers. Moore and Shellman (2007) find that refugees go to the nearest destination. Moore and Shellman (2007) note that most forced migrants take refuge in the bordering countries and their study on destination choices of refugees support their claim. Moore and Shellman (2007) also find that refugees prefer countries that share borders and have higher GNP relative to the origin country. Moore and Shellman (2007) further find that the presence of common language between the origin and destination country also impacts the flow of refugees (Moore and Shellman 2007). Ratha and Shaw (2007) note that about 80% of the migration takes place in the countries with contiguous borders and a large share of people also go to relatively near countries.

Presence of Social Networks

Many scholars also examine the impact of the network theory and the presence of diaspora in the host countries. They argue that the presence of network in destination country reduces relocation costs and the risks associated with the relocation costs. As discussed above Zimmermann (2010) finds the planning for four of the thirteen interviews taken was done entirely by their relatives. Similarly, Neumayer (2004) finds migration networks as highly significant. Moore and Shellman (2007) argue that the people value the presence of diaspora that helps the asylum seekers gain information easily about how to get to the location away from the home and also how the life would be once the asylum seekers and refugees arrive. But, they did not find the presence of diaspora as significant. Diaspora community also provides the opportunity to family members away from their home.

Welfare Policies

Welfare policies also affect the refugee flows. Robinson and Segrott (2002) argue that the generous welfare policies for the refugees and asylum seekers lower the 'costs of migration' as opposed to the deterrent measures such as the working rights and welfare benefits. Neumayer (2005b) tests the assumption about welfare provisions, but he did not find welfare provisions as significant. Yoo and Koo (2014) also report that the welfare provisions become the targets for the asylum seekers. Their findings support the claim that asylum seekers are rational actors and welfare policies do make destination countries more attractive.

Role of Agents

Destinations are not always about choices. The importance of agents is increasing due to increasing deterrent and preventive policies adopted by governments (Zimmermann 2010). Robinson and Segrott (2002) note the different kind of roles that the agents' plays in the decision making of forced migrants, i.e. some agents give many choices of destination to the asylum seekers, while some agents do not give any choice and offer direct travel to a particular country. Other agents help in facilitating travel to the choice of destination country by asylum seekers. Bijleveld and Taselaar (2000) note the agents make well-informed choices about the destination of asylum seekers. The decision involves factors such as accessible transport to the destination country i.e. whether the destination country is a key center of sea and air routes (Bijleveld and Taselaar 2000).

Barsky's (2000) study on Pakistan found that the respondents were concerned about the achievability and acceptance, but agents played significant role in deciding the choices where to flee. The main concern of interviewees was leaving Pakistan and not to decide where to flee. Agents offered destinations which were reachable among the available range of choices (Barsky 2000). Koser and Pinkerton (2002) suggest the increasing importance of agents due to the non-entrée policies adopted by the governments. Collyer (2005) also notes the increasing importance of relying on agents which erodes the need to rely and become burden on prior migrants. Zimmermann (2010) supports the argument made by Collyer (2005), and Koser and Pinkerton (2002) find the main effect of agents was to get past the controls by the government. The agents explain the feasibility of particular routes and directions to the destination country (Zimmermann 2010).

Some scholars have also examined the role of traffickers. Neumayer (2004) mentions that asylum seekers recourse to better-informed traffickers in their decision to migrate. Efionayi-Mäder et al (2001) and as noted in Neumayer (2004) suggests that asylum seekers in Switzerland, and potential migrants in Iraq, Albania, and Sri Lanka cast doubt on the information available about the welfare provisions in the destination country. Robinson and Segrott (2002) confirm the observation of Efionayi-Mäder et al. (2001). However, both the studies, Robinson and Segrott (2002) and Efionayi-Mäder et al. (2001) note that asylum seekers often use traffickers who are better informed. This study will focus on agents and not traffickers.

Education and Healthcare

Research has also shown that persons may pursue educational prospects (Moret and Efionayi-Ma¨der 2006, UNHCR 2004, UNHCR 2005). India has free and compulsory education for the children between 6 and 14 years of age. This provides good prospect for children's education. Zimmerman (2010) also found evidence that education plays a role in deciding the country where to flee. One interviewee from Kenya chose UK for asylum as the prospect of education is good in UK. Another interviewee in Zimmermann's work saw good educational prospects for his children in UK. Moret and Efionayi-Ma¨ der (2006) also find the importance of education and healthcare while taking decision to flee. People fled to Egypt from Yemen and Libya due to lack of healthcare and education (Moret and Efionayi-Ma¨ der 2006).

Presence of National Policies on Refugees and Signatory of International Refugee Treaties

Yoo and Koo (2014) note that scholars do not address the global institutions in assessing the *dyadic* linkage between the host countries and the origin countries. From world polity perspective, refugees and asylum seekers prefer the countries that ratify more human rights treaties, have national refugee legislation and have more international nongovernmental organizations memberships (Yoo and Koo 2014). The world polity scholars argue that the worldwide institutional process encourages and also pressurizes by making countries accountable to respect the rights of asylum seekers (Yoo and Koo 2014). World polity institutionalism emphasizes on the external conditions related to supranational norms and institutions as contrast to the internal explanations that focus on the economic, political, and cultural conditions of the destination countries (Yoo and Koo 2014). The carriers of global cultural principles such as human rights promoting professionals and their organizations influence the sovereign states to ratify and adopt human rights institutions (Yoo and Koo 2014). Globally active countries with the signatory of 1967 International Refugee Protocol and with good records on the ratifications of human rights treaties, rights-conference attendance, and rights participation might accommodate the suggestions from global moral entrepreneurs and might compromise on their preferred policy directions. As very few countries are the signatory of 1951 International Refugee Convention and its 1967 Protocol, it becomes interesting to analyze whether the countries who have national laws and are a signatory to the international refugee convention are the preferred destinations for forced migrants. Yoo and Koo (2014) find that asylum seekers prefer countries that pass national refugee laws as significant, but not the countries that are signatory to 1967 International Protocol on refugees. Similarly, Moore and Shellman (2007) find

UN refugee treaties as significant only if refugees seek asylum in a long-distant country. Zimmermann's (2010) work on Somali refugees in the UK notes that the destination was chosen by the demands and practicality of the situation. It is easier to get to Europe and UK with the help of agents. Many interviewees were not given any choice except UK. It was the need for certainty, stability and the formal asylum status along with economic stability.

The Literature on Government Policies: Deterrence, Restrictions, and Rights

Although the welfare policy responses of asylum governments to mass influxes of refugees have varied considerably, there is a convergence around the world on deterrence policies. The move towards increasing deterrence policies and change in attitudes of the asylum destination countries are the results of the economic crisis in the 1970s, end of the Cold War, and conflicts in 1980s (Gammeltoft-Hansen 2014). During the same time, globalization led to the mixed flows of irregular immigrants, often eased by human smugglers who specialize in escaping border control (Gammeltoft-Hansen 2014). Smugglers have made access to developed countries a lot easier for people. Another important event that led countries to adopt restrictive measures was September 11, 2001, attacks on the US (Claude and Westen 2006). The policy implications of September 11 attacks go beyond the US. At the same time, the funding of terrorist cells in Europe led France, Germany, and the UK along with other countries to adopt administrative measures and anti-terrorist laws to levy new burdens on migrants including asylum seekers (Claude and Westen 2006). To contain human smugglers and the fear of disproportionate number of migrants lead to the adoption of new effective asylum procedures (Claude and Westen 2006).

Jacobson (1996) argues that immigrants are becoming a matter of international law and institutions implying international law empower noncitizens to assert rights in host countries. *International convergence* scholars argue that international human rights norms make it difficult for courts to differentiate between noncitizens and citizens when protecting rights (Hamlin 2014). The international convergence helps in explaining the reason why 147 countries have signed international refugee treaties (Hamlin 2014). But recent work such as Saleyan and Rosemblum (2004) has cast doubt on international convergence theory. They argue that refugee status determination (RSD) outcomes for asylum applicants are the result of both strategic and normative factors implying the limited progress made by norm-based international regimes in restraining state behavior. In contrast to the optimist international convergence school, a more pessimistic school of thought has emerged: *exclusionary convergence*. The scholars of exclusionary convergence school argue that similar patterns of 'sovereign right to exclude' can be observed by host countries towards refugees and asylum seekers (Kneebone 2009, Gibney 2006). This new consensus among industrialized states is a result of a reaction against internationalism (Pellerin 2008). Industrialized countries have converged on deterrence policies towards refugees and asylum seekers (Hamlin 2014).

Thielemann (2004) notes that the deterrence measures are based on some widely held assumptions. First, forced migrants are well informed through traffickers and social networks about the attractiveness and relative openness of various destination countries. Second, forced migrants apply in countries that have most attractive asylum policies such as integration/welfare measures. And third, countries with attractive asylum policies have to cope with disproportionately high numbers of forced migrants. The assumption though questionable, forms

the foundation of the initiation of deterrence measures which are now viewed by academicians and policy-makers as highly effective (Thielemann 2004).

The last twenty-five years have seen more convergence towards deterrence policies in both new and traditional asylum countries. First, deterrence policies are introduced to prevent refugees from accessing asylum. Countries use legal measures to remove refugees that have already arrived in their territories by introducing *non-entrée* policies (Hathaway 1992). The measures include imposition of time limits for filing and submitting asylum applications, use of accelerated procedures based on safe third country or safe country of origin, routine detention, cutting on welfare benefits such as health coverage and legal aid, restrictions on right to work, and restrictive interpretation of the international refugee convention's refugee definition (Bossin 1999, Gammeltoft-Hansen 2014). Second, deterrence policies are also aimed at physically reaching territories of asylum countries (Hathaway 1992) such as stopping migrant boats in high seas, sending immigration officers to main transit countries, visa regulations, and pre-boarding checks at airports (Gammeltoft-Hansen 2014, Bossin 1999). Third, migration can be controlled through delegation by the outsourcing of control duties and responsibilities to private parties and third countries (Gammeltoft-Hansen 2014).

Defining Containment and Deterrence Policies

Scholars writing on deterrence measures often 'deterrence' and 'containment' but there is a significant difference between them (Hassan 2000). The main aim of containment is to stop people from leaving their origin country and arriving at the borders of Western countries (Hassan 2000). Containment policies are driven towards containing forced migrants in their country of

origin (Hassan 2000). These measures are aimed towards individuals who try to gain legal entry into an impermeable country while also effectively preventing countries of any obligation to the *non-refoulement* (Hassan 2000). The example of containment measures that I discuss below in detail includes pre-boarding inspections, visa restrictions, safe third country provision, and denying access.

While containment measures are only restrictive measures, deterrence measures are both restrictive and punitive measures taken by the destination countries (Hassan 2000). Deterrence measures attempt to discourage forced migrants from coming into asylum countries, along with encouraging asylum seekers to leave the country after arrival (Hassan 2000). The examples of deterrence measures that are discussed ahead include detention, restrictions on welfare benefits and rights, restrictive interpretation of the refugee definition, low recognition rates, and temporary protection.

Containment measures were first implemented in Western traditional asylum countries such as US and UK to stop individuals who abuse asylum system followed by other countries of the world. Detention policies on the other hand first manifest in Thailand in the 1980s for dealing with Kampuchean refugees (Hassan 2000). Thailand's deterrence policies had four pillars: the camps were closed and made strict, the border was closed, resettlement was extremely limited or banned (Hassan 2000), and the treatment of people in camps was greatly dropped (McNamara 1986 as noted in Hassan 2000).

Containment and Deterrence Policies: Convergence and Continuities

The countries of emigration in the nineteenth century have now become countries of immigration (Schuster 2000).France, Netherlands, Germany, and UK became countries of immigration from emigration countries during post-war period, whereas Italy and Greece did not become an immigrant country until the 1980s. Before 1980s Britain received few asylum seekers mainly from communist countries in Eastern Europe. But the fall of communism led citizens to move freely which changed the proposition of arrivals in the UK (Schuster 2000). The numbers from neutral and allied countries increased dramatically which led immigrants to be seen as potentially destabilizing (Schuster 2000). Politicians in Britain connect race and immigration policy. They assert that limits on asylum and immigration are in the interest of "good race relations" (Joppke 1998). Politicians' link immigration with crime, according to them immigration aggravates xenophobia and social tensions, and immigrants exploit social welfare benefits (Schuster 2000). Hence, deterrence measures are intended to fight the above mentioned national security problems (Schuster 2000). Unlike Britain's connection with race, US refugee policy has more to do with foreign policy interests. During the cold war, policies in the US favored refugees from Communist regimes (Loescher 1993). Until 1980, US defined refugee as a person fleeing 'Middle Eastern government' and 'communist-dominated government' (Amnesty International 1990: 8). The change of US policy in 1980 was partly in response to Cuban refugees in the hopes that the change in policy can destabilize Castro's regime (Joppke 1998). But the change in policy increased US discomfort with the arrival of refugees from non-Communist countries. US accepted refugees from unfriendly regimes while removing other refugees from allied countries

(Schuster 2000). For example, unlike refugees from Cuba, Haitians interdicted on the waters of the seas and returned (Scuster 2000).

After the breakup of Soviet Union, countries such as Germany, France, Netherlands, and Sweden faced increase in the inflow of refugees. The dramatic increase in the number of people seeking asylum due to the opening of borders in Eastern Europe and the outbreak of conflict in Europe led countries to consider measures of limiting their responsibility (Hassan 2000). This rapid shift in the increase of the number of asylum seekers from Eastern bloc coincided with the closing of borders of the traditional asylum host countries (Hassan 2000). The rapid change took Greece and Italy unexpectedly and these countries were forced to develop asylum and immigration legislation and policies (Hassan 2000). The pressure to draw asylum policies also came from other member states of EU that reacted to the specific crisis on *ad hoc* basis until the 1980s and 1990s. Even though the legislations regulating asylum seekers were passed at a tremendous rate, no comprehensive and coherent strategy is devised by countries to deal with small and large-scale movement which began in the 1980s and increased in 1990s (Hassan 2000). Instead, countries converged on deterrence policies in the 1980s and 1990s such as restriction to welfare schemes, restricting territorial access, and substitution of permanent asylum with temporary protection (Hassan 2000).

Next, I discuss the different containment and deterrent measures adopted by countries.

Containment and Deterrence Policies

Asylum countries throughout the world agree on the problem of controlling borders (Schuster 2000). Countries fear that they cannot control the inflow of asylum seekers. Regardless of any

political ideology, everyone accepts that controlling borders are necessary to state sovereignty (Schuster 2000). Asserting and maintaining sovereignty in alliance with other countries or alone necessitates firmer border controls and make staying unpleasant and difficult for asylees (Schuster 2000). Forced migrates who come under temporary protection are marginally better as it is assumed that states can return them to their country or origin anytime (Schuster 2000). Countries have adopted many measures apart from temporary protections to deter asylum seekers such as detention which is most commonly used measure for deterring asylum seekers. Other measures include pre-boarding inspections, visa restrictions, safe third country provisions, push back operations, restrictions on welfare benefits, restrictive interpretation of refugee definition, and low recognition rates.

What are the effects of different deterrent approaches in deterring asylum seekers from taking refuge in a particular country? Scholars on forced migration empirically assess the impact of deterrence measures on deterring asylum seekers. The combination of the measures discussed above has been successful in deterring people from seeking asylum, reducing the number of refugee applicants' in countries adopting deterrent measures (Bossin 1999) such as the number of asylum applications dropped by 71 percent in Germany between 1992 and 1994 due to the introduction of restrictive changes in 1993 to the legislation regarding foreigners and to the German Basic Law (Thielemann 2004). Now, I will turn to the discussion of containment and deterrence policies in detail.

Pre-boarding Inspections: Many legitimate refugees who do not have proper documentation due to an adverse condition in their country, or are forced to travel on fake documents are returned

from airports without hearing their refugee claims (Bossin 1999). Countries having pre-boarding inspections are more concerned in preventing undocumented arrivals rather than access to proper and fair determination asylum procedure (Bossin 1999).

Visa Restrictions: Visa restrictions reduce possibilities for asylum seekers to escape to safe countries. Visa restrictions greatly reduce the possibility to escape for a person at risk (Bossin 1999). Visa restrictions also help in curtailing situations of clogging numerous unfounded asylum claims which hinder the process of RSDs (Bossin 1999). However, visa restrictions should not be imposed on countries with any sign of large-scale abuse and on a country from which genuine refugees flee (Bossin 1999). Extensive amendments are made to 1958 Migration Act in Australia. The Act establishes universal visa requirement and enhanced border control (Hamlin 2014). Australia passed another Act in 1999 known as Border Protection Legislation Amendment Act. The act increased penalties on smugglers, made protection visas temporary, required reevaluation of temporary visas after three years, and established fingerprint and DNA requirement for all asylum seekers (Hamlin 2014). Australia has also cut down the incentives such as people who were granted asylum after unauthorized arrival are given "bridging visa" which is three-year temporary visa. After three years the asylum seekers are completely reassessed for consideration of permanent refugee visa.

Safe Third Country: Safe third country rule has created chain deportations to the 'safe' countries with very less regard to proper protections for asylum seekers in the countries of risk or whether the 'safe' country is obliged to hear refugee claim (Bossin 1999). Thielemann (2004) notes that

safe third country provision is considered to be particularly effective. Thielemann (2004) assesses the effect of deterrence measures on the flow of asylum seekers including safe third country provision and he finds deterrence effect to be negative and significant. UNHCR (1997-1998) notes that in May 1997 Belarus and Lithuania were negotiating an agreement which enables the return of asylum seekers from Lithuania to Belarus even though latter is not a signatory of international refugee conventions. Safe Third Country Agreement was also signed between Canada and US in 2010 which states that asylum seekers have to apply for refugee status in the country they reached first, and they cannot apply in another country after being rejected in the other country (Hamlin 2014).

Denying Access:

Australia has adopted push-back operation for denying access to unauthorized arrivals. The unauthorized maritime arrivals are sent to other islands in the region such as Christmas Island or Ashmore reef where the human rights standards are not followed (Crock 2014). Australia's 'no advantage' policy is aimed at asylum seekers who reach at the shores of Australia to give them the message that the asylum seekers will not get any material advantage in comparison to the countries of the first refuge or from the country where their claims are processed (Crock 2014, Kneebone 2014). Asylum seekers in Malaysia, which is a destination country for many refugees from Myanmar, are treated as irregular migrants and do not receive any support while Indonesia is a transit country to Australia or New Zealand (Crock 2014). Australia under the Bali process entered an agreement with Malaysia over the exchange of asylum seekers arriving by boats on

Australia's shores with the intention of burden shifting than with the intention of burden sharing, which did not succeed eventually (Crock 2014, Kneebone 2014).

Hamlin (2014) notes that in 2001 Australia passed Migration Legislation Amendment Act of 2001 and the Border Protection Validation and Enforcement Powers Act 2001 together known as Pacific solution to restrict immigration. The Pacific solution charts out four points: first, it depends on extensive interdiction-at-sea program that turns all the boats away arriving at Australia shores. Second, Australia along with Indonesia aimed at cracking smuggling rings and stop boats leaving Indonesia (Mathew 2003). Third, Australia cut off more than 4,000 of Australia's island from Migration Zone to remove Australia from the obligation of processing asylum claims of any person who lands on these islands. Fourth, Australia has also established detention centers offshore mainly to Christian Island and Nauru, which are not subject to Australian law. Nauru government receives millions of dollars a year to keep detainees off Australia.

Canada passed the C-86 bill in 1992 which puts new limits on the rights of asylum applicants to appeal, has a stricter standard of the port-of-entry interview, imposes huge fines on the flights carrying people to Canada with false documents, and fingerprints are required for all claimants (Hamlin 2014). In 1980, Australian Parliament passed the Immigration (Unauthorized Arrivals) Act and the Migration Amendment Act to reinforce penalties on smuggling and increase monitoring of the coast (Schloenhardt 2003). These deterrent measures along with Australia's distance from refugee-producing countries helped Australia in practically receiving no asylum seekers (Hamlin 2014).

Hamlin (2014) notes that IIRIRA in the US introduced Expedited Removal program where border control officer screens asylum seekers at the port of entry and makes an initial assessment for credible fear of persecution. The scale of Expedited Removal program is huge. After 9/11 Attacks Congress passed REAL ID Act which tightened the requirements for verifying identity and documentary proof of persecution by asylum seekers, but this did not decrease the asylum application in the US.

Detention: Detention of asylum seekers has increased dramatically around the globe recently. Countries such as Australia and Malta use mandatory detention policy to deter asylum seekers from coming to their territory. Other countries restrict detention to claimants whose asylum applications are 'manifestly unfounded' (Amnesty International 1997). UNHCR Executive Committee outlines four reasons for detaining forced migrants: to determine components of the claim, to verify identity, to protect public order or national security, and to deal with migrants who have used fraudulent or destroyed documents to deceive authorities as opposed to genuine forced migrants in need of protection who use false documents for travelling to a safe country. Other reasons for detaining are not acceptable. In spite of the above guidelines, countries are heavily using detention as a deterrent.

To deter asylum inflow, Malta adopted mandatory detention policy. Mainwaring (2012) argues that the Maltese government has developed a response to immigration to gain more financial support from the EU. The minimum eighteen months required detention also have detrimental psychological effects on the asylum seekers as the detention centers are completely cut-off from

the outside world. Also, the detention centers and the asylum open centers on the island do not

have good living conditions (Mainwaring 2012).

Crock (2014) analyzed the role of Australia, Indonesia, and Malaysia in the Asia-Pacific region.

Australia along with the Philippines is one of the very few countries that are signatories of

international refugee convention and have its own refugee settlement determination in Asia. As

discussed above, Australia is using many deterrent measures to keep asylum seekers out of their

territories such as mandatory detention, funding of immigration detention facility in Indonesia

(which has also deterred Indonesia from joining international refugee convention), and the denial

of family reunification (Crock 2014). Australia has made amendments to 1958 Migration Act

which establishes that people who overstayed or stayed without a visa were to be mandatory

detained and removed (Crock 1998). Opeskin's (2012) study on Australia notes that the policy of

mandatory detention is never thwarted by the judiciary or by the international human rights

bodies. He also notes the legal norms to some extent constrain liberal democracies and

legislative, executive, and judiciary. Even with all these differences, these norms have found an

accommodation between the citizens and the individual interests of the foreigners.

Hamlin (2014) analyzes the impact of IIRIRA in the US which removes work rights while

asylum claims are pending and keeping maximum people in detention while their claims are

under investigation. The detention system has been criticized for its treatment of children,

women, and elderly, their poor conditions, and for mixing convicted criminals with asylum

seekers. Detention practices also limit the access to counsel for asylum seekers and are reactive

to post-traumatic disorder from torture and imprisonment (Human Rights First 2004, 2009).

Canada also passed Refugee Deterrents and Detention Bill of 1988 (known as C-84) that allows

discretionary detention of asylum seekers who are considered to be flight or security risk (Helton 1991).

Restriction of Benefits/Rights: Many countries put restrictions on benefits and rights enjoyed by forced migrants in order to deter them from coming in their territories. Countries such as UK in 1996 passed legislation in the parliament denying any welfare payments to the asylum seekers who do not apply immediately for asylum after arriving and to the people that appeal against refusal of their asylum claims (Bossin 1999).

Hamlin (2014) notes that US passed Illegal Immigration Reform and Immigrant Responsibility Act (IIRIRA) in 1996 to control illegal immigration. The 1996 reforms have put a one-year limit for applying for asylum after reaching the US. It also removed work rights while asylum claims are pending. Australia has also cut down on the incentives such as people do not receive welfare and health benefits on bridging visas and are not allowed to sponsor relatives for immigration to Australia.

Vanheule and Witlox (2009) analyze the changes in asylum legislation and asylum applications in Belgium between 1992 and 2003. The initial two amendments introduced in Belgium were not as radical as the amendment passed in 2001 which abolishes the financial and material support. From the data collected and analyzed for the total number of applications in Belgium per month, the first two amendments passed in 1993 and 1996 did not succeed in lowering the asylum applications rather 1993 saw an increase in the asylum applications, but the amendment in 2001 lead to a remarkable decrease in the asylum applications. Authors also note other factors apart from the amendments that contributed to the decrease in the number of asylum seekers in

Belgium from a particular country such as the decrease in the asylum applications in 2001 from former Yugoslavia can be attributed to the stabilization of Yugoslavia, an increase in the asylum applications in other EU countries, and the effect of development aid to the countries from Belgium can also be seen as a reason for decrease in the asylum applicants. Hatton (2011) assesses the impact of different deterrence policies in OECD countries between 1997 and 2006. Hatton divides his policies into three categories 1) access to territories which includes visa requirements, border controls, penalties for trafficking carrier liability, and offshore applications; 2) processing of asylum applications and asylum recognition which includes a definition of a refugee, manifestly unfounded applications, speeding up of processing, subsidiary status, and appeals, and 3) the welfare of asylum seekers which includes changes in policies related to detention, deportation, employment, access to a benefit, and family reunification. Hatton finds a strong effect of deterrence policies in deterring asylum applications. Although Hatton's measures are in depth, but the measures are limited to OECD countries and are simple binary coding. In addition, Thielemann (2004) also assesses the index of deterrence measures in terms of access control which includes complete dispersal policy vs freedom of movement, right to work under certain conditions vs complete restriction to work until asylum claim is successfully accepted, and cash payments vs voucher system. He finds deterrence effect to be significant and negative. Yet many other scholars did not find any effect of cutting welfare policies on forced migrant inflows. Holzer, Schneider and Widmer (2000) and Robinson and Segrott (2002) cautioned against the effectiveness of the restrictive policy. The analysis done in the UK on asylum seekers was based on 65 interviews and finds that the asylum seekers did not have much information about the UK asylum policies before arrival to rationally contemplate on the choices of

destination countries based on welfare benefits and reception conditions (Robinson and Segrott 2002). Another study on Switzerland quantitatively assesses the effects of deterrence measures between 1986 and 1995 and finds that the deterrence effect is partly successful in its objective of keeping asylum seekers from coming to Switzerland (Holzer, Schneider and Widmer 2000). The study concludes that the deterrence effects are not very successful in keeping asylum seekers away if the push factors in the near countries or region reach a critical level. Schuster's (2000) study explores and compares the impacts of seven European government's asylum policies. France, Germany, Greece, Italy, Netherlands, Sweden, and UK has advanced rapidly and restricted the access to the state. She qualitatively assesses three areas of asylum policies: entry, welfare, and temporary protection. She does not find any decline in asylum applications in the seven countries under analysis, rather concludes that the reduction in the benefits is motivated by political consideration in a particular country.

Restrictive Interpretation of the Refugee Definition: Even though International Convention on refugees is signed by most countries, the interpretation of the definition of refugees and rights enshrined are adopted by countries in various degrees across the world (Gammeltoft-Hansen 2014). Amnesty International Report (1997) notes that a lady fleeing persecution from Zaire's prison[1] was denied asylum in Germany on the grounds that Zaire's president does not control military and hence the torture is not a state persecution. Hence, the torture inflicted by a soldier is not state persecution. The authorities in Germany also assert that she committed a crime by photocopying documents and then traveled on borrowed passport which undermines her

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[1] The lady was found photocopying party materials and hence detained in Zaire.

credibility. Authorities further clarify that her story does not have merit as other Zaireans also faced similar incidents. The interpretation of refugee where oppressors are non-government actors such as armed militias leaves people vulnerable (Bossin 1999). Another common reason for refusal by many countries is that asylum seeker should be "singled-out" for persecution. Forced migrants are denied asylum from the countries that face generalized violence (Bossin 1999).

Low Recognition Rates: Countries like Japan and South Africa use low recognition rate as a deterrent. Bocker and Havinga (1998) note that with the increase in asylum application, refugee recognition rates often decrease which also reflects that the procedure in host countries have become stricter and rigid. Neumayer's (2005b) work on asylum destination choice in Western Europe finds correlation between low recognition rate in a particular country and the lower share of asylum applications. Likewise, South Africa use low recognition rate as a deterrent. Amit (2011) and Landau and Amit (2014) have shown that South Africa's asylum grant rate is lowest amongst world despite generous laws in the country on refugee determination. The decisions of South Africa's refugee status determination officers (RSDOs) are flawed with the rationality and reasonableness (Landau and Amit 2014). The officers tell asylum seekers to have considered internal relocation rather than leaving the country, officers also use outdated country's information to investigate country's conditions, and they cut and paste the decisions from other cases (Amit 2011). The bureaucracy is far more autonomous nationally in decision-making as well as in the implementation of policies across regions (Landau and Amit 2014). The Department of Home Affairs (DHA) has consistently refused to comply with the court orders and

called the magistrates as the 'creatures of statue' (Landau and Amit 2014, page 545). Yoo and Koo (2014) also find low recognition rate affects the inflow of forced migrants. Asylum seekers find countries with high recognition rates more attractive.

Temporary Protection: In 1992, UNHCR appealed states to provide temporary protection to the forced migrants fleeing Yugoslavia (Bossin 1992). The idea was that asylum seekers would return home after the end of war. Temporary protection provides sanctuary to the people in danger and also relieves host countries from conducting individual determinations (Bossin 1999). It was a success and many countries such as Canada provided temporary protection to ethnic Albanians fleeing Kosovo. Schuster's (2000) study assesses temporary protection in Europe. Schuster (2000) notes that granting temporary protection reduces the number of asylum seekers as it reduces a large number of people from asylum process. However, people granted temporary protections have fewer rights than refugee status such as the right to travel outside the host country or family reunion (Schuster 2000). Italy allows people to work who have been granted temporary protection (Schuster 2000). UNHCR argues that many forced migrants who were given temporary protection also meet the criteria of refugees specified by 1951 Refugee Convention. Hence, governments such as Sweden, Germany, and the UK use temporary protection as a means to further challenge 1951 Convention (Schuster 2000). People residing under temporary protection are not benefited from the prohibition against refoulement, and their temporary status can be easily removed (Bossin 1999).

Kerwin (2012) discusses temporary protection system in the US. US law provides two recourses for the people who fear persecution but do not fit in the refugee definition: one, temporary

protection status (TPS) and two, an administrative discretion not to *refoule* the person in question (Kerwin 2012). TPS provides work authorization and legal status for six to eight months with the possibility of extension if the situation that led to the designation exists. The Congress cannot give lawful permanent resident (LPR) status to TPS without a supermajority vote of Senate. Another form of protection provided by the Department of Homeland Security (DHS) is granting parole to people from abroad that come from the refugee-like situation. Parole is granted to people on a case-by-case basis for the significant public benefit or humanitarian reasons such as after the earthquake in Haiti, DHS paroled some Haitian orphans and children for adoption. I now turn to the structure of my dissertation. I will discuss the research questions, a summary of theory and hypotheses, and design/methodology of each chapter.

Structure of the Dissertation

Rest of the dissertation is divided into three analytical chapters 1) do deterrence policies deter, 2) constitutional protections and refugee flow, and 3) taking refuge in India: the case of African refugees. I next discuss the summary of chapters.

Chapter 2: Constitutional Rights and the Destination Choice of Refugees

A growing body of scholarly literature has sought to understand the effect of the constitutional rights provisions in general, but as far as I know, no study has yet examined the extent to which constitutions provide rights for refugees. And while the forced migration literature has considered the effect of country of asylum rights and welfare policy on the decision of refugees of where to flee (Thielemann 2004), none have studied the effects of these core constitutional

rights on these choices. To understand these choices, I set my study within the empirical forced

migrant and comparative constitution literature. I will assess whether the formal protections or

lack of protections influence refugee choice. The refugee literature, which I reviewed above, is

largely informed by the rational choice theory which assumes that an individual is a 'rational

actor' that weighs the pros and cons of the decision to flee and the decision of where to flee

based on available information or perceptions (Neumayer 2005a). The empirical literature has

demonstrated that the decision of where to flee is influenced by a series of rational calculations:

1) political factors such as human rights violation, genocide and politicide, threats by dissidents,

ethnic and civil conflicts, and international wars; 2) economic factors; 3) the presence of social

networks in the host country; 4) geographical proximity; 5) cultural similarity and 6) welfare

policies and rights given by the government. I believe this is the first cross-sectional empirical

study that assesses the impact of the constitutional rights provided by the government for non-

citizens on the decision of destination country by forced migrants. I examine the effects of the

constitutional provisions for non-citizens on the decision of destination country by refugees.

Chapter 3: Deterrence Policies and the Destination Choice of Refugees

The primary focus of the present chapter is to assess the deterrence policies adopted by countries

regarding refugees and do policies actually deter asylum seekers from seeking refuge in a

particular country. In this chapter, I propose two steps to assess the extent to which countries

choose to adopt deterrence measures and the impact of deterrence policies on the decision of

destination choice by forced migrants. To understand these choices, I set my study within the

empirical comparative deterrence literature. The first step predicts why countries adopt

deterrence policies and the second step estimates the impact of deterrence policies on refugee flows. In this chapter, I create the new measures of deterrence policies: restrictions on refugees' right to work, and factor score of detention policies. Detention policy includes mandatory detention, right to appeal the lawfulness of detention, and maximum length of detention. I believe this is the first systematic global cross-sectional empirical study that examines the circumstances of state adoption of refugee deterrence policies, and I believe it will be most rigorous test of their impact on refugee levels.

Chapter 4: Taking Refuge in India: Case of African Forced Migrants

The paper will analyze individual-level behavior arguing that asylum seekers and refugees are not bogus refugees and they move to places where their physical security is not threatened. Asylum seekers and refugees are often seen with suspicion and seen as seeking economic benefits in the host countries, and often labeled as 'bogus refugees' (Neumayer 2005). Most studies on forced migration have used aggregate level data to analyze the choice-centered approach of the individual either to stay or leave a country under highly hostile conditions (Davenport, Moore and Poe 2003, Moore and Shellman 2004, 2006, 2007, Neumayer 2004, 2005). None of the forced migration literature, to my knowledge, actually engaged in micro-level analysis until Zimmermann (2010) and Adhikari (2013). While aggregate level data analysis has provided important insights into forced migration theory, it is ultimately inappropriate for assessing individual level choices. For the purpose of this project, I surveyed 155 African refugees and asylum seekers in the states of Delhi and Telangana, India who are under the protection of UNHCR. African refugees and asylum seekers hold importance in Indian context as

they have traveled a long way to take refuge in India even though India does not have any national law for refugees, and neither India is a signatory of 1951 International Refugee Convention, nor 1967 Protocol. Thus, India does not appear to be a logical choice. Moreover, India is not in close geographic proximity to Africa, and such a migration would appear to require considerable resources and time to plan. Thus, the choice of these refugees to flee to India seems particularly interesting from a micro-level perspective.

Conclusion

Ultimately, my dissertation is focused on the destination choice of refugees. The first two chapters assess the impact of formal rights and deterrence policies on the destination choice of refugees. These chapters also assess the factors that lead countries to adopt deterrence policies. The first two analytical chapters provide systematic quantitative analysis for a global set of countries. First, two chapters are linked with the third analytical survey chapter that focuses on the African refugees in India. The last analytical chapter tries to assess the factors that lead African refugees to take refuge in India. The chapter also focuses on whether the African refugees in India know about policies related to refugees in India and other countries.

CHAPTER 2

CONSTITUTIONAL RIGHTS AND THE DESTINATION CHOICE OF REFUGEES

As the world is becoming more globalized, national constitutions have become more homogenous. The adoption of a written constitution by the global set of states appears to be a necessary component for legitimacy (Go 2003, Ginsburg 2003). Moreover, the adoption of 'bill of rights' constitutes a core part of many constitutions, and the addition of 'bill of rights' parallels the move of many countries signing international treaties (Keith 2012). Go (2003: 81) notes that only 10 percent postcolonial constitutions do not have rights under a separate rights section. The adoption of 'bill of rights' by most countries reflects the global trend of adopting rights as a core part of the constitutional writing (Go 2003). Fundamental rights and legal protections enshrined in constitutions are not restricted to citizens; in some constitutions, aliens, including refugees and asylum seekers, may be also granted some basic rights and legal protections. For example, the Indian constitution gives the right to education and right against arbitrary detention to everyone within its territory, without distinction of citizenship, and Switzerland grants the right to the movement to every person within its territory, with no qualifying clause to limit those rights. International law also recognizes some core alien rights. The International Covenant on Civil and Political Rights (ICCPR) requires countries to ensure political and civil rights of all individuals within its territory (Article 2) and specifically prohibits forced expulsion and freedom of movement (Article 12 and 13).[2] Moreover, some international treaties specifically provide fundamental rights for the protection of forced migrants. For

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[2] The text of ICCPR can be accessed at http://hrlibrary.umn.edu/instree/b3ccpr.htm (Accessed on July 28, 2016).

example, the Universal Declaration of Human Rights (1948) (Article 14) is the first international text that provided the right to seek asylum from persecution.[3] Article 42 of 1951 International Refugee Convention (and its 1967 protocol) provides fundamental rights to forced migrants, such as freedom of religion, non-discrimination, access to courts, and the core protection of *non-refoulement*.[4] Finally, the Declaration on the Elimination of Violence against Women (CEDAW) recognizes the vulnerability of refugee women.[5]

A growing body of scholarly literature has sought to understand the effect of the constitutional rights provisions generally, but as far as I know, no study has yet examined the extent to which the rights provided by constitutions affect the decision of destination choice by forced migrants. And while the forced migration literature has considered the effect of asylum rights and welfare policy in the developed countries on the decision of refugees of where to flee (Thielemann 2004), none have studied the effects of the core constitutional rights on these choices globally. In the following paper, I will assess the particular constitutional protections or lack of protections that influence refugee's choice of destination. To understand these choices, I set my study within the empirical comparative constitution literature, deterrence literature, and forced migration literature. The refugee literature largely informed by the rational choice theory assumes an individual is a 'rational actor' that weighs the pros and cons of the decision to flee and where to take refuge based on available information or perceptions (Neumayer 2005a). Neumayer (2005a)

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[3] The text of Universal Declaration of Human Rights can be accessed at http://hrlibrary.umn.edu/instree/b1udhr.htm (Accessed on July 28, 2016).

[4] The text of 1951 International Refugee Convention can be accessed at http://hrlibrary.umn.edu/instree/v1crs.htm and http://www.unhcr.org/en-us/protection/basic/3b73b0d63/states-parties-1951-convention-its-1967-protocol.html (Accessed on July 28, 2016).

[5] The text of Declaration on the Elimination of Violence against Women (CEDAW) can be assessed at http://hrlibrary.umn.edu/instree/e4devw.htm (Accessed on July 28, 2016).

and Moore and Shellman (2004) argue that forced migrants have intentions and goals in making the choice of where to flee; they will try to maximize the benefits and minimize the costs. More specifically, Neumayer's (2004) expected-utility framework posits the choice of whether to flee is a direct result of utility-optimizing factors. In other words, an individual decides to leave when the expected utility of staying is less than the expected utility of leaving. The empirical literature has demonstrated the decision of where to flee is influenced by a series of rational calculations: 1) political factors such as human rights violation, genocide and politicide, threats by dissidents, ethnic and civil conflicts, and international wars; 2) economic factors; 3) the presence of social networks in the host country; 4) geographical proximity; 5) cultural similarity and 6) welfare policies and rights given by the government. I believe this is the first cross-sectional empirical study that assesses the impact of the constitutional rights provided by the government for non-citizens on the decision of destination country by forced migrants. To study the impact of constitutional provisions and other destination choice variables, I include variables that capture the characteristics of a single country and also the specific dyadic links between the host counties and the origin countries.

The paper is organized as follows. The next section provides background of very few existing studies on the constitutional rights and the refugee flow. The following section reviews the literature on deterrence policies in forced migration. I then briefly discuss the literature on 'pull factors' or the destination choice of forced migrants. I then lay out the hypotheses and the research design. I then turn to the estimation results. The last section concludes the chapter by recapping important findings, policy implication, and future research directions.

Constitutional Rights and Refugee Flow

Very few studies examine the impact of constitutional commitments on forced migration. The studies that assess the impact of formal constitutional commitments on refugees and asylum seekers are completely qualitative and case-based. None of the studies have yet tried to assess the impact of constitutional provisions on the impact of the refugee's decision of destination choice empirically. Loper (2010) examines the Hong Kong's judicial approaches to the *non-refoulement* in securing refugee protection. Hong Kong is governed by a mini-constitution and Hong Kong has the authority to apply immigration controls within its border (Loper 2010). Hong Kong is bound by *non-refoulement* by the international human rights treaties it acceded such as ICCPR and article 3 of the Convention against Torture and other Cruel, Inhuman, or Degrading Treatment or Punishment makes explicit mention to the *non-refoulement*. Hong Kong implements international norms in domestic law through the combination of principles of articles 2 and 3 of the Bill of Rights coupled with Articles 28 and 39 of the Basic Law (Loper 2010). The two documents together provide the constitutional right to *non-refoulement*. The Article 28 alone creates the right to *non-refoulement* by providing inviolable rights such as freedom from for the arbitrary detention or arrest, torture or the unlawful deprivation of life (Loper 2010). The judiciary has played an important role in robustly interpreting fundamental rights where in the case of *Ng Ka Ling and Others v. Director of Immigration* in 1999, the Court of Final Appeal (CFA) concluded that laws inconsistent with the Basic Law are invalid and are of no effect (Loper 2010). Loper also discusses the role played by courts in two *non-refoulement* cases. The *Secretary for Security v. Saktheval Prabhakar* has led to the creation of 'torture screening' while many gaps emerged in *C v. Director of Immigration* decision and reveal much greater scope in

the application of the constitutional rights of asylum seekers in the judicial review cases (Loper 2010).

The international law states if refugees are moved to another territory then that country must give efficient protection. The 1951 International Refugee Treaty and its 1967 Protocol provides fundamental rights to forced migrants, such as freedom of religion, non-discrimination, access to courts, and the core protection of *non-refoulement*. Crock (2014) in his work analyzes the situation of 'transferees' to Papua New Guinea (PNG) and Narau by Australia. Neither Narau nor PNG has the same kind of protection for human rights as Australia and both Narau and PNG have their own constitutions with individual rights. Although Narau has taken some steps towards complying with key human rights instruments and the Refugee Convention, but agreements on the process of unauthorized maritime arrivals (UMAs) from Australia are not universally accepted in both countries. Challenges have come from the constitution of PNG where in January 2013, an opposition leader filed a complaint in the National Court against Manus processing center claiming it was unconstitutional. The leader argued that detaining of unauthorized maritime arrivals in Manus Island is against the PNG's constitutional provision that prohibits arbitrary detention. This constitutional challenge eventually failed due to the significant internal tensions in the country in February 2013 over the creation and running of these facilities. Constitutions have played an important part in some countries in protecting the rights of refugees. For example, India is not a party to the 1951 International Convention and its 1967 Protocol on refugees, once refugees are within the Indian Territory, they are subject to the Indian penal laws. Furthermore, some articles in the Indian Constitution are applicable to refugees as they are to the Indian citizens. For example, the Supreme Court of India has held Article 21 of

the Indian Constitution which deals with the right to life and personal liberty is applicable to everyone regardless of whether they are aliens or Indian citizens (Ananthachari 2001). High Courts in India under various circumstances have adopted the rule of natural justice, and concomitantly refugees have been protected against *refoulement*. In the case of Chakma Refugees from Bangladesh in the Arunachal Pradesh (a North-eastern state in India), All Arunachal Pradesh Students Union (AAPSU) was agitating to expel Chakmas from the state. The National Human Rights Commission of India (NHRC) on behalf of 65,000 Chakma refugees, who are settled in Arunachal Pradesh since 1965, filed public interest litigation (PIL) and successfully sought the Supreme Court's intervention in order to safeguard their life and freedom (Chimni 2008). Likewise, in the case of *Syed Ata Mohammadi vs. Union of India* (Criminal writ petition no.7504/1994), the High Court of Bombay has directed "there is no question of deporting the Iranian refugee to Iran since he has been recognized as a refugee by UNHCR" and the Court has permitted the refugee to move to any country he desires" (Ananthachari 2001). Before I discuss the forced migration, literature related to 'pull factors' and my hypotheses, in the next section, I turn to the studies that examine the impact of deterrence policies on the decision of destination choice by forced migrants.

Deterrence Policies and Refugee Flow

Very few scholars have studied the impact of domestic policies on deterring forced migrants. Holzer, Schneider, and Widmer (2000) quantitatively assessed the effects of deterrence measures between 1986 and 1995 on Switzerland and find that deterrence measures were partially successful in keeping asylum seekers coming to Switzerland. The study concludes that

deterrence measures are expected to fail if the push factors in a region nearby to the receiving

states reach a critical level (Holzer, Schneider and Widmer 2000, page 1205). Another study by

Thielemann (2004) assesses an index of deterrence measures that includes the right to work

under certain conditions versus complete restriction to work until asylum claim is successfully

accepted, cash payments versus voucher system, and complete dispersal policy vs freedom of

movement. He finds deterrence effect as an important factor in deterring forced migrants.

Hailbronner (1994) in her work examines the asylum situation in Germany. The German

constitution guaranteed an absolute right to an asylum before 1993 which changed in December

1992 due to the mounting immigration pressure (Hailbronner 1994). Reform in the German

constitution had intended effect of reducing the number of asylum seekers coming to Germany

(Hailbronner 1994). Thielemann (2004) notes that the adoption of safe third country provisions

along with the restrictions introduced to the German Basic Law in 1993 helped in reducing the

71 percent of asylum applications in Germany between 1992 and 1994. Recently, Yoo and Koo

(2014) demonstrate that despite the increase in deterrence policies, countries have given legal

status to asylum seekers and hosted a significant number of refugees. In fact, countries support

for the international refugee norms and national incorporation of corresponding norms made the

way for policies related to refugees (Yoo and Koo 2014). Since the 1950s, 148 countries have

become parties to both 1951 Convention on Refugees and 1967 Protocol (UNHCR 2015).

Furthermore, countries that have committed to the Convention are required to amend

constitutions and pass national refugee laws in order to adhere to the treaty's standards (Yoo and

Koo 2014). However, even after incorporating global norms into the national jurisdiction, the

asylum/refugee recognition rates of member states have remained below ten percent after the

early 1980s (Yoo and Koo: 49). Moreover, only a small number of asylum seekers who are granted status have the right to social welfare, the right to work, and other basic rights, and rejected asylum seekers are compelled to leave the country (Yoo and Koo 2014). Yoo and Koo also examine the effect of these policies. Due to the lack of any direct measures available for accessing the impact of welfare Yoo and Koo (2014) use a measure of social welfare contribution (percentage of revenue) to assess the impact of welfare regime on the decision of where to flee. They find that the size of the welfare regime has a positive effect, which suggests that asylum seekers are indeed rational actors, and may consider humanitarian policy and welfare provisions while deciding where to flee.

Still, many other scholars did not find any effect of deterrence policies in reducing the number of asylum seekers and refugee's inflows. Robinson and Segrott (2002) in their analysis in the UK find that asylum seekers did not have much information about the UK's asylum policies before arrival. Schuster (2000) in her study compares the impacts of seven European government's asylum policies and did not find any decline in asylum applications in the countries under analysis; rather, she concludes that the decline in the benefits is motivated by political consideration in a particular country. In the next section, I turn to the literature on the 'pull factors' or the decision of where to take refuge.

The Decision of Where to Go or the 'Pull Factors'

The decision of where to go or the 'pull factors' are the factors that attract people to another country such as economic stability, formal asylum status, geographical proximity, cultural and religious similarity (Moore and Shellman 2006, Schmeidl 1997). Some scholars argue that the

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choice of where to take refuge involves some kind of rational decision making (Adhikari 2013, Moore and Shellman 2006) while some scholars argue that the decision of where to go are passive and forced migrants do not have a choice in choosing their destination (Day and White 2002). A significant body of literature in the field of forced migration studies within a rationalist framework in large cross-sectional time series analysis (Moore and Shellman 2007, Neumayer 2004, 2005b, Schmeidl 1997). Scholars outline certain factors that influence the decision of where to take refuge by forced migrants which include political factors, economic factors, cultural factors, geographical proximity, the presence of social networks, welfare policies, and the presence of national policies on refugees.

Individuals are rational actors and value their physical safety and decide to leave their home if their physical safety is threatened. The physical security can be threatened by state domestic state actors and dissidents. Not many studies examine the role of political factors in the decision of where to go. Scholars studying human rights violation find a very strong relationship between the refugee migration and the human rights violation (Apodaca 1998, Gibney, Apodaca, and McCann 1996). Moore and Shellman (2007) find the events of genocide/politicide in a country decrease the flow of refugees to that particular country. They also find that refugees avoid noncontiguous potential destination countries experiencing civil war and international war, though the authors do not find dissident violence and democracy as a significant factor. Neumayer (2004) and Robinson and Segrott (2002) unlike Moore and Shellman (2007) find democracy as an important deciding factor of where to take refuge by forced migrants. The literature on forced migration also argues that the level of economic development influences the decision of a destination country by forced migrants. Yoo and Koo (2014) do not find economic

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factors as significant while Moore and Shellman (2007) and Neumayer (2004) in their study

finds average wages matter and refugees tend to go to well-to-do countries.

Apart from the political and economic factors, scholars have also analyzed other factors such as

cultural factors, geographical proximity, the presence of social networks, welfare policies, the

presence of national policies, and the signatories of International Refugee treaties. Moore and

Shellman (2007) in their study find similar language as a significant deciding factor for refugees

regarding destination country, but this does not hold true when countries are non-bordering. Yoo

and Koo (2014), Moore and Shellman (2007), and Neumayer (2004) in their analysis report that

the geographically closer countries affect the decision of where to take refuge. Zimmermann

(2010), Moore and Shellman (2007), and Neumayer (2004) in their work find social networks as

an important deciding factor as the presence of forced migrants from the country of origin

decreases the cost of migration for the people left behind. Welfare policies also play a role as a

motivating factor of where to take refuge. Yoo and Koo (2014) in their finding support the claim

that asylum seekers are rational actors and welfare policies do make destination countries more

attractive, while Neumayer (2005b) tests the assumption about welfare provisions but he did not

find welfare provisions as significant. In regard to the UN refugee treaties, Yoo and Koo (2014)

do not find treaties as an important deciding factor while Moore and Shellman (2007) find

treaties as significant only if refugees seek asylum in a long-distant country. Yoo and Koo (2014)

report that asylum seekers prefer countries that passes national refugee laws. Zimmermann

(2010) on the other hand in her work on Somali refugees in the UK notes that the destination was

chosen by the demands and practicality of the situation. It is easier to get to Europe and UK with

the help of agents. Many interviewees were not given any choice except the UK. It was the need

for certainty, stability and the formal asylum status along with economic stability. In the section below, I now discuss the hypotheses related to core constitutional rights provided by countries on the decision of where to go by forced migrants.

Do Constitutional Protections Lead to More Inflow of Forced Migrants?

The significance of written constitutions with an embedded 'bill of rights' has been universally recognized. Scholars posit that constitutional provisions govern the allocation of power, duties, and functions and set forth social, political and economic aspirations and moral prescriptions (Finer 1974). The constitutional provision provides an individual protection and the reach of the rule of law from overextension of the government powers (Beatty 1994). The constitutional protection also provides new standards of justice that both bureaucrats and politicians need to meet and gives final control over important activities and interests to individuals over the state (Beatty 1994). The literature also argues that norms and rights integrated into constitutions promote the culture of right consciousness of the violation of rights amongst people, and the consciousness leads to a social movement which puts pressure on the government (Epp 1998). The core individual rights in constitutions can potentially influence the choice of destination for forced migrants and can reduce the costs of moving.

Constructivists value norms and obligations. The world society scholars suggest that the global institutional process pressurizes destination countries to hold responsibilities of protecting rights of asylum seekers as a legitimate nation-state (Boli and Thomas 1997, Koo and Ramirez 2009). Henkin (1979) argues while states sometimes breach their legal commitment, but most of the times state keep their commitments. Chayes and Chayes (1993) also maintain that governments

keep their commitments and make efforts to comply with them. Betts (2009) argues that despite

having no enforcement mechanism by the 1951 International Refugee Convention, norms with

the period of time internalize with a domestic framework that eventually shapes a state's interests

and behavior in regard to refugees and asylum protection such as the norm of *non-refoulement*

has become universally accepted and established. Soysal (2012) notes the global institutional

process influences refugee's decision of where to go. He argues that refugees are individuals

with intentions and are likely to have prior knowledge about world cultural values such as the

justice and rights and hence make choices accordingly. Hence, I expect the constitutional

commitment to an independent judiciary and international human rights will help in protecting

the rights of refugees.

> *Hypotheses 1:* The adoption of formal provisions to individual human rights related to
>
> refugees will lead to a higher number of people seeking refuge in a country.

The judiciary plays an important role in many countries in protecting rights of refugees. As

discussed above, courts in many countries such as India and Hong Kong have passed rulings

protecting rights of refugees. While an independent judiciary is not an ultimate guarantor of

constitutional rights as Ackerman (1991) notes. Keith (2012) in her work on political repression

finds a strong correlation between an independent judiciary and less political repression. Many

scholars such as Steiner and Alston (1996) find support in favor of the role of an independent

judiciary as an important guardian of the rule of law. From the above discussion, I expect:

Hypotheses 2: The more independent is the judiciary, the more likely the rule of law will be protected which makes a country more attractive to refugees.

While the world society authors argue global norms eventually get diffused over time, but the diffusion of norms does not mean that governments will have intention or capacity to keep formal promises. Some studies show the difference between promise and practice. Studies on South Africa by Amit (2011) and Landau and Amit (2014) show that despite the most generous laws on the refugee determination and constitutional provisions for individual human rights in South Africa, the country's asylum grant rate is the world's lowest. Refugees are portrayed as economic migrants and the decisions of the South Africa's refugee status determination officers (RSDOs) are flawed with the rationality and reasonableness such as giving the option of internal relocation, failure to investigate country's conditions, using country's outdated information, and cutting and pasting from other decisions and new sources (Amit 2011). Another work by Milner (2014) on Burundian refugees in Tanzania shows the global policy has contributed towards the initial development of policies and attracted lot of funding for the settlement and naturalization of Burundians who have been staying for a long time, but the full integration has not been ensured to the Burundians due to the domestic opposition and change of the leadership (Milner 2014). Authors such as Ginsburg and Moustafa (2008) in their work show the judicialization of politics in Egypt supports the use of independent courts for attracting foreign investment and controlling the bureaucracy. Hence, constitutional provisions for an independent judiciary and for individual human rights can have no or negative effect on the people seeking refuge in a country.

Alternative Hypotheses 1: The adoption of formal provisions for individual human rights for refugees can have decoupling effect in which provisions in national constitutions will have no or negative consequence on people seeking refuge.

Alternative Hypotheses 2: The adoption of formal provisions for independent judiciary can have decoupling effect in which provisions in national constitutions will have no or negative consequence on people seeking refuge.

World polity theorists argue that the states are embedded in a wider cultural principle that "promulgates cognitive frames and normative prescriptions that constitute the legitimate identities, structures, and purpose of modern-states" (Cole 2005: 477). In the field of forced migration, the global cultural principles constitute the 1951 international refugee treaty and its 1967 protocol. The world polity institutionalists maintain that the forced migrants are more likely to go to the country that is closely linked with the world polity, mainly to the international refugee regime (Yoo and Koo 2014). Yoo and Koo further argue that the recipient countries are no more confined to the neighboring countries, the refugee nowadays increasingly enjoy the extended list of potential destination countries including the countries that are closely linked to international norms and standards. Hence, I hypothesize:

Hypothesis 3: Countries receive more refugees that are the party to the International Refugee regime.

Apart from the arguments made by world society scholars, rationalists argue that forced migrants are utility maximizers and rational actors and hence go to the countries that provide better economic opportunity. More specifically, rationalists argue that political and economic opportunity in the destination country influence the decision of destination choice. The results are mixed where Yoo and Koo (2014) do not find economic opportunity as an important factor while Moore and Shellman (2007) and Neumayer (2004) finds economic opportunity an important deciding factor. Thus, I expect:

> *Hypothesis 4:* Countries will receive more refugees that have better economic opportunity.

On the other hand, forced migrants want to reach the nearest haven in the minimum time. Therefore, forced migrants assess all the choices available to them and go to the countries which are easy to reach and where they feel safe. In other words, forced migrants prefer countries that are politically stable. Scholars have assessed political factors and did find conditions of human rights, and level of democracy as an important deciding factor (Moore and Shellman 2007). Therefore, I posit my next hypothesis:

> *Hypothesis 5:* Countries will receive more refugees that have better political conditions.

Having specified monadic characteristics of the destination choice of refuge, I turn the attention to the dyadic characteristics that may influence the refugee flow. I expect four types of dyadic-level factors to have an impact: the presence of social networks, contiguity between origin and destination country, common border and civil/ethnic violence in both countries, and common border and international conflict in both countries.

Apart from the formal protections, other factors can have a stronger effect in attracting forced migrants to a country. The destination choice literature suggests that force migrants are utility maximizers and are affected by other factors and circumstances in their decision of destination choice. Some countervailing factors can have greater effects than the formal rights effects. Borders are one such factor that plays an important part in deciding destination country. Forced migrants prefer going to the nearest safe place due to fewer transportation costs and more convenience. Previous studies have all argued that most refugees take refuge in the closest available refuge (Weiner 1996, Schmeidl 1997, Neumayer 2004, Moore and Shellman 2006, Moore and Shellman 2007). UNHCR (2016) global trends report show that the top five destination countries are: Turkey, Pakistan, Lebanon, Islamic Republic of Iran, and Uganda. Each of the top five host countries shares a border with the major source of refugee-producing countries: Syrian Arab Republic, Afghanistan, South Sudan, Somalia, and Sudan. The data implies that most refugees seek protection in neighboring countries. Thus, I expect:

Hypothesis 6: Countries will receive more refugees that have common contiguity with refugee-producing countries.

As argued above, people not only go to neighboring countries but also, I expect people to avoid countries that are experiencing violence/wars. However, empirical studies on forced migration have observed that increased refugee flows in the neighboring countries are associated with the increased risk of civil war in the host country (Salehyan and Gleditsch 2006, Moore and Shellman 2007). The studies are consistent with the Weiner's (1996) argument that 'bad neighborhoods' tend to create refugee flows. Hence, I posit:

> *Hypothesis 7:* Countries facing conflicts, violence and share common borders, will receive more refugees.

Finally, the presence of social networks may affect the destination choice of refugees. A large literature exists that argue that presence of conational and familial networks affects the destination choice of the people fleeing persecution (Kunz 1973, Richmond 1993) and the arguments are supported by statistical studies on forced migration literature (Schmeidl 1997, Moore and Shellman 2006, Moore and Shellman 2007, Neumayer 2004). The presence of diaspora reduces the cost of relocating in the potential destination country. Hence, I expect:

> *Hypothesis 8:* Countries with higher share of refugees from origin country will receive more refugees.

Interaction Terms

In addition to above hypotheses, I believe literacy rate of the origin country may also impact the decision of the destination choice. I expect literate people to be more aware of the rights and benefits of the potential destination countries. Thus, I interacted origin country's literacy rate with the formal rights to examine if literacy has any impact on the decision of destination choice. The analyses of the above hypotheses will improve our empirical understanding of the impact of formal rights provided in constitutions as well as the role of other factors that may contribute to the decision of destination choice by forced migrants. I next discuss my research design related to the paper.

Operationalizing the Hypotheses

I will assess whether the formal rights adopted by countries help in deterring forced migrants from seeking asylum in a country. While operationalizing the rights in regard to refugees, I will use core rights given or not given to non-citizens in constitutions. The rights given to aliens or non-citizens may affect rights of refugees such as India and Hong Kong has protected the rights of refugee's in courts based on the rights given to all people in the constitutions. I operationalize the following rights: freedom of domestic movement, freedom of religion, gender protection, race/nationality protection, and writ of *habeas corpus*, right to seek refuge, and right to seek asylum. The data sources for constitution variables are Oxford Constitutions of the World, Blaustein and Flanz, and HeinOnline.

Dependent Variable

Change in Refugees each year: The dependent variable is collected by UNHCR population statistics (2015b) which records yearly refugees in a particular country from a different country of origin over the period 1993-2014. The refugee flow data does not exist, hence to measure the dependent variable, the paper uses annual stock, or the raw number of refugees estimated by UNHCR in a given country (Schmeidl 1997, Moore and Shellman 2007). The numbers reflect any decrease or increase of the refugee population (Schmeidl 1997). The individuals in the analysis are refugees who are in need of protection and hence availed themselves to the protection of international organization, mostly UNHCR (Schmeidl 1997). The paper excludes IDPs, environmental refugees, refugees granted temporary protection, self-settled or illegal refugees (mostly linguistically and ethnically similar), and economic refugees. In short, refugees are the people who have left their country due to the fear of persecution and have availed themselves to an international organization for assistance (Schmeidl 1997). The dependent variable is measured by taking the difference in refugee stock, i.e. the value of current year *t* minus the value in *t-1* and then truncates it at zero to remove any negative variable (Moore and Shellman 2007). I use natural log of the dependent variable as the data is skewed.

Constitutional Provision for the Right to Refuge:

      0: No provision for the right to refuge

      1: Provision for the right to refuge

Constitutional Provision for the Right to Asylum:

0: No provision for the right to asylum

1: Provision for the right to asylum

Constitutional Provision for the Alien/Non-Citizen Freedom of Movement:

0: No freedom provided

1: Freedom provided but with severe restrictions

2: Freedom provided but with few restrictions

3: Freedom provided with no restrictions

Constitutional Provision for the Alien/Non-Citizen Gender Equality:

0: No right provided

1: Right provided but with severe restrictions

2: Right provided but with few restrictions

3: Right provided with no restrictions

Constitutional Provision for the Alien/Non-Citizen Racial Equality:

0: No right provided

1: Right provided but with severe restrictions

2: Right provided but with few restrictions

3: Right provided with no restrictions

Constitutional Provision for the Alien/Non-Citizen Freedom of Religion:

    0: No freedom provided

    1: Freedom provided but with severe restrictions

    2: Freedom provided but with few restrictions

    3: Freedom provided with no restrictions

Constitutional Provision for the Alien/Non-Citizen Writ of Habeas Corpus:

    0: No freedom provided

    1: Freedom provided but with severe restrictions

    2: Freedom provided but with few restrictions

    3: Freedom provided with no restrictions

Social Networks: I use lagged dependent variable.

Common Contiguity: Based on the top 5 percentile rank for refugee-producing country each year,

I coded the common contiguity of these countries based on the Correlates of War Project's

Direct Contiguity Data. The coding is as follows:

    1: Separated by a land or river border

    2: Separated by 12 miles of water or less

    3: Separated by 24 miles of water or less (but more than 12 miles)

    4: Separated by 150 miles of water or less (but more than 24 miles)

    5: Separated by 400 miles of water or less (but more than 150 miles)

International Refugee Regime (1951 International Refugee Treaty and 1967 Protocol): Coded

from UNHCR (2015): Procedure for becoming a party to the Convention and Protocol relating to

the status of refugees.

De Facto Judicial Independence: Following Keith (2012), I will create trichotomous measures

using the US State Department Human Rights Reports and the Amnesty International Reports.

The measures are as follows:

Nonindependent Judiciary (0): The judiciary is reported as not being independent in

practice; is reported to have significant or high levels of executive influence or

interference, or is reported to high levels of corruption. (154)

Somewhat Independent Judiciary (1): The judiciary is reported to be somewhat

independent in practice, with reports of (some) pressure from the executive 'at times' or

with occasional reports of corruption. (154)

Fully Independent Judiciary (2): The judiciary is reported as "generally independent" or

is independent in practice, with no mention of corruption or outside influence." (154)

Economic Factors: Economic factors include 1) Unemployment Rate: I use the World Bank data

on the unemployment rate. According to the World Bank, "Unemployment refers to the share of

the labor force that is without work but available for and seeking employment. Definitions of

labor force and unemployment differ by country", and 2) Wealth/Resources: I use natural log Gross Domestic Product (GDP) in current US$ from the United Nations Statistics Division.

Political Conditions within the Country: Political conditions include Human Rights Conditions: To capture the human rights violations this paper uses (1) Political Terror Scores (PTS). PTS codification is based on U.S. Department of State annual human rights reports and Amnesty International annual human rights reports. Following Neumayer (2005b), this study takes the simple average of both the two scales. (2) *Genocide/Politicide:* I use Political Instability Task Force (PITF) (Marshall, Gurr, and Jaggers 2014) to measure genocide/politicide.

Democracy-Autocracy: I use Polity Index (Marshall, Gurr, and Jaggers 2014) to measure the level of democracy.

Conflicts: I use Major Episodes of Political Violence (MEPV) and Conflict Regions, Dataset (Marshall, Gurr, and Jaggers 2014) to include two indicators of conflict (1) civil and ethnic conflict/war, and (2) international conflict/war in my analysis.

Literacy Rate of the Origin Country: I use Central Intelligence Agency's (CIA) *World Factbook* to measure literacy rate.

Analysis

I use dyadic panel design for all the countries which helps to explain special links between

destination and origin countries. It also allows controlling destination and origin country fixed

effects (Neumayer 2004). The dyadic dataset allows for testing the attraction as a destination

choice for refugees from specific country of origin (Neumayer 2004). The time frame for the

analysis is 1993-2014. Because I include some variables that are lagged one year, I lost one-year.

Overall, I estimate two models using linear regression fixed effect and standard errors are fully

robust. Neumayer (2004) notes fixed effects "ensures unbiasedness of the estimated coefficients,

even if the explanatory variables are correlated with unobserved time-invariant, country-specific

FE" (p. 394). Table 2.1 provides descriptive statistics for all variables.

TABLE 2.1 Descriptive Statistics of Variables (1993-2014)

Variable	Observations	Mean	Standard Deviation	Minimum	Maximum
Dependent Variable					
Number of Refugees	542,929	52.432	3905.227	0	1200000
Independent Variables					
Asylum Right to Seek Asylum	542,929	.387	.488	0	1
Right to Seek Refuge	542,929	.157	.364	0	1
Asylum Right to Movement	542,929	.539	.689	0	2
Asylum Right to Religion	542,929	1.197	.819	0	3
Asylum Race/Nationality Protection	542,929	1.209	1.068	0	3
Asylum Gender Protection	542,929	1.234	1.057	0	3
Asylum Writ of	542,929	1.268	1.147	0	3

Habeas Corpus Common Contiguity	542,929	.002	.065	0	5
Asylum Treaty/Protocol Signatory	542,929	.747	.435	0	1
Asylum Judicial Independence	542,929	.819	.848	0	2
GDP/Capita	542,929	9206.416	15444.85	80.457	117454.2
Asylum Unemployment Rate	542,929	9.177	7.323	0	60
Asylum Political Terror Scale	542,929	2.614	1.105	1	5
Asylum Polity	542,929	3.083	6.473	-10	10
Asylum Genocide/Politicide	542,929	.031	.323	0	5
Common Land Civil/Ethnic Violence	542,929	.002	.043	0	1
Common Land International Conflict	542,929	.001	.008	0	1
Origin Literacy	542,929	78.4302	22.56312	11	100

To give an overall sense of the constitutional rights, Figure 2.1 presents the annual mean

constitutional rights for the right to seek asylum, right to seek refuge, freedom of domestic

movement, freedom of religion, race/nationality protection, gender protection, and writ of habeas

corpus. Several interesting findings can be observed. First, the provisions related to the equality

of rights (right to religion, gender protection, and race/nationality protection) and access to

courts are the strongest provisions with a mean of 1.3. Secondly, countries are less willing to

give right to domestic movement with a mean of .6. On a scale of 0 and 1, the means of right to

seek asylum and right to seek refuge is .41 and .19 respectively. The difference in the means for

the two rights indicate the difference between the recognition of the right to seek asylum and the

right to seek refuge, with provision for the right to seek asylum being much more recognized. These means suggest that the right to seek asylum, right to seek refuge, and right to free movement to non-citizens are riskier, and more specifically could increase the number illegal immigrants and forced migrants seeking access or refuge in a country. The increasing number of forced migrants and illegal immigrants, in turn, would bring significant political and economic costs. Third, the means each of these measures are quite stationary, with little movement after 1995. This observation likely reflects the fact most of the constitutions were already written by 1995 and it's unlikely that constitutions amended as processes for changing or amending constitutions are typically quite stiff. Fourth, the means of four constitutional measures lies between 1 and 1.3 which on a scale of 0-3 represents the qualified constitutional protection for non-citizens and not full guarantees. Overall, the means suggest that the constitutional rights for non-citizens are very restrictive and countries are reluctant to give rights to aliens or non-citizens. Countries become restrictive in the matter of non-citizens.
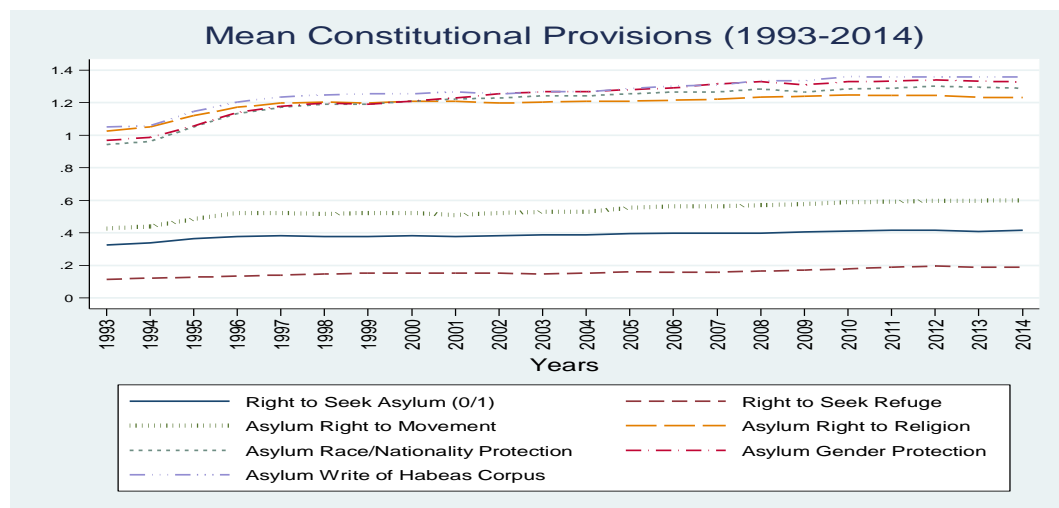
FIGURE 2.1 Mean Constitutional Asylum and Refuge Provision (1993-2014)

In the correlation matrix (Table A1 in Appendix A) for all the variables, I find strong correlation

between only two variables--the gender protection and the race/nationality protection. To control

for collinearity in the models, I estimated three initial models: one that combined the two

problematic variables into a single index (Model 1 in Table 2.2), two that dropped gender

variable (Model 2 in Table 2.2), and three that dropped race/nationality variable (Model 3 in

Table 2.2).

In running the regression, I examined two models with and without time lag of my constitutional

measures. I examine the lag structure because we may reasonably expect the performance of

formal rights variables in *t-1* period constituted a pull factor and not current performance in

period *t* (Thielemann 2004). The lagged structure in Table 2.2 presents the best estimation

results. Table 2.2 reports the results of the three models. The standard errors are fully robust. The

R-squared of all three models are .51 and the overall significance level of the model is $p < .001$.

TABLE 2.2 Regression Analysis of Change in Annual Refugee Flow by Country of Refuge, 1993-2014

	Model 1	Model 2	Model 3
Estimation Technique	Linear Regression FE	Linear Regression FE	Linear Regression FE
Monadic Variables			
Asylum Right to Seek Asylum (t-1)	.0120*	.0152**	.0106*
	(2.3)	(2.88)	(2.06)
Right to Seek Refuge (t-1)	-.009	-.010	-.008
	(-1.40)	(-1.47)	(-1.19)
Asylum Right to Movement (t-1)	.001	.001	.001
	(.37)	(.23)	(.45)
Asylum Right to Religion (t-1)	-.0189***	-.0139***	-.0198***
	(-5.19)	(-3.93)	(-5.42)
Asylum Race/Nationality (t-1)		.0055*	
		(2.01)	
Asylum Gender Protection (t-1)			.0144***

	(1)	(2)	(3)
			(5.65)
Asylum Sum Race/Nationality and Gender Protection (t-1)	.006***		
	(4.81)		
Asylum Writ of Habeas Corpus (t-1)	.001	.002	.001
	(.02)	(.58)	(.15)
Asylum Treaty/Protocol Signatory	-.019***	-.019***	-.019***
	(-3.94)	(-3.92)	(-3.92)
Asylum Judicial Independence	-.001	-.001	-.001
	(-.17)	(-.30)	(-.15)
Asylum GDP/Capita (logged)	.012***	.013***	.012***
	(8.16)	(8.37)	(7.93)
Asylum Unemployment Rate	-.001	-.001	-.001
	(-1.60)	(-1.45)	(-1.78)
Asylum Political Terror Scale	-.004**	-.004**	-.004**
	(-2.94)	(-2.85)	(-2.94)
Asylum Polity	-.001*	-.001	-.001*
	(-2.02)	(-1.80)	(-2.10)
Asylum Genocide/Politicide	-.009**	-.009**	-.008**
	(-2.96)	(-3.17)	(-2.93)
Origin Literacy	.001***	.001***	.001***
	(6.92)	(7.01)	(6.88)
Dyadic Variables			
Social Networks	.277***	.277***	.277***
	(46.42)	(46.42)	(46.42)
Common Contiguity	3.315***	3.315***	3.315***
	(21.07)	(21.07)	(21.07)
Common Land Civil/Ethnic Violence	.209*	.209*	.210*
	(2.08)	(2.08)	(2.08)
Common Land International Conflict	.282	.283	.282
	(.82)	(.82)	(.82)
Constant	-.042**	-.046**	-.039*
	(-2.70)	(-2.98)	(-2.52)
Observations	517179	517179	517179
Prob > F	.001	.001	.001

R-squared	.554	.554	.554
Adj R-squared	.530	.530	.530

t statistics in parentheses
* p<.05, ** p<.01, *** p<.001
Standard errors are robust

The results in the models are very similar across the core constitutional rights, my primary

variables of interest. As hypothesized, I find somewhat mixed results of the core constitutional

rights variable on the decision of destination choice. First, several provisions do not achieve

appropriate levels of statistical significance. Many factors account for the fact that the right to

refuge, right to domestic movement and writ of habeas corpus turns out to be insignificant. One

explanation can be refugees prefer neighboring countries or become internally displaced persons

(IDPs). Another explanation could be that refugees are not able to reach countries that provide

these rights. In many instances, refugees transit from one country to another and in the process,

large number of refugees' stay in countries that are less likely to provide these rights. Second,

regarding the direct provision of asylum/refuge, I find that while the right to refuge does not

achieve statistical significance, the right to seek asylum, which produces a positive coefficient of

.01 (Model 1), .02 (Model 2), and .01 (Model 3), achieves a level of statistical significance at

95% confidence level, which suggests that the constitutional right to seek asylum in a country

does make that country more attractive as a destination. The provision for the right to refuge is

not statistically significant. One explanation for this difference could be that few countries

provide right to refuge provision relative to provision of right to seek asylum. In the year 2014,

only 18.6% countries provide provision for right to seek refuge while 41.3% countries have

provision for the right to seek asylum. In addition to examining the provisions for asylum and

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refuge separately, I also tested the two variables by combining them. The results do not show any significant impact on the determinant of destination choice. Refer to Appendix A (Model 2 in Table A2).

I find evidence that the index of the provisions that protect race/nationality and gender is associated with a larger inflow of refugees (coefficient .01), which is statistically significant at 99.9% confidence level. This finding supports my theory that forced migrants prefer countries that do not discriminate against race/nationality and provide legal security to women--particularly because forced migrants are often fleeing conflict that are ethnic based. I find evidence here that race/nationality and gender protection also affect the choice independently. Race/nationality protection produces a positive coefficient .01 at 95% confidence level. As discussed, forced migrants often flee ethnic-based conflict hence race/nationality protection becomes an important provision while making a destination choice. Similarly, gender protection alone also produces a positive coefficient .01 and is strongly significant. Gender protection becomes significant in influencing destination choice as UNHCR[6] statistics show that women and children make 50 percent of any refugee population. Many women travel without any male relative because they face violence and discrimination every day simply because of their gender. Thus, the women at risk and also the women traveling with men prefer countries that can protect them.

On the other hand, as hypothesized I find decoupling effect for the provision of a right to religion that would lead to the decrease of refugee inflow in a country—such an effect is found in regard to rights and the achievement of those rights, so here we must consider the possibility that

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[6] http://www.unhcr.org/en-us/women.html

religious freedom is not necessarily achieved in these countries. The provision for the right to

religion produces negative coefficient of .02 (99.9% confidence level) in Model 1 of Table 3, -

.01 (99% confidence level) in Model 2 of Table 3, and .02 (99% confidence level) in Model 3 of

Table 3. Other explanation is the preference of destination countries, especially by Muslim

population. The Muslim population may prefer countries that follow Islamic legal systems. In

many instances, refugees transit from one country to another and in the process, large number of

refugees' stay in countries that are less likely to protect religious rights. Data on the religion of

refugees is not available, thus I have no ability to test these possible explanations. Overall, the

analysis of these provisions suggests that constitutional protections in potential countries of

asylum may influence the refugee's decision of where to flee, but the effect appears to be limited

to the direct promise of asylum and constitutional provisions against discrimination.

Next, the world society approach argues that refugees go to countries that are more closely

related to the world cultural principles and are party to international refugee regime. The

countries signatory of the 1951 International Refugee Treaty or 1967 Protocol produced negative

coefficient of .02 with strong level of significance (99.9%). One explanation is the rationalists

argue that many countries sign the treaties to gain international recognition and have no intention

of respecting the principles of human rights treaties. I do not find any effect of the *de facto*

judicial independence variable. As hypothesized before, some countries may have structural

provisions for the independent judiciary, but judges come with a preconceived belief system that

reflects the country's political system (Keith 2012). To change a belief system is hard, and if

judges have conservative belief system in terms of granting refuge, then there is no point of

going to a country that has independent judiciary. Thus, judicial independence does not necessarily protect forced migrants.

Other variables such as the GDP per capita have a positive coefficient of .01 and strong significant effect on the destination choice of refugees. Like Moore and Shellman (2007) I also find evidence that refugees avoid countries experiencing genocide/politicide, and high levels of terror and violence. Genocide/politicide and political terror scale of the destination country produces a negative coefficient of .04 and approximately .01 respectively with moderate significance level.

My results also indicate that the decision of destination choice is not impacted by the unemployment rate, but I do find significant effect of polity score in Model 1 and Model 3. But the polity results do not have positive impact; rather, I find negative coefficient -.001 approximately. The results are consistent with previous studies on destination choice literature (Moore and Shellman 2007). Instead of responding to democracy and the unemployment rate, refugees go to less violent countries and where others have taken refuge.

Other potential push factors related to the country of origin are the presence of social networks and the literacy rate of the origin country. I find positive (coefficient 0.28) and very strong effect on the decision of destination choice. Presence of friends, relatives or acquaintances from a country of origin attracts higher number of refugees from the same country. Presence of social networks reduces the cost of leaving and settling in another country. I also find support that the literacy rate in the origin country produces positive (coefficient .001 approximately) and highly significant effect. The reason for this is probably literate people are more aware or may have more information relative to the less literate people.

Common contiguity between origin and destination achieves strong statistical significance with coefficient 3.32. The results support the hypothesis and previous empirical studies that most refugees live in neighboring countries. Additionally, the number of refugees increases when two countries are facing civil/ethnic violence and share common border. The variable is positive with coefficient 0.21 approximately and achieves 0.99% statistical level of significance. The findings are consistent with Salehyan and Gleditch (2006) and Moore and Shellman (2007) that cross-border refugee flow increases the tendency of civil war in the host country. The results did not show any effect when I tested international war and common contiguity. Thus, we can infer that international wars do not impact the refugee flow. Reason can be international wars are more sporadic than civil wars.

To test whether a high number of literate people go to countries that protect the rights of non-citizens, all the constitutional provisions were interacted with the literacy rate of the origin country (Table A4 in Appendix A). The insignificance of all the variables surprised me as I anticipated the literate people are more aware of the rights in the destination country. But this is not the case, and we can infer that the literacy rate is important as a push factor but not when interacted with the constitutional provisions. Refugees seek haven and most refugees remain in the neighborhoods or displaced internally. Hence, the results do not find any effect of literacy when interacted with constitutional provisions on the destination choice.

Next, I turn to the size of the effects of the coefficients. The estimates cannot be directly compared to each other, given that the units of variables are different. Hence, to analyze the strength of effects I interpret and present in Table 2.3 the exponentiated regression coefficients

that achieved statistical significance. To interpret the regression coefficients into an exact

percentage, I use the following equation:

$$\%\Delta y = 100 * \partial x * \beta_1$$

We can see that a one-unit change in the provision of the right to asylum in constitutions

increases the inflow of refugees by approximately 1.2% (Model 1), 1.52% (Model 2) and 1.06%

(Model 3). The impact is relatively small. Such a change in a country with 5000 refugees would

be approximately 60 additional refugees in Model 1, 76 in Model 2, and 53 in Model 3. In regard

to the level of protection provided for racial equality, we see that one-unit increase in protection

lead to the increase in approximately 0.56% refugees in a country (Model 2)—this effect is quite

small though. Given the example country with 5000 refugees, such a change would result in an

increase of approximately 28 refugees. Similarly, one-unit increase in gender protection leads to

an increase of about 72 refugees per 5000 refugees (Model 3). The one-unit increase in the

protection of the index of race/nationality and gender protection lead to 0.65% of the inflow of

refugees in a country (Model 1). A country with 5000 refugees and protect both provisions of

race/nationality and gender lead to an increase in about 32 refugees. Additionally, one-unit

change in the right to religion leads to the decrease of about 1.89% (Model 1), 1.39% (Model 2),

and 1.98% (Model 3) of inflow of refugees in a country. A country that receives 5000 refugees

would result in the decrease of approximately 95 refugees (Model 1), approximately 70 refugees

(Model 2), and 99 refugees (Model 3).

TABLE 2.3 Percentage Change in Refugee Flow deduced from the Fixed Effects Model

Independent Variable	Percentage Increase Model 1	Percentage Increase Model 2	Percentage Increase Model 3
Asylum Right to Seek Asylum (t-1)	1.20*	1.52**	1.06*
Asylum Right to Religion (t-1)	-1.89***	-1.39***	-1.98***
Asylum Race/Nationality (t-1)		.552*	
Asylum Gender Protection (t-1)			1.44***
Asylum Sum Race/Nationality and Gender Protection (t-1)	.647***		
Asylum Treaty/Protocol Signatory	-1.89***	-1.88***	-1.88***
Asylum GDP/Capita (logged)	.0121***	.0125***	.0118***
Asylum Political Terror Scale	-.424**	-.411**	-.423**
Asylum Polity	-.0587*		-.0612*
Asylum Genocide/Politicide	-.854**	-.916**	-.845**
Origin Literacy	.116***	.118***	.116***
Social Networks	.277***	.277***	.277***
Common Contiguity	331.5***	331.5***	331.5***
Common Land Civil/Ethnic Violence	20.9*	20.9*	21.0*

Other important factors are social networks, economic, and political factors. I find one percent

increase in social networks lead to 0.28% or about increase of 14 refugees per 5000 refugees in a

country. Most refugees stay in their neighboring countries or are internally displaced and thus do

not require much planning. The effects of social networks will be higher if we examine only

developed or Western European countries. Going to a developed and far away countries require

much more resources and planning than taking refuge in nearby countries. I also find one percent

increase in GDP/capita is estimated to result in about .02% increase in the inflow of refugees.

Another important finding is the impact of the level of terror and violence in influencing the

decision of destination choice. I find one-unit increase in political terror scale decreases the

inflow of refugees by about .42% (Model 1), .41% (Model 2), and .42% (Model 3). In addition to political terror scale, refugees do not prefer countries that are facing genocide/politicide. I find one-unit change in the genocide/politicide lead to decrease in the flow of refugees by .85% (Model 1), .92% (Model 2), and .85% (Model 3) of refugees. In addition, one-unit increase in the polity score reduces the inflow of refugees by .06 (Model 1) and .06 (Model 2).

This data also indicate that results are highly significant when origin and host countries share contiguity. The contiguous dyads between origin and host countries lead to an increase of refugees by 331.5%! These findings strongly support the statistics of UNHCR global trends report (2016) that show all the top 10 host countries except for Germany shares border with the top refugee origin countries. Another important finding is the number of refugees crossing border increase by about 21% when two countries are experiencing civil/ethnic war and share a border. It means a country with 5000 refugees would result an increase in 1050 refugees. These findings strongly support Weiner's (1996) 'bad neighborhoods' argument, and Salehyan and Gleditsch (2006), and Moore and Shellman (2007) findings. Lastly, I also find one-unit increase in literacy rate leads to the outflow of refugees by about 0.12% from the origin country.

Overall, my results indicate that some constitutional provisions do impact the decision of destination choice, especially right to seek asylum, race/nationality protection, and gender protection. The countries that protect these rights are more attractive. The effect of the right to seek asylum is greater than the race/nationality protection and gender protection. I also find other factors such as social networks and better political conditions in a country as important variable affecting destination choice. The most important of all the variables in terms of the size of impact are the common contiguity between host and origin country, and the civil/ethnic violence.

Conclusions and Policy Implications

I set out to explore the impact of formal rights on the destination choice of refugees. My study contributes to the small but growing deterrence literature in the field of forced migration. In the paper, I argue that the constitutional provisions provided for non-citizens positively impact the destination choice of refugees. I extended the world society approach to empirically test the decision of destination choice. I found some evidence supporting world society approach. The constitutional provision of the right to seek asylum has the greatest effect. I expect most countries that provide right to seek asylum provision to also have domestic legislation for refugees. As Betts (2009) argues that norms internalize with domestic framework with the period of time and eventually shapes a state's behavior in regard to forced migrants. Thus, the results imply that more refugees go to countries that provide them with some security. In addition, I also find provisions for race/nationality protection and gender protection as important. The reason for this is probably refugees mostly flee from ethnic conflict and the potential refugees have an unpolished picture in their mind of the host country. These findings are important as none of the empirical studies in forced migration literature assess the impact of the direct measures of 'liberalness' of a country on the destination choice of forced migrants. The present study operationalizes direct variables to examine the 'liberalness' of a country and its impact on the destination choice of refugees. The results provide additional information about the degree to which a country's liberal policies affect the destination choice of refugees. The findings restate

the fact that refugees are not 'bogus' and they care about their physical security in the host countries.

Other significant variables related to the destination choice are lower level of state's violence and with small effect of economy of destination country. In terms of size, the most important findings are the presence of social networks, common contiguity and civil/ethnic violence in both destination and origin countries, and common contiguity between the origin and host country. In addition to the dyadic variables and the variables related to the destination country, I also find literacy rate of origin country as significant. Higher literacy rate of the origin country produces more refugees, that is, literacy makes people aware of the surrounding situations. But in regard to the right to religion provision, I find decoupling effect. First, finding decoupling effect in the constitutional literature is not very uncommon. Secondly, world society authors may argue global norms diffused over time, but this does not mean that governments will have intention or capacity to fulfill the promises. Thirdly, as discussed before many refugees remain in the neighborhoods and are not able to reach countries that are secular.

Apart from constitutional provisions, countries with low levels of terror and violence, absence of genocide/politicide, and presence of social networks play an important deciding factor. I also find GDP per capita as an important variable, but the effect is very small, and the unemployment rate has no effect at all. The result confirms Moore and Shellman's (2007) findings that refugees are not "bogus" and go to countries that have better human rights conditions. Further, my results also show that the countries signatory of the 1951 International Refugee Treaty or 1967 Protocol have negative effect on the inflow of refugees. As rationalists argue that countries sign the treaties to attract investment and gain international recognition.

The most important finding in terms of the size is the positive impact of the common contiguity between host and origin countries. The findings support earlier empirical research on forced migration and the statistics from UNHCR. Most refugees seek physical security and hence seek refuge in nearest haven. Refugees while leaving homes carry the bare necessities and many of them do not have enough time and resources to reach far-away attractive destinations. The second important finding is the impact of countries facing civil/ethnic violence and sharing common border. These findings strongly endorse the argument that refugees are often produced in 'bad neighborhoods' and cross-border flow increases the tendency of violence in the host country (Weiner 1996, Salehyan and Gleditsch 2006, Moore and Shellman 2007). Lastly, the third important finding is that refugees avoid countries with high level of violence and poor human rights condition especially when perpetrated by state, that is, I find negative impact of genocide/politicide and political terror scale. Refugees flee their home due to bad human rights conditions and hence while taking decision of destination choice they assess all the available choices that make them feel safe and are easy to reach. More specifically, refugees go to countries that are politically stable.

Several important policy implications come to light in my analysis. First, the results imply that the domestic protections and institutions matter, not just the international commitment. The 'liberalness' of a country impacts the choice of destination despite country's restrictive policies. Refugees find the ways to reach a country that protect their rights. This means that restricting formal rights of refugees are ineffective measures in addressing the problem of refugee flows in a country.

Second, in addition to domestic protections, other fundamental factors of refugee destination choice also need to be taken seriously such as burden-sharing of refugees. The formal provisions do matter in destination choice, but policymakers over-estimate the significance of domestic deterrence policies. Some destinations will always attract more refugees based on the geographical proximity and presence of social networks. Path-dependent dyadic factors such as presence of social networks are an important variable in destination choice literature. The presence of friends and family reduces costs and risks associated with moving to another country. Additionally, the booming underground industry of traffickers and agents create profitable market from international migration by charging extortionate fees. Organized agents and traffickers provide various services from arranging fake passports/visas to help forced migrants reach destination. Thus, instead of focusing on the deterrence policies, policymakers of the host countries should recognize the inevitable and shift resources towards migration management. The recognition has many advantages such as it prevents the further formation of the thriving underground industry of traffickers, and it reduces the exploitation of refugees during the journey especially women.

Third, the empirical analysis shows that the most important explanatory factor for refugee's choice of destination country is clearly not the constitutional protections, but the violence perpetrated by state and the common contiguity between two countries both experiencing civil/ethnic violence. Thus, it is not wrong to say that the structural factors that are beyond the scope of policymakers matter more in the destination choice of refugees. The policy initiatives focus more on deterring forced migration by border controls, repatriation, and burden-sharing. Countries have failed to cooperate and engage in programs with the sending countries that focus

on the root cause of forced migration. Efforts can be made to encourage reintegration programs, well-directed foreign aid, and foreign investment in banking system and social insurance programs can reduce the push factors for forced migration.

Fourth, countries across the regions converge on adopting deterrence policies, but we do not see any regional and international convergence on the protection of forced migration. As Thielemann (2012) notes that the highly inequitable distribution of forced migrants are unintended consequences but in principle, the regional and international cooperation between states can deliver a fairer policy for the standards of protection and the distribution of responsibilities for forced migrants. Collaboration between states can help address collective action problems. Current research on deterrence policies appears to aim at appeasing the media and the xenophobic elements among the people, rather than at identifying long-term solutions to the root cause of forced migration (Thielemann 2004).

While this research has some limitations, most of these limitations inform and are addressed in subsequent work of this dissertation. The paper does not consider the potential offsetting effects of domestic deterrence policies such as detention policies. I intend to explore this area in my further work. Despite being a micro-level theory, the analysis lacks the voices of refugees that can more directly and specifically inform our understanding. My other project is based on the field work I completed in India. I need to further explore the puzzling matter of right to religion. Again, fieldwork may inform. Also, largely missing from the forced migration literature is a consideration of the actual situation in which the forced migrants live after reaching their destination. We do not know if the expectation that informed their decisions is realized. My fieldwork also addresses these circumstances as well.

CHAPTER 3

DETERRENCE POLICIES AND THE DESTINATION CHOICE OF REFUGEES

Over the last twenty-five years, we have seen countries adopting more deterrence policies in both traditional and new refuge granting countries. During the Cold War, getting asylum into Western countries was relatively easy due to the difficult nature of leaving the Eastern bloc states which resulted in keeping asylum claims to relatively small numbers. These cases were easily decided in favor of those people coming from communist countries (Schuster 2000). The breakup of the Soviet Union and the concomitant opening their border and subsequent turmoil in the Eastern Europe led to the dramatic increase in the number of people seeking asylum (Schuster 2000, Hatton 2011). UNHCR estimates that in the early 1970s the total stock of refugees was little over 2 million, similar to the total stock of refugees in the 1950s and 1960s. However, in 1992, the numbers increased steeply to 18 million, but then fell in 2009 to 9 million and again rose to 21.3 million in 2015 (Hatton 2011; UNHCR 2015). Many factors such as the breakup of the Soviet Union, increasing conflicts, and easy access to air travel have contributed to the big surge in the outflow of people seeking refuge outside their country of origin. As a result, restricting forced migration has become a challenge for the policymakers, which in turn has led countries to adopt deterrence policies such as restrictions on right to work or adoption of mandatory detention policy towards forced migrants.

Scholars studying forced migration have tried to understand the factors that lead countries to adopt deterrence policies. Clearly, the adoption of deterrence policies was partly a reaction to the sudden increase of forced migrants disproportionately to Western countries (Thielemann 2004). For example, many European and developed countries tightened their borders or restricted

welfare benefits for forced migrants. A recent example is Hungary's detention policy which came into effect in 2015. Hungary constructed about 124 miles of fences along the borders with Croatia and Serbia and amended the existing law to include prison for the people who come through the fences (Global Detention Project, Hungary Profile 2016). The Detention Project Report further notes that the government of Hungary sponsored a countrywide billboard campaign endorsing slogans such as 'If you come to Hungary, you mustn't take work away from Hungarians' (page 2).

A growing body of empirical literature has identified various factors that led to the adoption of deterrence policies in the 1990s: 1) the sharp increase in the number of forced migrants, which has led to the anti-alien movement in Europe, 2) huge increase in expenditures for refugee adjudication procedures and refugee support programs, 3) cultural differences between host countries and refugees, and 4) the end of Cold War, which removed the ideological appeal of liberal resettlement policies (Aleinikoff 1992-1993). However, the adoption of deterrence policies may be a legitimate response to the largely growing number of forced migrants over a period of time. Scholars identify many factors that contribute to the surge of forced migrants. In addition to the breakup of the Soviet Union, several other factors contribute to the increase in the number of forced migrants. For example, increase in the number of conflicts, easy access to air travel, the existing Diasporas, and the increasing role of smugglers led to the increase in the number of people seeking refuge in other countries (Hatton 2011). In the late 1970s, increase in interstate wars such as the war in Vietnam led to the increase in the number of people seeking refuge (Schuster 2000). Similarly, Bosnian war in early 1990s and Kosovo conflict in 1999 lead to an increase in the outflow of people (Schuster 2000). Apart from conflicts, increasing access

to air travel and reduction in the cost of travel after the 1990s also led to the increase in the number of people seeking refuge in the Western countries (Hatton 2011). Alongside the above reasons, the initial migration from the poor countries to the rich countries has led to the chain migration (Hatton 2011). Hatton further notes that the Diasporas help in providing resources and expenses to pay for travel and smugglers make intercontinental travel possible. The networks have become more specialized, businesslike, and professional with more border controls adopted by countries (Hatton 2011). The process not only involves transportation but also involves safe staying posts and forged documents such as passports and visas (Hatton 2011). Strategic position of the routes that reach to Europe, stretch back to Asia and to Africa making routes accessible to developed regions (Hatton 2011). This is one reason that contributes to the increasing number of refugees from all the regions. What is missing from the literature is the systematic study of the factors that lead countries to adopt deterrence policies which I try to fill the gap in this paper. In addition to the contribution that this paper makes in regard to the convergence towards deterrence policies, scholars have also tried to understand the impact of deterrence policies on the decision of destination choice of forced migrants. The literature on the impact of deterrence policies is largely confined to the OECD countries (Thielemann 2004, Hatton 2011) or European countries (Neumayer 2004) except for the work by Yoo and Koo (2014). To my knowledge, only one study by Yoo and Koo (2014) examines the extent to which deterrence policies affect the decision of destination choice across the global set of potential receiving countries. In addition, Yoo and Koo's measures are flawed and insufficient measures of deterrence policies. Yoo and Koo use asylum recognition rates, measure of social welfare contribution (percentage of revenue), and the adoption of a domestic refugee law as measures of deterrence. Yoo and Koo's

social welfare policy measures the welfare regime. The measure is the indicator of the social

security contributions by government and employees. The measure does not indicate whether the

contributions are used for welfare policies of citizens or non-citizens. Additionally, the asylum

recognition rates in the Yoo and Koo's article do not measure the actual asylum seekers resettled.

The measure calculates the number of asylum applications that have been granted refugee status.

One limitation of this measure is that the definition and process of granting refugee status is

different for countries that provide provision for refugee and the countries that do provide

provisions for refugee resettlement such as India. In India, if asylum seekers are recognized as

refugees by UNHCR, it is not a resettlement guarantee. UNHCR recognized refugees must go

through the full Refugee Status Determination process of a third country where UNHCR process

refugees' resettlement such as the US.

In this chapter, I empirically examine the extent to which countries choose to adopt deterrence

measures. I then test the impact of these deterrence policies on the decision of destination choice

by refugees. To understand these choices, I set my study within the empirical comparative

deterrence literature. In this chapter, I create new measures of deterrence policies: restrictions on

refugees' right to work, and the severity of detention policies. Severity of detention policy

includes mandatory detention, right to appeal the lawfulness of detention, and maximum length

of detention. I believe this is the first systematic global cross-sectional empirical study that

examines the circumstances of state adoption of specific refugee deterrence policies.

The present paper is organized in the following manner: in the following section I set up the

competing approaches that examine the factors and hypotheses that lead countries to adopt

deterrence policies theoretically. Then, the section afterward discusses the research design

analyses of the factors that lead countries to converge towards deterrence policies. Further, I set up the second part of the chapter do deterrence policies work. I discuss briefly the literature on destination choice and deterrence policies. Then, in the following section, I set up the hypotheses. Next, I discuss the research design and analysis of the impact on deterrence policies on the destination choice. Finally, I discuss conclusion and policy implications of the chapter.

Why do Countries Adopt Deterrence Policies?

While I have discussed the empirical literature on deterrence policy to some extent in Chapter One, here I explore specifically the question of why countries adopt deterrence policies. I then apply this literature to derive my hypotheses on state adoption of deterrence policies related to refugees. I further discuss the goals of deterrence policies before discussing the factors and hypotheses that lead countries to converge towards deterrence policies.

Several factors are put forth by scholars as to why countries adopt deterrence and containment policies such as restrictions on welfare benefits and rights, detention policies, temporary protection, restrictive interpretation of the refugee definition, carrier sanctions, visa requirements, safe country of origin legislation, and safe third country provision (Hassan 2000). Scholars identify some core purposes or goals in creating deterrence policies which are: 1) to reduce the number of forced migrants, irrespective of whether the applications are from 'genuine' or 'bogus' refugees, 2) to criminalize aliens and dissuade alien's permanent settlement, 3) to reduce government expenditures, 4) to create public perception that all forms of immigration are under the government's control, 5) to avoid disintegration of the internal political structure because of changing religious, ethnic, or linguistic cleavages, 6) to avoid the

internal economic deprivation from large influx, 7) to avoid disruption of foreign relations

particularly from the origin country, and 8) the possibility that the temporary protection provided

to asylum seekers might lead to permanent settlement. (Shacknove 1998, Hassan 2000). In the

following section, I draw upon the deterrence literature and posit hypotheses about why states

adopt deterrence policies. The factors associated with adoption of deterrence policies by state can

be broadly divided into two dimensions: 1) internal dimension that includes expanding refugee

flow in a country, democratic responsiveness, economic threat, contact factor, and the level of

development of a country, and 2) external dimension that includes the end of the Cold War,

convergence of countries towards deterrence policies and conflict in the neighborhood.

Internal Factors

Expanding Refugee Flow: Countries appear to be adopting deterrence policies in response to

increased refugee flows—possibly in regard to flows within their own country, but it is also

likely in regard to flows from neighboring countries. As discussed above, the end of the Cold

War led to the breakup of Soviet Union and the formation of independent states. The formation

of new states led to the opening of borders which increased the number of forced migrants

mostly to the Western countries. Following an increase in the number of people seeking refuge,

countries started adopting deterrence policies. For example, Malta adopted the policy of

mandatory detention (Mainwaring 2012). Schuster (2000) notes that the European countries have

become countries of immigration from countries of emigration and the drastic increase of asylum

applicants led European countries to adopt deterrence policies. Bossin (1999) notes that in 1996,

the U.K. passed a legislation refusing welfare payments to the asylum seekers who do not apply

immediately for asylum after arrival and rejected asylum seekers that seek to appeal their denial. Hence, I propose three hypotheses below:

Hypothesis 1a: As the flow of refugees increases within a country, the country is more likely to adopt deterrence policies.

Hypothesis 1b: As the flow of refugees increases within a country's region, the county is more likely to adopt deterrence policies.

Hypothesis 1c: As the flow of refugees increases globally, countries are more likely to adopt deterrence policies.

Contact Theory: Contact theory states the presence of immigrants within a society has the effect of encouraging support and tolerance for immigrants or the effect of growing tension (Holzer, Schneider and Widmer 2000, Miller et al. 2015). Miller et al. note that the presence of immigrant communities or the percentage of the foreign-born population can have a positive effect on asylum seekers because the community is welcoming to immigrants. Boswell (2003) argues that "[Social] tension is usually highest in areas with relatively small numbers of asylum seekers and little experience of integrating other ethnic groups" (324). Other studies that analyze the public attitude towards undocumented immigrants find that the increased contact between the native population and immigrants decrease tensions between them (Hood and Morris 1998). The other side of contact theory argues that the high proportion of foreign-born in a country can increase tensions between the native-born population and immigrants. Schuster (2000) notes the increasing attacks on refugees, asylum seekers, and people who are visibly different in European

countries. Schuster (2000) further notes the number of attacks on asylum seekers and foreigners

has increased even in countries such as the UK and Greece where violent attacks were missing.

Holzer, Schneider, and Widmer (2000a) argue that the impact of foreign residents within a

canton can work in two ways, i.e. the increased contact between Swizz passport holders and

immigrants can reduce negative prejudices against asylum seekers and a foreigner or the

increased contact can enhance negative prejudices. For example, Carens (1988) notes that the

Australians want to maintain a kind of society based on culture and skin color and hence

Australia tries to keep immigrants out as much as possible. Thus, the literature on the theoretical

expectations regarding contact theory between foreigners or refugees and native population are

mixed.

> *Hypothesis 2:* Higher proportion of the foreign-born population in a country will increase
>
> the likelihood that the state will adopt deterrence policies.

> *Alternative Hypothesis 2:* Higher proportion of the foreign-born population in a country
>
> will decrease the likelihood that the state will adopt deterrence policies.

Conflict in the Neighborhood: Conflict is one of the driving forces of forced displacement,

particularly since the end of the Cold War. We know from the literature that refugees, as utility

maximizers, generally seek protection in the neighboring countries that are politically stable and

economically better-off (Moore and Shellman 2007). Shacknove (1998) argues that the warfare

is one of the significant causes of displacement, but the inflow of people to the proximate

country across border increases the fear of increased ethnic and racial conflict. In addition, Shacknove notes the increasing inflow of refugees may also exhaust limited resources available in a country, and sometimes, in extreme cases the consequence can be threatening to the government in power and basic political institutions. Countries such as Rwanda and Zaire, Thailand and Pakistan, Mexico and Honduras are often subject to the burden on their borders (Shacknove 1998). The Malaysian government expelled boats coming from Vietnam in 1979-1980 to avoid the threat within society from the influx of ethnic Chinese (Shacknove 1998). Shacknove further notes the migration of refugees can sometimes erode the security of regions. Salehyan (2007) finds the increasing flow of refugees between both refugee-receiving states and the refugee-producing states increase the likelihood of militarized interstate disputes (MIDs) against each other. He further argues that the refugee-sending states start MIDs as they disrupt borders in pursuit of dissidents while refugee-receiving countries initiate MIDs to intervene to prevent further externalities. Salehyan notes that "refugees significantly increase the probability of international conflict in a dyad." Thus, I expect countries that lie in proximity to a country struggling with an on-going conflict are more likely to adopt deterrence policies related to refugees. Thus, I posit the third hypothesis:

> *Hypothesis 3:* Countries that neighbor a conflict-ridden country are more likely to adopt deterrence policies.

Democratic Responsiveness: Scholars also posit the role of a democracy in adopting deterrence policies regarding refugees and asylum seekers. A democratic state is argued to be more

responsive to the people, and policymakers try not to make policies that go against popular opinion, especially in regard to aliens (Whelan 1988). Schuster (2000) assesses asylum policies of seven European democratic countries. Schuster notes, the increasing number of aliens in the European countries have led to an increase in number of violent attacks on the foreigners. States are rational actors and they assess costs and benefits of how many refugees can be admitted and resettled. Opeskin (2012) argues that liberal democracies, such as Australia, are not motivated or influenced by international human rights norms, but rather more by domestic politics and the environment prevailing in a country. Scholars such as Opeskin (2012) and Lawler (2007) assess the divisions in political parties in elections on the issues of immigration and asylum policies in Australia and Denmark respectively. Opeskin (2012) notes that in August 2010 Australian federal election, the major political parties were divided on a significant issue of how much a political party can control and secure Australia's borders from unwanted immigrants. Likewise, another study by Lawler (2007) shows in Denmark the most conservative government came to power after almost seven decades. The conservative government won the general election with the large majority in 2001 only after 1929 (Lawler 2007). The new far-right government quickly enacted restrictions on immigration and refugee entry (Lawler 2007). Following the policy of far-right government, the social-democrats in the 2005 re-election also adopted new stricter stance towards asylum seekers. Thus, from this perspective, the states may consider themselves to be bound more to the sovereign public than the moral and legal pressure to accept refugees. Hence, I expect:

Hypothesis 4: The more democratic a country, the more likely the country will adopt

deterrence policies.

Economic Threat: Refugees and asylum seekers are perceived as an economic threat to the

destination country because countries have to invest in establishing institutions for refugees and

asylum seekers. In addition, countries also provide welfare benefits and invest in other re-

settlement costs. The investment becomes more burdened in countries with high unemployment

rate, high population density, and countries with less wealth/resources which I will discuss below

in detail.

As stated above forced migrants are considered as an economic threat especially in a country

where unemployment is high (Neumayer 2005). Some countries such as the U.K. and Germany

initiated deterrence measures to disperse asylum seekers within a country to specific regions to

share the burden of increasing the cost of hosting asylum seekers (Boswell 2003). Dispersing

asylum seekers to the areas with high unemployment, social deprivation, and slight history of

accommodating asylum seekers lead to the increasing attacks on asylum seekers (Boswell 2003).

Furthermore, research also shows that the opposition by the native people increases in reaction to

the vulnerable labor market such as unemployment and anxiety about job security (Alvarez and

Butterfield 2000). This research also suggests the parallel link between the high unemployment

rate and hostility towards immigrants in which the perception of unemployment is positively

related to the increased hostility towards immigrants.

In a similar vein, the economic threat can also come from the high population density that can

lead states to adopt deterrence policies. Countries that have high population density will try to

avoid additional population pressure that comes with the acceptance of refugees. Shacknove (1998) notes that countries that have low population density and are rich can protect their borders and maintain institutions better and have the capacity to intake refugees due to less population in the country.

Apart from the threat by high unemployment and high-density population, countries with less wealth/resources are also more likely to feel the burden on their economies due to the influx of a higher number of refugees such as developing countries. Countries are rational actors and they assess costs and benefits of policies a country adopts. As discussed above, countries have started adopting more deterrence measures. Aleinikoff notes "Refugee law has become immigration law, emphasizing protection of borders rather than protection of persons" (130). Scholars argue that international refugee treaties do not address the concerns of developing countries (Davies 2006). Japan argues that broadening refugee protection without financial assistance to developing countries will increase financial responsibility on developing countries (Davies 2006). As stated above, Japan further argues that West would force developing countries to accept unwanted or politically undesirable refugees after signing 1967 Protocol (Davies 2006). Davies further notes that recognizing asylum seekers as refugees also requires setting up new financial, resettlement, and bureaucratic structure. Countries with less wealth/resources are more likely to save their resources for their own people who are already not very privileged. Thus, I posit a fifth set of hypotheses:

Hypothesis 5a: The higher the level of unemployment within a country, the more likely the country will be to adopt deterrence policies.

Hypothesis 5b: The higher the population density within a country, the more likely the

country will adopt deterrence policies

Hypothesis 5c: The lower the level of wealth/resources within a country, the more likely

the country will adopt deterrence policies.

On the other hand, scholars also argue that countries with high per capita income, a sophisticated

managerial infrastructure, and low population density can assist refugees more easily than

countries which do not have such assets (Shacknove 1998). Developed countries are equipped

with more sophisticated border control policies as border controlling is expensive. Developing

countries lack institutional infrastructure and the money for effective border control. On the other

hand, Shacknove (1998) notes that countries that are rich can maintain deterrence institutions

better. Hence, I posit an alternative hypothesis.

Alternative Hypothesis 5c: The lower the level of wealth/resources within a country the

less likely the country will adopt deterrence policies.

Threat to National Security: The relationship between the national security and migration has

regained importance after September 11 events (Cinoglu and Altun 2013). For example, the

Congress of the United States made two comprehensive changes to the asylum system following

the two terrorist attacks in the United States (Miller et al. 2015) The Real ID act adopted in May

2005 was connected to the war on terror, and the IIRIRA act passed in September 1996 was

related to the requirements for accelerated removal procedures at the ports of entry (Miller et al.

2015). The events of September 11 impacted asylum laws in other countries as well. Canada

passed two pieces of legislation in respect to its national security: the Immigration and Refugee

Protection Act of June 2002, and the Anti-Terrorism Act, passed in October 2001 (Kruger,

Mulder and Korenic 2004). Similar restrictive policies were adopted by many EU countries

(Miller et al. 2015, Cinoglu and Altun 2013). International terrorism is considered as an issue

closely related to migration due to the trans-national and trans-border characteristics (Cinoglu

and Altun 2013). Hence, I hypothesise:

> *Hypothesis 6:* The higher the number of terrorist attacks within the country, the more
>
> likely the country will adopt deterrence policies.

External Factors

The End of the Cold War: As discussed above, end of the Cold War led to the sudden increase in

the number of forced migrants due to the opening of borders. The breakup of Soviet Union leads

to the formation of Commonwealth of Independent States (CIS). The disintegration of the Union

leads to the large-scale movement of people in Central and Western Asia across borders (Castles

and Miller 2009). Furthermore, end of the Cold War also removed the ideological appeal of

liberal resettlement policies of the Western countries. In response to an increase in the number of

people seeking refuge in the 1980s and 1990s, countries started adopting deterrence measures.

Due to increasing number of refugees, the expenditure on refugees also surged. Whelan (1988)

argues that under the present conception of sovereignty, states can adopt a generous policy to

admit refugees. But any attempts to impose moral obligations may result in the domestic political

backlash and bitterness (Shacknove 1998). Thus, I expect countries to adopt more deterrent policies after the end of Cold War. I cannot assess this factor as my data starts from the year 1997.

Diffusion of Deterrence: Due to the higher inflow of refugees, countries started converging towards the adoption of deterrence policies perhaps copying each other as they see policies working, or fear that the flow will be diverted to them because it makes deterrence more legitimate. The deterrence measures are taken on the rational assumption that forced migrants are rational actors and engage in cost-benefit analysis (Thielemann 2004). Asylum seekers are expected to apply to the countries with most attractive asylum policies such as welfare policies (Thielemann 2004). Thielemann further notes that countries "often regard asylum burdens as a 'zero-sum' phenomenon, in which a reduction of one country's burden will result in increasing burdens for other countries" (page 7). Therefore, countries try to adopt deterrence policies so that they are not perceived as attractive destination countries for forced migrants (Thielemann 2004). Once one country adopts deterrence policies, other countries start replicating policies in an effort to stop forced migrants coming in a country with lenient policies. Countries adopt restrictive deterrence measures because deterrence measures are viewed by both academicians and policymakers as highly effective (Thielemann 2004). In addition to harmonizing with the deterrence policies in Europe such as cutting down the welfare provisions, restricted work policies, and adoption of mandatory detention, the other regions of the world also converged towards adopting deterrence policies. For example, most countries in Asia have not signed international refugee treaty or its protocol citing many reasons such as extra burden of financial

costs, and fragile social cohesion in developing countries (Suhrke 1993, Weiner 1993, Afolayan 2001). Countries in the region also argue that Asian states already give refuge to many forced migrants (Davies 2006). Japan further argues that signing of 1967 Protocol will eventually lead Western countries to force developing countries in Asia to accept unwanted or politically undesirable refugees (Davies 2006). The countries now believe the problem of controlling borders exist, and the states see asylum seekers as the reason that the states might lose control on who enters their boundaries (Schuster 2000). Schuster further notes that "regardless of political ideology, each country accepts that control of one's borders is essential to state sovereignty" (page 130). Asserting and maintaining control or sovereignty, alone or in collaboration with partners, requires the introduction of disincentives to enter the borders and stricter border controls (Schuster 2000). Hence, I expect countries to adopt deterrence policies as more countries globally shift towards adopting deterrence provisions for forced migrants. I also expect countries to be influenced by the regional norms as more countries within a region adopt stronger deterrence policies, countries without strong deterrence policies are more likely targets for refugees. Therefore, I hypothesize:

> *Hypothesis 7a:* As more countries within a region adopt deterrence, the more likely it is that other regional countries will also adopt deterrence measures.
>
> *Hypothesis 7b:* As more countries globally adopt deterrence, the more likely it is that other countries will also adopt deterrence measures.

In this section I have set forth seven hypotheses addressing why countries adopt deterrence policies; I now turn to operationalizing my hypotheses.

Operationalizing the Hypotheses

Dependent Variables

I create two different dependent variables: one, factor scores of detention policies, and the restrictions on the work right. The first dependent variable captures the severity of detention policies. I coded three measures to capture the severity of detention policy. I then use principle-component analysis to come up with one composite score. The data is collected over the period of 1997-2014. I use this time period because of the availability of data especially for coding restriction on work rights.

Factor scores of the Severity of Detention Policy*:* Here I start with the three detention variables coded from the Global Detention Project from 1997-2014 (citation):

Right to appeal the lawfulness of detention: presence (1) and absence (0)

Maximum Length of Detention: 0=No policy, 1: Within a month, 2: a month-6 month, 3: 6 months to a year, 4: more than a year 5: No limit

Mandatory detention: presence (1) and absence (0)

I used principal-component analysis for the three detention measures to come with the composite

score and identified a structure for the factor scores. For creating factor scores, I performed

principal-component analysis on three detention variables to test the severity of detention

policies. The factor analysis suggests one factor for detention policy. Table 3.1 provides the

description of principal-component analysis. The Kaiser rule says that if eigenvalue values are

above 1, we should retain them, so according to this rule, I should retain one component. The

first component explains about 43% of the variation in the data, the second factor explains about

32% of the variation in the data and the third factor explains about 25% of the variation in the

data. Table 3.2 reports the factor loading and unique variance. The principal-component loadings

on the different original variable represent the correlation between the components and the

original variable. All variables load high on one variable, i.e., detention variable. Table 3.3

reports the results of the rotated factor loadings. Factor rotation basically reorients the factor

loadings. It allows factors to be interpreted as groups of variables that are highly correlated to a

particular factor. Table 3.4 represents the rotated factor loading and unique variance. Finally, I

predict the principal-component scores for the analysis. Table 3.1 shows the descriptive analysis

of dependent variables.

TABLE 3.1 Principle-Component Analysis of Severity of Detention Policy

Factor	Eigenvalue	Difference	Proportion
Factor1	1.301	.340	.434
Factor2	.961	.224	.320
Factor3	.737	.	.246
LR test: independent vs. saturated: chi2(3) = 226.66			
Observations = 2,808			
Prob>chi2 = .001			
Retained factors = 1			
Number of Parameters = 1			

TABLE 3.2 Factor Loadings of Severity of Detention Policy

Variable	Factor1	Uniqueness
Mandatory Detention	.732	.465
Appeal for Detention	.413	.829
Maximum Length of Detention	.772	.404

TABLE 3.3 Rotated Factors Loadings of Severity of Detention Policy

Factor	Variance	Difference	Proportion	Cumulative
Factor1	1.301	.	.434	.434

LR test: independent vs. saturated: chi2(3) = 226.66
Observations = 2,808
Prob>chi2 = .001
Retained factors = 1
Number of Parameters = 1

TABLE 3.4 Rotated Factor Loadings of Severity of Detention Policy

Variable	Factor1	Uniqueness
Mandatory Detention	.732	.465
Appeal for Detention	.413	.829
Maximum Length of Detention	.772	.404

Restrictions on Refugees' Right to Work: I code the right to work from the following reports:

The country reports of the United States Committee for Refugees and Immigrants (refworld),

OECD's annual publication International Migration Outlook (Paris); and from the U.S.

Department of State Human Rights Reports. The variable is coded as:

0: Can work until refugee claim is accepted without any restrictions

1: Right to work with certain conditions or time limit right to work outside camp not

allowed/in constitutions/work permit given if pay money, i.e., refugees do not get

automatic right to work, you have to apply for work permit to work

2: No right to work until refugee claim is accepted

Independent Variables

To test my hypotheses, I include the following independent variables.

Prior Flow of Refugees in the Country*:* I create one measure for lagged dependent variable described in Step 2. I use the data from UNHCR Population Statistics. Following previous studies, I use one lagged year. In addition, lack of data is an important reason to use one lagged year.

Prior Flow of Refugees in the Region: I create one annual measure for each geographical region from the lagged dependent variable as described in step 2. I use the data from UNHCR Population Statistics. Data for regions are taken from the United Nations Statistics Division.

Prior Flow of Refugees Globally*:* I create one annual measure globally from the lagged dependent variable as described in step 2. I use the data from UNHCR Population Statistics.

Contact Theory: I use prior refugee flow data to test the contact theory. The data on foreign-born population from the World Bank also includes refugees. Since the born population and prior refugee flow in country are not independent of each other, I use prior refugee flow data, already included in the analysis, instead of using foreign-born population data.

Contiguous Conflict-Affected Borders: The variable measures the impact of the number of contiguous countries affected by conflict/war on the destination country. I code the variable from two datasets: Marshall, Gurr, and Jaggers (2014) and employ Correlates of War Project's Direct Contiguity Data.

I include two indicators of conflict (1) civil and ethnic conflict/war, and (2) international conflict/war in my analysis. Both variables are coded from Marshall, Gurr, and Jaggers (2014). I employ Correlates of War Project's Direct Contiguity Data for the number of contiguous borders a country shares. The coding is as follows:

    1: Separated by a land or river border

    2: Separated by 12 miles of water or less

    3: Separated by 24 miles of water or less (but more than 12 miles)

    4: Separated by 150 miles of water or less (but more than 24 miles)

    5: Separated by 400 miles of water or less (but more than 150 miles)

Democracy-Autocracy: I use Polity Index (Marshall, Gurr, and Jaggers 2014) to measure the level of democracy-autocracy. As noted on the website[7] "The 'Polity Score' captures this regime authority spectrum on a 21-point scale ranging from -10 (hereditary monarchy) to +10 (consolidated democracy). The Polity scores can also be converted into regime categories in a suggested three-part categorization of 'autocracies' (-10 to -6), 'anocracies', and 'democracies' (+6 to +10)."

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[7] http://www.systemicpeace.org/polityproject.html

Unemployment Rate: I use the World Bank data on the unemployment rate. According to the World Bank, "Unemployment refers to the share of the labor force that is without work but available for and seeking employment. Definitions of labor force and unemployment differ by country." (World Bank 2016).

Population Density: To capture the population density of a country, I use data from the World Bank. Per the World Bank, "Population density is midyear population divided by land area in square kilometers" (World Bank 2016)

Wealth/Resources: I use natural log Gross Domestic Product (GDP) in current US$ from the United Nations Statistics Division. Due to missing observations in the data collected from the World Bank, I use the data from the United Nations Statistics Division (2016).

Terror Attacks: I use data from the Our World in Data dataset. Our World in Data collects the data from the Global Terrorism Database. The data is the total number of terrorist incident annually and by country" (Our World in Data 2016). The Global Terrorism Database clarifies its definition of terrorism as "The GTD defines a terrorist attack as the threatened or actual use of illegal force and violence by a non-state actor to attain a political, economic, religious, or social goal through fear, coercion, or intimidation. In practice, this means in order to consider an incident for inclusion in the GTD, all three of the following attributes must be present: The incident must be intentional – the result of a conscious calculation on the part of a perpetrator.

The incident must entail some level of violence or immediate threat of violence - including

property violence, as well as violence against people."

Regional and Global Convergence of Deterrence Policies: Perception of norms-based scholars

such as the scholars of world society approach argue that norms cannot be observed directly

(Goodlife and Hawkins 2006, Keith 2012). I follow Simmons (2000), Goodlife and Hawkins

(2006) Keith (2012) operationalization to measure the effect of regional and global deterrence

policies norms. Specifically, I use indicators of deterrence measures as described above. I then

create one annual measure for the average deterrence scores for the global set of countries and

for each geographical region.

Table 3.5 provides descriptive statistics for all variables.

TABLE 3.5 Descriptive Statistics of Variables (1997-2014)

Variable	Observations	Mean	Standard Deviation	Minimum	Maximum
Dependent Variables					
Mandatory Detention	2808	.036	.187	0	1
Appeal to Detention	2808	.607	.489	0	1
Maximum Length of Detention	2808	1.440	2.020	0	5
Restriction on Right to Work	2808	.446	.628	0	2
Independent Variables					
Prior Refugee Flow in Country	2808	6346.247	42983.77	0	990567
Prior Refugee Flow in Region	2808	6346.249	16632.63	.2	229661
Prior Refugee Flow Globally	2808	6346.244	4362.458	2375.81	17367

Contiguity with Civil/Ethnic Violence	2808	1.225	1.344	0	7
Contiguity with International War	2808	.105	.364	0	3
Polity	2808	3.241	6.406	-10	10
Unemployment Rate	2808	9.029	7.348	.1	60
Population Density	2808	153.246	544.173	2.137	7714.7
GDP/Capita	2808	10020.94	16412.35	80.457	117454
Severity Detention Regional Convergence	2808	.001	.619588	-.926	4.195
Severity Detention Global Convergence	2808	-.001	.083	-.140	.116
Restriction Work Right Regional Convergence	2808	1.554	.310	.9	2
Restriction Work Right Global Convergence	2808	1.554	.067	1.487	1.673

Analysis

I use panel dataset from 1997-2014 for all the countries. All of the time-series variables are stationary. To check stationarity, I performed unit root tests on all panels. Overall, I estimate two models: first, I estimate the effect of severity of detention policy using linear regression fixed effect and standard errors are fully robust. Neumayer (2004) notes fixed effects "ensures unbiasedness of the estimated coefficients, even if the explanatory variables are correlated with unobserved time-invariant, country-specific FE" (p. 394). Second, to assess the effect of the restriction of right to work using linear regression as the variable is categorical. I also performed correlation test between all the variables. I did not find any strong correlation between the two variables (Table B1 in Appendix B).

To give an overall sense of the deterrence policies, descriptive analysis of the annual mean of the

detention policies and the restriction on the right to work shows the mean of the severity of

detention policies have increased from 1997-2014. This observation means that the countries are

more likely to adopt detention policies as a mean to deter inflow of forced migrants. Second, the

mean of the restriction of the right to work has decreased slightly. More countries are willing to

give the right to work to qualified forced migrants. On a scale of 0 to 2, the overall mean on the

restrictions are relaxed from 1.67 in 1997 to 1.50 in 2014. The slight change in the mean show

the reluctance of countries in giving more work rights to refugees.

I estimate two models: one, taking the factor scores of the severity of detention policy as

dependent variables, and two, taking the restriction on right to work for refugees as dependent

variable. Table 3.6 reports the results of the two models. The standard errors are fully robust. The

R-squared of Model 1 (Table 3.6) is .92 and the overall significance level is $p < .001$. The R-

squared of Model 2 (Table 3.6) is .28.

TABLE 3.6 Regression Analysis of the Factors that Lead Countries to Converge towards Deterrence Policies, 1997-2014

	Model 1	Model 2
	Linear Regression	
Estimation Technique	FE	Linear Regression
Internal Factors		
Prior Refugee Flow in Country	.002	-.001
	(.94)	(-.66)
Prior Refugee Flow in Region	-.001	-.001
	(-.13)	(-.35)
Prior Refugee Flow Globally	-.001	.001
	(-.43)	(.22)
Contiguity with Civil/Ethnic Violence	.003	.012

	Model 1	Model 2
	(.35)	(1.45)
Contiguity with International War	.028	-.011
	(1.64)	(-.60)
Polity	.003	-.008**
	(1.73)	(-3.15)
Unemployment Rate	-.011**	.005*
	(-3.05)	(2.04)
D.Population Density	.001	.001
	(.18)	(.73)
D.GDP/Capita (logged)	.026	-.038
	(.57)	(-.91)
D.Terrorist Attack	.001*	.001***
	(1.97)	(3.39)
External Factors		
Severity Detention Regional Convergence	1.017***	
	(6.3)	
Severity Detention Global Convergence	-.062	
	(-.44)	
Restriction Work Right Regional Convergence		.991***
		(19.37)
Restriction Work Right Global Convergence		-.041
Constant	.078	.054
	(1.94)	(.38)
Observations	2652	2652
Prob > F	.001	
R-squared	.916	.276
Adjusted R-squared	.910	
t statistics in parentheses		
* p<.05, ** p<.01, *** p<.001		
Standard errors are robust		

The results in the models are very similar across both the dependent variables. Even though

several factors do not achieve appropriate levels of statistical significance, I find evidence for the

diffusion of deterrence regionally, i.e., as more countries in a region adopt deterrence policies, other countries in the region are tends to follow. The regional norms produce a positive coefficient of 1.02 (Model 1) and .099 (Model 2) and is significant at 99% confidence interval. Next, my results also indicate that more democratic a country is, the less restrictive is the right to work (Model 2), but the effect is low. I find negative coefficient of -.0008 approximately with 95% confidence interval. I also find a decoupling effect of unemployment as significant at 97% confidence interval (Model 1) with negative coefficient (-.001). One explanation can be countries which adopt deterrence policies are typically developed countries and these countries have low unemployment rate.

I do not find any effect of the increase in the inflow of refugees in a country on the adoption of deterrence policies. One explanation may be refugees prefer neighboring countries or become internally displaced persons (IDPs). Another explanation could be that refugees are not able to reach countries that adopt deterrence policies and the next part of the chapter examines the impact of deterrence policies on the destination of refugees. In many instances, refugees transit from one country to another and in the process, large number of refugees' stay in countries that are less likely to adopt deterrence policies that are mainly developing or under-developed countries. Next, the adoption of deterrence policies is not influenced by the global norms. The countries respond more to the policies adopted by neighboring countries. For example, none of the countries in South Asia have domestic law on refugees or are signatory of International Refugee Treaty. Similarly, Asia and Oceania region unlike South America's Cartagena Declaration or Africa's Organization of African Unity Convention do not have any regional instruments to deal with refugee crisis uniformly. Likewise, my results do not find any impact of

conflict in the neighboring countries on the adoption of deterrence policies. One explanation can be that most refugees take refuge in developing or under-developed countries that may not have the resources to maintain the deterrence policies, especially the infrastructure needed for detention policies. I will assess the impact of conflict/war in the neighboring countries on the destination of refugees in the next part of the chapter.

Population density, GDP, and the flow of refugees in a country do not affect the restrictive deterrence policies of a country. As discussed above, the refugees prefer neighboring countries and may take refuge in the transiting countries that are not economically well-doing. Most developed regions such as North America, or Oceania do not have high-density population and do not receive high number of refugees relative to the developing or under-developed countries. Finally, I find the number of terrorist attacks lead to more restrictive policies in the destination countries. The impact of terror attacks on the adoption of deterrence policies is minimal. Terror attacks produce a positive coefficient of .001 (Model 1) and .001 (Model 2) and is significant at 95% confidence interval. In the next analysis, I turn to the subsequent question of whether the policies actually work—do they affect refugee flows.

Do Deterrence Policies Work?

Rational choice theorists argue that the states adopt deterrence policies because the policies have deterred forced migrants from taking refuge in a country. Not many studies assess the impact of deterrence policies on the destination choice of forced migrants. As discussed before, the studies are confined to OECD or developed countries. My paper assesses the impact of different

deterrence policies on destination choice at global level. Ultimately, I am interested in the effect of these policies on the flow of refugees into a state; the most logical literature to inform or control my study is the push-pull literature on forced migration.

Many scholars studying forced migration assessed a broad range of theoretically important circumstances that influence a forced migrant's decision of where to take refuge. A set of core factors has emerged in the literature which includes geographical proximity, political and economic factors, presence of Diaspora, country's reputation as a liberal and welfare state, and conversely deterrence policies in place with a state. The results are robust to some factors such as geographical proximity and the presence of Diasporas, while the results have been mixed for other factors such as the adoption of deterrence policies.

My main objective in this chapter is to test whether the deterrence policies work at the global level as very few scholars have studied the impact of domestic policies on deterring forced migrants. To my knowledge, only one global study has examined the impact of domestic policies (Yoo and Koo 2014). Other studies such as Thielemann (2004), Neumayer (2004), and Hatton (2011) are confined to OECD or the West European countries. The literature is limited in its measurements. For example, Neumayer (2004) citing the lack of any direct measures of deterrence policies uses country's asylum recognition rates, the year destination country fully became party to Schengen Convention and the percentage of social and welfare expenditure of GDP in West European countries. While Yoo and Koo (2014) add a measure to capture domestic refugee policies, it is merely a dichotomous indicator of national domestic legislation; they too use asylum recognition rates and size of the welfare regime as deterrent measures. None of these studies assess any direct measure of domestic deterrence policies such as restrictions to the right

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to work for refugees and detention policies. Although Thielemann (2004) assesses the impact of the index of deterrence policies, but his study is limited to OECD countries.

My study is an improvement over the above-mentioned studies especially over Yoo and Koo (2014). As discussed above, Yoo and Koo examines indirect measures of deterrence policies – asylum recognition rate, size of the welfare regime, and the national domestic refugee legislation. I will try to fill the gap by introducing some direct measures of deterrence policies globally. I will code the work policies and three detention policies as described above and cover all major global set of countries. Another limitation of Yoo and Koo's study is they only include 89 countries in their analysis. The evidence of deterrence policies on a global level is very limited, a gap I intend to address in this chapter.

Most studies that assess the decision of destination choice of forced migrants employ rational choice theory assuming forced migrants are utility-maximizers. More specifically they argue that individual weighs the costs and benefits of seeking refuge in a country and goes to a country that offers most benefits. But, sometimes forced migrants do not have the choice between destination countries due to fear of persecution and hence, decide to flee the nearest haven (Neumayer 2004). Before I discuss in depth macro-studies at regional and global level where most studies do find deterrence policies as effective, many other studies also assess deterrence policies at micro-level. Holzer, Schneider and Widmer (2000) on Switzerland quantitatively assessed the effects of deterrence measures between 1986 and 1995 and found that deterrence measures are partially successful in keeping asylum seekers away from coming to Switzerland. The study concludes that deterrence measures are expected to fail if the push factors in a region nearby to the receiving states reach a critical level (Holzer, Schneider and Widmer 2000: 1205). Still, many

other scholars do not find any effect of deterrence policies in reducing the number of asylum seekers and refugee's inflows. Robinson and Segrott (2002) in their analysis in the UK find that asylum seekers did not have much information about the UK's asylum policies before arrival. Schuster (2000) in her study compares the impacts of seven European government's asylum policies and did not find any decline in asylum applications in the countries under analysis, rather she concludes that decline in the benefits is motivated by political consideration in a particular country. I now turn to the quantitative studies done regionally and globally. Thielemann's (2004) study is perhaps one of the first best efforts in terms of conceptualizing and measuring deterrence policies in OECD countries. He creates an index of deterrence measures and assesses their effect on the destination choice of forced migrants. His indicators include the right to work under certain conditions versus complete restriction to work until asylum claim is successfully accepted, cash payments vs voucher system, and complete dispersal policy vs freedom of movement. He finds that deterrence policies do deter forced migrants. Thielemann notes that the adoption of safe third country provisions along with the restrictions introduced to the German Basic Law in 1993 helped in reducing the 71 percent of asylum applications in Germany between 1992 and 1994. Thielemann concludes "asylum seekers who are in a position to choose from a number of alternative host countries do so in a rational manner on the basis of some knowledge about the real or perceived differences between these states (page 28)." Although Thielemann assesses the deterrence policies, the study is limited to OECD countries and do not assesses detention policies which is another significant deterrent measure that countries adopt.

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Neumayer's (2004) analysis of destination choice (Western European countries) of asylum seekers assesses indirect indicators of generosity or restriction in states policies: recognition rates, the percentage of social and welfare expenditure of GDP, and the year destination country fully became a party to Schengen Convention. Neumayer's findings are parallel to Thielemann's findings and he finds evidence that the deterrent policies are significant such as the Schengen Convention was successful in lowering the asylum applications in a country, and lower asylum recognition rate is related to the lower asylum applications. But Neumayer did not find any effect of the percentage of social and welfare expenditure to GDP. Neumayer's deterrence measures are indirect and therefore I seek to develop direct measures that can assess the impact of deterrence policies on the destination choice of forced migrants.

Hatton (2011) assesses the impact of different deterrence policies in OECD countries between the year 1997 and 2006. Hatton divides his policies into three categories 1) access to territories which includes visa requirements, border controls, penalties for trafficking carrier liability, and offshore applications; 2) processing of asylum applications and asylum recognition which includes a definition of a refugee, manifestly unfounded applications, speeding up of processing, subsidiary status, and appeals, and 3) the welfare of asylum seekers which includes changes in policies related to detention, deportation, employment, access to a benefit, and family reunification. Hatton finds a strong effect of deterrence policies in deterring asylum applications. Although Hatton's measures are in depth, but the measures are limited to OECD countries and are simple binary coding. My coding is an improvement on Hatton's measures, but I cannot code all the measures coded by Hatton globally due to the lack of the availability of data.

More recently, Yoo and Koo (2014) used asylum recognition rates, national domestic legislation on refugees, and the measure of social welfare contribution (percentage of revenue) to assess the impact of welfare regime on the decision of where to flee globally between the years 1982 and 2008. Yoo and Koo find that recognition rates, national domestic legislation, and size of the welfare regime have a positive effect, which suggests that asylum seekers are indeed rational actors, and may consider humanitarian policy and welfare provisions while deciding where to flee. Even though Yoo and Koo's measures cover global set of countries, but the measures are limited to the asylum recognition rates, size of welfare regime, and national domestic legislature. I go beyond these measures that are more direct measures of deterrence policies. I next discuss the choice/pull literature and derive my hypotheses.

Theoretical Expectations

A significant body of literature has developed on refugees' decision of where to go or the 'pull factors' that attract people to one country over another, such as economic and political stability. Some scholars argue that the choice of where to take refuge involves some kind of rational decision making (Adhikari 2013, Moore and Shellman 2006) while others argue that the decision of where to go are passive and forced migrants do not have a choice in choosing their destination (Day and White 2002). A significant body of literature in the field of forced migration studies within a rationalist framework in large cross-sectional time series analysis (Moore and Shellman 2007, Neumayer 2004, 2005b, Schmeidl 1997). Scholars outline certain factors that influence the decision of where to take refuge by forced migrants which include political, economic, and

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cultural factors, geographical proximity, the presence of social networks, welfare policies, and the presence of national policies on refugees.

Scholars studying human rights violation find a very strong positive relationship between the refugee migration and the human rights violation (Apodaca 1998, Gibney, Apodaca, and McCann 1996). Moore and Shellman (2007) find the events of genocide/politicide in a country decrease the flow of refugees to a particular country. They also find that refugees avoid noncontiguous potential destination countries experiencing civil war and international war, though the authors do not find dissident violence and democracy as a significant factor. Neumayer (2004) and Robinson and Segrott (2002) unlike Moore and Shellman (2007) find democracy as an important deciding factor of where to take refuge by forced migrants. The literature on forced migration also argues that the level of economic development influences the decision of a destination country by forced migrants. Yoo and Koo (2014) do not find economic factors as significant while Moore and Shellman (2007) and Neumayer (2004) find average wages matter and refugees tend to go to better well-to-do countries. Apart from the political and economic factors, Moore and Shellman (2007) also find similar language as a significant deciding factor for refugees regarding destination country, but this does not hold true when countries are non-bordering. Further, Yoo and Koo (2014), Moore and Shellman (2007), and Neumayer (2004) report that the geographically closer countries affect the decision of where to take refuge. Zimmermann (2010), Moore and Shellman (2007), and Neumayer (2004) find social networks as an important deciding factor as the presence of forced migrants from the country of origin decreases the cost of migration for the people left behind. Zimmermann (2010) on the other hand in her work on Somali refugees in the UK notes that the destination was chosen by

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the demands and practicality of the situation. Many interviewees in Zimmermann's work were not given any choice except the UK. The need for certainty, stability and the formal asylum status along with economic stability influenced the destination choice of forced migrants (Zimmermann 2010). As discussed, the literature on the pull factors and deterrence policies find many important factors, but my primary interest is to inquire whether deterrence policies are able restrict the inflow of forced migrants on a global level. On the other hand, the pull factors may be stronger than the deterrence policies in making destination choice. I next discuss my hypotheses related to both deterrence policies and the other factors that might influence the destination choice.

As noted before, many factors influence the forced migrant's destination choice and countries adopt many restrictive policies to limit/contain the inflow of refugees. The literature on the impact of deterrence policies argues that countries are rational actors and fear that countries with lenient policies may have to deal with the disproportionately high number of forced migrants (Thielemann 2004). The policymakers and scholars view deterrence policies as an effective measure (Thielemann 2004). For example, the reduction of asylum applications in Germany between 1992 and 1993 is attributed to the introduction of restriction to the legislation regarding foreigners and in German Basic Law (Thielemann 2004). Thielemann further notes that the "the 71 percent drop in asylum applications in Germany between 1992 and 1994 has often been attributed to these restrictive changes" (7). Hatton's (2011) analysis of various deterrence policies in OECD countries from 1997-2001 shows decrease in the number of applicants. Hatton examines three kinds of policies: access to territory, processing of applications and the determination of status, and welfare policies of asylum seekers. But the analysis is confined to

OECD countries. Thus, from the discussion about the literature and findings on the impact of deterrence policies, I expect deterrent policies to have positive effect on deterring forced migration from seeking refuge in a country.

Hypothesis 1: Stronger a country's deterrence policy, lower the flow of refugees into that country.

Countries make deterrence policies on the assumption that refugees are rational actors and deterrence policies are viewed by academicians and policymakers as highly effective (Thielemann 2004). As discussed before, countries adopt deterrence policies so that their country is not perceived as a potential destination country (Thielemann 2004). If one country adopts deterrence policies to contain refugee flow, other countries starts replicating these deterrence policies to look less attractive to refugees. In the step one, we did find evidence that countries which lie in neighborhoods tend to diffuse more on deterrence policies. Other regions of the world have also converged towards adopting deterrence policies. The convergence of deterrence can have inadvertent effects on the refugee inflow. Forced migrants seek physical safety. Hence, as convergence builds, the forced migrants will find alternative ways to seek protection in a safe country. As discussed above, the role of traffickers has also increased with time. If countries start converging, the deterrence policies stop having effects. Therefore, I hypothesize:

Hypothesis 2a: As countries within a region converge on deterrence policies, the deterrence policies will be less likely to affect the flow to any country.

Hypothesis 2b: As countries globally converge on deterrence policies, the deterrence

policies will be less likely to affect the flow to any country.

Many countries do not have domestic law on refugee to deter forced migrants. As noted above,

no country in South Asia has adopted domestic law on refugees. World polity institutionalists

maintain that forced migrants are more likely to seek protection in countries that are closely

linked to the world polity (Yoo and Koo 2014). Forced migrants seek life beyond just protection.

Zimmermann's (2009) study shows, how socioeconomic and other interests may be seen as

legitimate parts and indeed goals of exile. Countries can be made accountable to accept refugees

and provide welfare benefits only if they have established asylum system. Thus, I expect:

Hypothesis 3: The weaker the domestic protection of country law, the lower the refugee

flow to that country.

On the other hand, literature also suggests some other stronger factors that may be more

important in making destination choice regardless of domestic deterrence policies. As discussed

before, the choice literature suggests forced migrants as utility maximizers. Some countervailing

factors may have stronger effects than the deterrence effects. The literature suggests several

factors such as the political and economic factors, geographical proximity, and presence of social

networks. I discuss each briefly and derive seven additional hypotheses. One of the most

consistent factors shown to affect the decision choice of forced migrants is a contiguous country.

As forced migrants assess the costs and benefits, they prefer going to the nearest haven may be due to convenience and low transportation costs. Moore and Shellman (2007) find that among the top ten destination countries between 1955 and 1995, eight countries share a border with the origin country. Schmeidl (1997) and Moore and Shellman (2007) find that the countries that share a border with the origin country receive more forced migrants as the transportation cost becomes very low. Neumayer (2004) and Yoo and Koo (2014) also test the contiguous borders on the impact of the destination choice by asylum seekers. Yoo and Koo also find neighboring countries as an important deciding factor of where to flee. Hence, I posit:

> *Hypothesis 4:* The more contiguous borders a country has with origin country, higher the refugee flow to that country.

The above-mentioned hypothesis is conditional on the number of conflict-affected contiguous borders. Moore and Shellman (2007) argue rich countries are clustered together, and refugee-producing countries are clustered together. Hence, Moore and Shellman test conditional relationships with bordering countries and find borders as an important influencing factor of the destination choice. But Moore and Shellman do not test the conditional relationship of the conflict-affected contiguous border. Here I posit the following hypothesis:

> *Hypothesis 5:* The more contiguous conflict-affected borders a country has with origin country, higher will be the refugee flow to that country.

Apart from borders, economic conditions and economic opportunity in the destination country also influence the decision of destination choice. In the discussion above, scholars note that forced migrants are rational actors and utility maximizers and go to the countries that provide better economic opportunity. The results are mixed. Yoo and Koo (2014) do not find economic opportunity as an important factor while Moore and Shellman (2007) and Neumayer (2004) find economic opportunity an important deciding factor. Thus, I expect:

> *Hypothesis 6:* The better a country's economic opportunity, higher will be the refugee flow to that country.

On the other hand, forced migrants are also in urgent need of help and want safe environment. Hence, forced migrants will assess all the available choices and go to the country that makes them feel safe and is easy to reach. In other words, forced migrants prefer countries that are politically more stable. Scholars have assessed political factors and did find conditions of human rights, and level of democracy as an important deciding factor in addition to the absence of conflict (Moore and Shellman 2007). Therefore, I posit my next hypothesis:

> *Hypothesis 7:* The better political conditions in a country, higher will be the refugee flow to that country.

The presence of social networks may also affect the destination choice of refugees. A large literature exists that argues that presence of co-nationals and familial networks affects the

destination choice of the people fleeing persecution (Kunz 1973, Richmond 1993). The arguments are supported by statistical studies on forced migration literature (Schmeidl 1997, Moore and Shellman 2006, Moore and Shellman 2007, Neumayer 2004). The presence of diaspora reduces the cost of relocating in the potential destination country. Hence, I expect:

> *Hypothesis 8:* Higher the degree of social networks in a country, higher will be the refugee flow to that country.

Finally, world polity theorists argue that the states are embedded in wider cultural principle that "promulgates cognitive frames and normative prescriptions that constitute the legitimate identities, structures, and purpose of modern-states" (Cole 2005: 477). In the field of forced migration, the global cultural principles constitute the 1951 International Refugee Treaty and its 1967 protocol. The world polity institutionalists maintain that the forced migrants are more likely to go to the country that is closely linked with the world polity, mainly to the international refugee regime (Yoo and Koo 2014). Yoo and Koo further argue that the recipient countries are no more confined to the neighboring countries, the refugee nowadays increasingly enjoy the extended list of potential destination countries including the countries that are closely linked to international norms and standards. Hence, I hypothesize:

> *Hypothesis 9:* Countries that are the party of the International Refugee regime are likely to have higher flows of refugees than the non-member countries.

I believe the analyses of the above hypotheses will improve our empirical understanding of the effectiveness of deterrence policies as well as the significance of other factors that may contribute more than the deterrence policies in the decision of destination choice of refugees. I next discuss my research design related to the paper.

Operationalizing the Hypotheses

This section will assess whether the deterrence policies adopted by countries help in deterring refugees from seeking refuge in a country, data taken from the year 1997 to 2014. I will assess whether the deterrence policies of countries help in deterring refugees. I will code the following policies: refugees' right to work, and the severity of detention policies. Severity of detention policy includes mandatory detention, right to appeal the lawfulness of detention, and maximum length of detention.

Dependent Variable

Annual Change in Refugees Flow: The dependent variable is collected by UNHCR population statistics (2015b) which records yearly refugees in a particular country from a different country of origin over the period 1990-2014. The refugee flow data does not exist, hence to measuree the dependent variable, the paper uses annual stock, or the raw number of refugees estimated by UNHCR in a given country (Schmeidl 1997, Moore and Shellman 2007). The numbers reflect any decrease or increase of the refugee population (Schmeidl 1997). The individuals in the analysis are refugees who are in need of protection and hence protection availed themselves to the protection of international organization, mostly UNHCR (Schmeidl 1997). The paper

excludes IDPs, environmental refugees, refugees granted temporary protection, self-settled or

illegal refugees (mostly linguistically and ethnically similar), and economic refugees. In short,

refugees are the people who have left their country due to the fear of persecution and have

availed themselves to an international organization for assistance (Schmeidl 1997). The

dependent variable is measured by taking the difference in refugee stock, i.e., the value of

current year *t* minus the value in *t-1* and then truncates it to zero to remove any negative variable

(Moore and Shellman 2007). I use natural log of the dependent variable as the data is skewed.

I do not use UNHCR's asylum seekers data as dependent variables because I find some serious

limitations with the data: first, the asylum seekers' data is limited to only developed countries

and does not extend to the under-developed or developing countries. The reason can be that

many developing countries although recognize refugees', they do not take the responsibility of

resettling them. Hence, countries such as Jordan where the government is not a signatory of

international refugee treaty or its 1967 Protocol but hosts large number of Syrian refugees. The

'prima facie' definition of refugees leads to the difference in the number of refugees and asylum

seekers. UNHCR on its website defines asylum seekers as: "An asylum-seeker is someone whose

request for sanctuary has yet to be processed…National asylum systems are in place to determine

who qualifies for international protection. However, during mass movements of refugees, usually

as a result of conflict or violence, it is not always possible or necessary to conduct individual

interviews with every asylum seeker who crosses a border. These groups are often called 'prima

facie' refugees." Secondly, the data for asylum seekers available from UNHCR is only after the

year 2000 and no good alternative source of asylum seekers data is available for global set of

countries. Currently, UNHCR is the most reliable and consolidated source for collecting data on forced migrants for global set of countries.

Independent Variables

In order to my test nine hypotheses, I create and test the following independent variables.

Deterrence Policy for Refugees: Measures for domestic deterrence policies described above.

Regional Convergence of Deterrence Policies: Measures for regional convergence of deterrence policies described above.

Global Convergence of Deterrence Policies: Measures for global convergence of deterrence policies described above.

Access to Asylum Procedures: I create dummy variable for this measure. A country is coded as 1 if a country provides for asylum procedure; otherwise, a country is coded as 0 if no provision for asylum procedure is provided. The variable is coded from the U.S Department of State *Human Rights Country Reports* (Various Years).

Number of Contiguous Borders: I employ Correlates of War Project's Direct Contiguity Data for the number of contiguous borders a country shares. The coding is as follows:

        1: Separated by a land or river border

2: Separated by 12 miles of water or less

3: Separated by 24 miles of water or less (but more than 12 miles)

4: Separated by 150 miles of water or less (but more than 24 miles)

5: Separated by 400 miles of water or less (but more than 150 miles)

Contiguous Conflict-affected Borders: As described above.

Economic Opportunity: Economic opportunity includes 1) GDP/capita and 2) Unemployment as defined above.

Democracy-Autocracy: I use Polity Index (Marshall, Gurr, and Jaggers 2014) to measure the level of democracy as described above.

Political Conditions within the Country: I use two variables to capture the political conditions of a country (a) Human Rights Conditions, and (b) Genocide and Politicide

a. Political conditions include Human Rights Conditions: To capture the human rights violations this paper use (1) Political Terror Scores (PTS). PTS codification is based on U.S. Department of State annual human rights reports and Amnesty International annual human rights reports. Following Neumayer (2005b), this study takes the simple average of both the two scales. The data is a 5-level terror scale described on PTS website as:

Level 1: "Countries under a secure rule of law, people are not imprisoned for their views, and torture is rare or exceptional. Political murders are extremely rare."

Level 2: "There is a limited amount of imprisonment for nonviolent political activity. However, few persons are affected, torture and beatings are exceptional. Political murder is rare".

Level 3: "There is extensive political imprisonment, or a recent history of such imprisonment. Execution or other political murders and brutality may be common. Unlimited detention, with or without a trial, for political views is accepted".

Level 4: "Civil and political rights violations have expanded to large numbers of the population. Murders, disappearances, and torture are a common part of life. In spite of its generality, on this level terror affects those who interest themselves in politics or ideas".

Level 5: Terror has expanded to the whole population. The leaders of these societies place no limits on the means or thoroughness with which they pursue personal or ideological goals.

b. Genocide/Politicide: I use Political Instability Task Force (PITF) (Marshall, Gurr, and Jaggers 2014) to measure genocide/politicide. Genocide and Politicide is operationalized by Marshall, Gurr, and Jaggers 2014 as number of deaths per year: 0 = less than 300, .5 = 300 – 1000, 1.0 = 1000 – 2000, 1.5 = 2000 – 4000, 2.0 = 4000 – 8000, 2.5 = 8000 - 16,000, 3.0 = 16,000 – 32,000, 3.5 = 32,000 – 64,000, 4.0 = 64,000 – 128,000, 4.5 = 128,000 – 256,000, and 5.0 = 256,000 +.

Social Networks: Following most studies, I use one year lagged dependent variable. I lose one lagged dependent variable due to the lack of data for previous years and I do not want to lose more data. This is a crude measure but dyadic data at a level is not currently available.

International Refugee Regime (1951 International Refugee Treaty and 1967 Protocol): I coded the variable as 0 if a country is non-signatory and 1 if a country has ratified the 1951 treaty or its protocol from UNHCR (2015)

Table 3.7 provides descriptive statistics for all variables.

TABLE 3.7 Descriptive Statistics of Independent Variables (1997-2014)

Variable	Observations	Mean	Standard Deviation	Minimum	Maximum
Dependent Variable					
Number of Refugees	2808	7117.506	47625.38	0	990567
Independent Variables					
Factor Scores of Severity of Detention Policy	2808	-.001	1	-.926	4.195
Restriction on Right to Work	2808	1.554	.628	0	2
Severity Detention Regional Convergence	2808	-.001	.619	-.926	4.195
Severity Detention Global Convergence	2808	-.001	.083	-.140	.116
Restriction Work Right Regional Convergence	2808	1.554	.310	.9	2
Restriction Work Right Global Convergence	2808	1.554	.067	1.487	1.673

Domestic Law on Refugees	2808	.609	.488	0	1
Number of Contiguous Borders	2808	6.151	3.447	0	24
Contiguity with Civil/Ethnic Violence	2808	1.225	1.344	0	7
Contiguity with International War	2808	.105	.364	0	3
GDP/Capita	2808	10020.94	16412.35	80.457	117454
Unemployment Rate	2808	9.029	7.348	.1	60
Polity	2808	3.241	6.406	-10	10
Political Terror Scale	2808	2.615	1.073	1	5
Genocide/Politicide	2808	.023	.268	0	4.5
Social Networks	2808	6346.247	42983.77	0	990567
1951 Treaty and 1967 Protocol	2808	.764	.425	0	1

Analysis

I use panel dataset for all the countries from 1997-2014. Because I include some variables that

are lagged one year, I lost one year. Overall, I estimate two models using linear regression fixed

effect and standard errors are fully robust. As noted above fixed effects "ensures unbiasedness of

the estimated coefficients, even if the explanatory variables are correlated with unobserved time-

invariant, country-specific FE" (Neumayer 2004 p. 394). I performed correlation test among all

the variables and I did not find any strong correlation between variables (Table B2 in Appendix

B).

In running the regression, I examined two models with and without time-lag of my constitutional

measures. I examine the lag structure because we may reasonably expect the performance of

deterrence policy variables in *t-1* period constituted a pull factor and not current performance in

the period *t* (Thielemann 2004). Table 3.8 reports the results of the two models. The standard

errors are fully robust. The R-squared of both models are .64 and the overall significance level of

the model is $p < .0001$.

TABLE 3.8 Regression Analysis of Change in Annual Refugee Flow by Country of Refuge, 1997-2014

	Model 1	Model 2
Estimation Technique	Linear Regression FE	Linear Regression
Factor Scores of Severity of Detention Policy (t-1)	-.221* (-2.20)	
Restriction on Right to Work (t-1)		-.270* (-2.07)
Severity Detention Regional Convergence (t-1)	.26 (1.07)	
Severity Detention Global Convergence (t-1)	2.364*** (3.74)	
Restriction Work Right Regional Convergence		-.137 (-.31)
Restriction Work Right Global Convergence		-1.935* (-2.11)
D.Number of Contiguous Borders	.162 (.23)	.202 (.28)
Contiguity with Civil/Ethnic Violence	.310*** (3.36)	.320*** (3.45)
Domestic Law on Refugees	-.121 (-.62)	-.148 (-.72)

Contiguity with International War	.081	.022
	(.39)	(.11)
D.GDP/Capita (logged)	-.712*	-.923**
	(-2.02)	(-2.63)
Unemployment Rate	-.018	-.0172
	(-.98)	(-.96)
Polity	-.019	-.013
	(-.64)	(-.45)
Political Terror Scale	-.296**	-.299**
	(-3.17)	(-3.19)
Genocide/Politicide	-.195	-.161
	(-.78)	(-.65)
Social Networks (logged)	.220***	.223***
	(7.65)	(7.71)
1951 Treaty and 1967 Protocol	.147	.163
	-.27	-.3
Constant	4.179***	7.773***
	-7.67	-5.66
Observations	2652	2652
Prob > F	.614	.612
R-squared	.638	.637
Adjusted R-squared	.613	.612

t statistics in parentheses
* p<.05, ** p<.01, *** p<.001
Standard errors are robust

The results in the models are very similar across the deterrence policies. As hypothesized, I find

deterrence policies as effective on the decision of destination choice. First, I find severity of

detention policy produces a negative coefficient of -.221 and is significant at 95% confidence

interval (Model 1), which suggests that countries have more restrictive detention policies attract

fewer refugees. Second, I find the effect of the restriction on the right to work to be negative (-

.27) and significant at 95% confidence level (Model 2). This means that fewer refugees go to the

countries that restrict the right to work. Third, I also find diffusion of global norms of deterrence policies as significant. I find support for my hypothesis that as more countries converge on detention policies globally, the less likely the policies have effect on the flow of refugees. The global convergence of detention policies produces positive coefficient of 2.36 and is significant at 99% confidence interval (Model 1). On the other hand, I find opposite results for the global convergence on the restrictive right to work. The global convergence on the restriction of the right to work gives negative coefficient of -1.94 and is significant at 95% confidence level (Model 2). One explanation can be that the adoption of detention policies is not implemented properly. The implementation of detention policies needs resources and money to maintain infrastructure. The people can find ways with the help of agents and smugglers to get into a territory, but the restriction on the right to work is easy to implement and may be more effective as a restrictive policy. For example, even though India does not have domestic law on refugees, forced migrants get into the territory with the help of agents but they do not get the work rights. I conducted a fieldwork in India that shows that even highly educated refugees do not get work rights or appropriate papers to work.

I do not find any effect of the regional convergence of the deterrence policies and the adoption of domestic law on refugees. One reason can be that forced migrants prefer neighboring countries and usually take refuge in their own region. Traveling to other regions is expensive and need resources and planning. The regression results also show that refugees mostly stay in their neighboring countries.

My results also indicate that countries receive more refugees if a number of contingent borders are experiencing civil and ethnic violence/war. Countries with contiguous borders experiencing

civil and ethnic conflict/war produces positive coefficient of .310 in Model 1 and .320 in Model

2. The coefficients are highly significant in both the models. The results support the argument

that refugees while deciding the destination country go to the nearest safe haven and the results

consistent with the previous studies show that refugees are not 'bogus' (Neumayer 2005a, Moore

and Shellman 2007). I do not find any effect of the number of contingent countries borders

experiencing international conflict/war. Similarly, I do not find any effect of the number of

contiguous borders a destination country shares. One rationale can be that many developed and

developing countries lie in peaceful regions and share peaceful borders.

Other variables such as the GDP per capita have a negative coefficient of -.071 (Model 1) with

95% confidence interval and -.092 (Model 2) with 97% confidence interval. As explained before,

refugees are not opportunists and majority take refuge in the neighboring countries that are either

under-developed or developing. My results also indicate that the decision of destination choice is

not impacted by the unemployment rate. Refugees while deciding the destination country go to

the nearest safe haven and the results are consistent with the previous studies also show that

refugees are not 'bogus' (Neumayer 2005a, Moore and Shellman 2007).

Consistent with the hypothesis and earlier studies Like Moore and Shellman (2007), refugees do

not prefer countries with high degrees of political violence and terror. Political terror scale

produces a negative coefficient of -.030 in both the models with moderate significance level. I do

not find any relation between genocide/politicide and the impact of democracy on the destination

choice of refugees. One explanation can be genocide/politicide are sporadic and do not occur

very often. Other reason can be that forced migrants take refuge internally. In addition, the

results also show that instead of responding to democracy, refugees go to less violent countries.

Other potential pull factor related to the country of destination is the presence of social networks. I find positive (coefficient .022) and very strong effect on the decision of destination choice. Presence of friends, relatives or acquaintances from a country of origin attracts higher number of refugees from the same country. Presence of social networks reduces the cost of leaving and settling in another country.

Next, the world society approach argues that refugees go to countries that are strongly related to the world cultures principles. I do not find any impact of the 1951 International Refugee Treaty or 1967 Protocol. As discussed above, and rationalists argue, refugees seek protection in neighboring countries as traveling to far away destinations is expensive and needs planning and resources not only in terms of money but other resources are also important such as social networks in the destination country.

Next, I turn to the size of the effects of the coefficients. The estimates cannot be directly compared to each other given that the units of variables are different. Hence, to analyze the strength of effects, I interpret and present in Table 3.9. the exponentiated regression coefficients that achieved statistical significance. To interpret the regression coefficients into an exact percentage, I use the following equation:

$$\%\Delta y = 100 * \partial x * \beta_1$$

We can see that one percent change in the restriction of the severity of detention policy, and restriction on the right to work decreases the flow of refugees by approximately 22.1% (Model 1), and approximately 27% (Model 2) respectively. Such a change in a country with 5000

refugees would be approximately 1105 less refugees in Model 1 and 1375 in Model 2. In regard

to the diffusion of norms globally, we see one percent change in the diffusion of the restriction of

severity of detention policy and restriction on the right to work lead to the increase in

approximately 236.4% refugees in a country (Model 1) and decrease in approximately 193.3

refugees in a country.

TABLE 3.9 Percentage Change in Refugee Flow deduced from the Fixed Effects Model

Independent Variable	Percentage Increase Model 1	Percentage Increase Model 2
Factor Scores of Severity of Detention Policy (t-1)	-22.1*	
Restriction on Right to Work (t-1)		-27*
Severity Detention Global Convergence (t-1)	236.4***	
Restriction Work Right Global Convergence		-193.5*
Contiguity with Civil/Ethnic Violence	31***	32***
GDP/Capita (logged)	-.712*	-.923**
Political Terror Scale	-29.6**	-29.9**
Social Networks	.220***	.223***

Other important factors are civil and ethnic conflict/war in neighboring countries, GDP/capita,

political factors, and presence of social networks in the destination country. My results indicate

results as highly significant when destination country shares contiguity with the country

experiencing civil and ethnic conflict/war. The contiguous border leads to an increase of refugees

by 31% in Model 1 and 32% in Model 2. These findings strongly support the statistics of

UNHCR global trends report (2016) that show all the top 10 host countries except for Germany

shares border with the top refugee origin countries. Given the example country with 5000 refugees, such a change would result in an increase of 1550 refugees in Model 1 and 1600 refugees in Model 2.

I also find one percent increase in GDP/capita is estimated to result in about .071% decrease in Model 1 and .092% decrease in Model 2 in the inflow of refugees. Another important finding is the impact of the level of terror and violence in influencing the decision of destination choice. I find one-percent increase in political terror scale decreases the inflow of refugees by about 29.6% (Model 1), and 29.9% (Model 2).

I find one percent increase in social networks leads to .022% or about increase of 11 refugees per 5000 refugees in a country. Most refugees stay in their neighboring countries or are internally displaced and thus do not require much planning. The effects of social networks will be higher if we examine only developed or Western European countries. Going to a developed and far away countries require much more resources and planning than taking refuge in nearby countries. Overall, my results indicate that deterrence policies do influence the decision of destination choice. The countries where deterrence policies are more restrictive become less attractive. The difference in the impact of the severity of detention policy and the restriction on the right to work is minimal. I also find other factors such as diffusion of the severity of detention policy, political factors, and social networks as important variable affecting destination choice. The most significant variable in terms of impact is the global convergence on the deterrence policies.

Conclusions and Policy Implications

Ultimately, I argue in this chapter that the adoption of deterrence policies aimed at refugee does affect the destination choice of refugees. Forced migrants flee their origin country due to the fear of persecution and hence, they go to the countries where they feel more secure. Previous studies on the destination choice of refugees largely focus on the political, economic, social, and geographical factors ignoring the domestic deterrence policies of a country. Few studies that recognize the impact of deterrence policies are either qualitative or are limited to OECD or developed countries. Yoo and Koo (2014) tried to expand deterrence policies to global countries, but the measures used are not a direct measure of deterrence policy. Yoo and Koo only measure the total recognition rate of asylum applications as deterrence policy. Hence, this study tries to build the gap by systematically studying the impact of deterrence policies on refugee's decision of where to take refuge by expanding the study to cover all major countries of the world and also improve on the deterrence measures.

The first part of the chapter examines the factors that lead countries to converge towards deterrence policies. I find significant effect of the convergence of deterrence policies of countries that lie within a region. As discussed above, none of the countries in South Asia have adopted domestic law on refugees. I do not find evidence that increase in the inflow of refugees in a county have any effect on the adoption of deterrence policies. The results are supported by the analysis in step two, where I find highly significant evidence that refugees are more likely to go to the contiguous countries and are impacted by the presence of social networks. The top

refugee-hosting countries are not developed countries and the most restrictive policies, especially detention policy, are adopted by developed countries.

Also, I do not find any effect of the number of contiguous conflict-affected countries on the adoption of restrictive policies. As the results in the second part of the paper show that most refugees take refuge in neighboring countries, and I reiterate that most refugees do not reach developed countries that adopt more restrictive deterrence policies, especially in regard to the detention policies. One explanation can be that the top refugee-hosting countries may not have the kind of resources that are needed to establish or maintain a detention facility. The paper also indicates that while deterrence policies work, as convergence builds they stop having a deterrent effect. However, as discussed above the negative convergence effect of deterrence policies work only in regard to the detention and not in regard to the restrictions on work.

Several important policy implications come to light in my analysis. First, deterrence policies do matter in addition to the other factors of destination choice. But the study does not find any support to the argument that the regional convergence on the restriction of deterrence policies negatively impacts the destination choice of refugees. Thus, instead of focusing on the deterrence policies, policy-makers of the host countries should recognize the inevitable and shift resources towards migration management. The recognition of the problem has many advantages such as it prevents the further formation of the thriving underground industry of traffickers, and it reduces the exploitation of refugees during the journey.

Second, countries across the regions converge on adopting deterrence policies, but we do not see any regional convergence effect on the protection of forced migrants. As Thielemann (2012) notes that the highly inequitable distribution of forced migrants are unintended consequences but

in principle, the regional and international cooperation between states can deliver a fairer policy for the standards of protection and the distribution of responsibilities for forced migrants. Collaboration between states can help address and collective action problems.

Third, apart from the deterrence policies, other factors are also important. The results are indicative of the fact that refugees are not 'bogus' and in fact, they go to the nearest haven that protect their physical being. The deterrence policies do matter in destination choice, but policymakers over-estimate the significance of domestic deterrence policies. Some destinations will always attract more refugees based on the geographical proximity to the origin country, and presence of social networks.

While this research has some limitations, most of the limitations will be addressed in subsequent work of this dissertation. The paper does not address many other deterrence policies such as the impact of welfare benefits, and recognition rates due to the lack of data. In addition, paper also lacks the voices of refugees that can more directly and specifically inform our understanding. My next chapter is based on the field work I completed in India. The chapter analyzes the actual situation of forced migrants in their destination country.

CHAPTER 4

TAKING REFUGE IN INDIA: CASE STUDY OF AFRICAN FORCED MIGRANTS

Introduction

Conflict, fear of persecution, economic slowdown, climate/planetary changes, and food insecurity are among the many conditions that force people to migrate to other places, either within the country and become internally displaced persons (IDPs), or to other countries as refugees, asylum seekers, or unauthorized/undocumented immigrants. Scholars uniformly agree that violence is the key reason for displacement whether people relocate within their home country or cross the border and seek their living on a foreign soil (Moore and Shellman 2007). UNHCR records show that about one-third of the world's migrants originated and lived in the Global South in the year 2010 (as cited by Joseph and Narendra 2013, page 4). According to a report published in the year 2006 by International Labor Organization (ILO), Asia absorbs about 40 percent of the 2.6 to 2.9 million workers who migrate to other countries for work (cf. Joseph and Narendra 2013, page 4). The reasons for the increasing intra-regional migration lie with the social factors centered on family, ethnic and community ties, geographical proximity, and income and wage differential (Piper and Hugo 2007). The chapter primarily examines the reasons why forced migrants take refuge in India.

Asylum seekers and refugees are often seen with suspicion who seek economic benefits in the host country and are often labeled as 'bogus refugees' (Neumayer 2005). In the media and politics, the widespread perception is that the refugees are entrants who are attracted by 'handouts' rather than someone in genuine need of protection or are economic migrants exercising high degree of choices between countries (Zimmermann 2009).

Most studies on forced migration use aggregate archived data to analyze the choice-centered approach of individuals either to stay in or leave a country under highly hostile conditions (Davenport, Moore and Poe 2003, Moore and Shellman 2004, 2006, 2007, Neumayer 2004, 2005). Most of the forced migration studies, with the exceptions of Zimmermann (2010) and Adhikari (2013), do not actually engage in micro-level analyses. While aggregate data analysis has provided important insights into forced migration theory, I regard it as inherently inappropriate to assess individual-level choices. The chapter analyzes individual-level behavior of the destination choice of forced migrants.

In this chapter, I create a significant opportunity to look in depth into the situations of actual refugees in India by talking to the refugees themselves. In doing so, I am looking to establish a causal link to my previous two analytical chapters. Additionally, I leverage the advantage of the knowledge of the country and as well as the fact that I am a native speaker of the local language in the receiving country. First, building trust and accessing information from local authorities or community organizations about forced migrants becomes easier. Secondly, as I know the area I can easily move around comfortably in the small localities where most forced migrants live. The survey will build upon the limited set of field studies done in the area of forced migration. Specifically, I have surveyed 155 African refugees and asylum seekers currently settled in the states of Delhi and Telangana, India, who are under the protection of UNHCR. Forced migrants in the state of Telangana live in the city of Hyderabad. Therefore, in the paper, I will use Hyderabad instead of Telangana. African refugees and asylum seekers hold particular importance in Indian context as they have traveled a long way to take refuge here, even though India has no national law on refugees. Moreover, India is not a signatory to either to the 1951

International Refugee Convention or to the 1967 Protocol. But, Indian constitution has been applied to them in some key context. The courts have recognized the right of non-refoulement with UNHCR declaration. I will discuss this further below.

Drawing from the literature on determinants of forced migrants, this paper aims primarily to address the factors that lead African forced migrants to take refuge in India. This paper also addresses the factors involved in the decision to flee. While Zimmermann (2010) suggests that refugees and asylum seekers consider whether a potential country of refuge has formal asylum procedures, I must reiterate that India is not a party to the 1951 International Refugee Convention or its 1967 Protocol. Furthermore, India does not have any national law that specifically deals with refugees and asylum seekers. Thus, India does not appear to be a logical choice. Moreover, India is not in close geographic proximity to African forced migrants, generally, and such a migration would appear to require considerable resources and time to plan. Thus, the choice of these refugees to flee to India seems particularly and theoretically important from a micro-level choice perspective. I create a survey from the push-pull theory of forced migration. Specifically, I investigate the social, economic, political, and other factors that led the individual to take refuge in India as opposed to other potential destinations, and what are the trajectories and resources used by forced migrants to reach India.

The theoretical importance of the research questions is two-fold. First, since the forced migration literature is limited to large cross-sectional analysis of aggregated country-level data, this study analyzes the individual-level data, which is most appropriate level of analysis for the individual choice theory. Second, this study aims to be more systematic and rigorous than Zimmermann's (2010) semi-structured interviews of only 13 Somali refugees settled in the UK. I have

systematically surveyed 155 African refugees and engaged a sophisticated statistical analysis of my survey responses. I believe my study will make a significant and theoretical contribution as African refugees and asylum seekers are increasing every year at a high rate. The increasing number of forced migrants in India informs the rational choice theory. Stable political condition, less relocation cost, easier to reach than other developed countries, and subsidized welfare benefits makes India an attractive destination. Currently, no studies exist that can help us understand the trajectories of refugees and asylum seekers from African region to India. This study seeks to shed light on the role of agents, trajectories, and resources used to reach India. The study will be helpful in understanding why the refugees make the seemingly illogical choice to seek refuge in India, a country without formal domestic protection of refugees.

The present paper is organized in the following manner: the next section reviews the significance of studying African refugees in India. Then, the section afterward gives an overview of Indian legal system in context of refugees and an analysis on understanding the reasons for India's refusal to accede to the 1951 International Refugee Convention and its 1967 Protocol. Then, I lay out the theoretical underpinnings, derive my hypotheses and present my research design, including my survey instrument. After presenting my analysis, I discuss the conclusions and policy implications we can draw from this work.

Why African Refugees?

As I noted above, India is a country that lacks domestic national legislation governing refugees and is not a signatory to the 1951 International Refugee Convention or its 1967 Protocol, which obligate it to accept refugees. However, India is home to a substantial refugee population.

Tibetans were the first refugee group to come to India after the annexation of Tibet by China in 1950 and the subsequent 1959 Tibetan uprising (DeHart, 2013). The uprising killed thousands of Tibetans, and about 80,000 Tibetans with Dalai Lama fled to India within a year after 1959 (DeHart 2013). Other refugee seeking group includes Tamil population from Sri Lanka, Bhutanese from Nepal, partition refugees from erstwhile West and East Pakistan, Afghans, Chakmas from Bangladesh, Rohingyas and others from Myanmar, and refugees from Sudan, Somalia, and Congo. Most of the refugees in India come from the neighboring and culturally similar countries; however, the increasing presence of African refugees in the last few years in India inspired my curiosity.

Crisp (2002) notes that Africa constitutes 13% of the world's population, yet 30% (i.e., 3.6 million) of the world's 12.1 million refugees and 60% (i.e., 13.5 million) of the world's total 20 to 25 million IDPs are found in Africa. As per the report published by United Nations World Population Prospects, Africans constitute about 15.51% of the world population in 2013 (1.1 billion), where Sub-Saharan Africa hosts about 2.8 million refugees out of the 10.5 million refugees in 2013, which is more than 26% of the world refugee population (UNHCR). Crisp (2002) notes out of the top 20 refugee-producing countries, nine are from Africa. Data from 2014 of the top twenty refugee-producing countries around the world do not show any improvement. Out of the top refugee-producing countries in 2014, 25.7% came from Sub-Saharan African and 20.6% from North Africa and Middle-East (UNHCR Statistical Yearbook 2015, page 9). These numbers do not imply that the whole African region is refugee-producing. In fact, the Southern African region has been transformed as a refugee-hosting area (Crisp 2002). However, the area of the central Africa which expands from Angola in southwest to Eritrea in northeast,

encompassing Congo Brazzaville, the Democratic Republic of Congo (DRC), Ethiopia, Burundi, Kenya, Somalia, Rwanda, Tanzania, Sudan, Zambia, and Uganda have become the principal regions of displacement (Crisp 2002). In fact, Somalia, Sudan, the Democratic Republic of Congo, Eritrea, and Ethiopia are on the list of top twenty refugee-producing countries in 2014 (UNHCR Statistical Yearbook 2014, pp. 32-34). Renewed conflicts, violence, and state repression in the region are the main underlying reasons for the increasing number of forced migrants from these countries.

With the increasing number of people seeking refuge, India also receives many forced migrants from African region. India hosted 1217 forced migrants from Africa in 2014. Figure 4.1 shows the increasing numbers of forced migrants that rises from 406 in 1993 to 1217 in 2014, with consistent increase in the numbers from 2004 with a decline in 2015 and again numbers rising in 2016.[8]
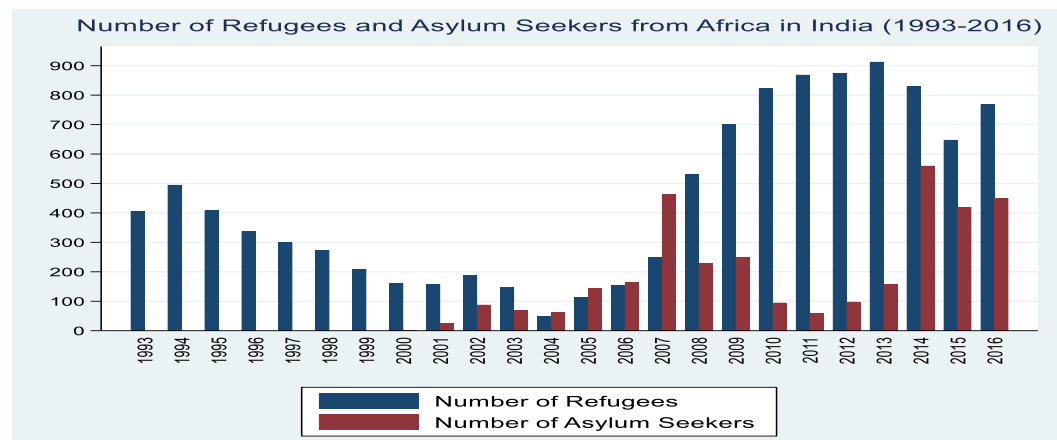
FIGURE 4.1: Number of Refugees and Asylum Seekers from African Continent in India (1993-2016)

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[8] The number of refugees from African region are available from 1993 in the UNHCR Statistical Yearbook. Similarly, the statistics of the number of asylum seekers are available from 2000 in the UNHCR Statistical Yearbook.

In 2017, India hosted refugees and asylum seekers from various regions of Africa. The highest number of refugees came from Somalia (approximately 600 refugees) which is located in the Eastern region of Africa followed by Sudan (approximately 80 refugees), and the Democratic Republic of the Congo (approximately 40 refugees), which is located in Central Africa. Other countries from which refugees came to India in from African countries are Eritrea (approximately 30 refugees), and Ethiopia (approximately 20 refugees). The numbers are provided by UNHCR, New Delhi on June 9, 2017. The increase in the number of forced migrants is related to the civil wars and conflicts in African region. The current phase of civil war in Southern Somalia started in 2009 between the state and several Islamic groups. Another war started in Darfur region of North Sudan in 2003 between the rebels and the state. The war in Congo, also known as the Second Congo War began in 1998 and ended in 2003 with the establishment of interim constitution. But the human rights violations still continue by the army, intelligence services, and police. The condition continues to deteriorate. Likewise, in countries such as Eritrea, people face grave discrimination on the basis of religion. Therefore, security continues to be an issue along the route or in the first country of asylum.

The forced migrants from Africa make long journeys to India, and it is possible that the decision to come to India is made due to factors such as security threats while staying in a refugee camp or along the path. Crisp (2002) notes the insecurity faced by forced migrants in refugee camps (and settlements) and also by returnees. The insecurity in the refugee camps and settlements (even after repatriation) may lead to forced migration to the other regions away from neighboring countries of Africa. As Barsky (1995, 2000), in his study on Pakistan, finds, the interviewees

were only concerned with leaving Pakistan and their safety and acceptance while fleeing. Before

I discuss my hypotheses, it is important for me to give a picture of refugees in Indian context.

Refugees in the Indian Context: Indian Legal System and Refugees

Though India is not a party to the 1951 International Convention and its 1967 Protocol on

refugees, India became a member of UNHCR's Executive Committee of the High

Commissioner's Programme (EXCOM) in the year 1995. Once refugees are within Indian

Territory, they are subject to the Indian penal laws. Interestingly, articles in the Indian

constitution are applicable to refugees as they are to the Indian citizens. For example, the

Supreme Court of India has held that Article 21 of the Indian constitution, which deals with the

right to life and personal liberty, is applicable to everyone within the country regardless of

whether they are aliens or Indian citizens (Ananthachari 2001). High Courts in various

circumstances have adopted the rule of natural justice, and concomitantly refugees have been

protected against *refoulement*. In the case of Chakma refugees from Bangladesh in Arunachal

Pradesh (north-eastern state in India), the All Arunachal Pradesh Students Union (AAPSU) was

agitating to expel Chakmas from the state. The National Human Rights Commission of India

(NHRC) on behalf of 65,000 Chakma refugees, who are settled in Arunachal Pradesh since 1965,

filed public interest litigation (PIL) and successfully sought Supreme Court's intervention in

order to safeguard their life and freedom (Chimni 2008). The judgment notes:

> The Court in its judgment noted that 'the Chakmas have been residing in Arunachal
>
> Pradesh for more than three decades, having developed close social, religious, and

economic ties. To uproot them at this stage would be both impracticable and inhuman'. It also notes that the Union Government had also agreed to grant citizenship to them, although this process was being obstructed (Chimni 2008, page 42).

Likewise, in the case of *Syed Ata Mohammadi vs. Union of India* (Criminal writ petition no.7504/1994), the High Court of Bombay directed "there is no question of deporting the Iranian refugee to Iran since he has been recognized as a refugee by the UNHCR" and the Court permitted the refugee to move to any country he desired (Ananthachari 2001). Refugees in India are subject to Indian penal laws, and various legal provisions concerned vary with circumstances. I discuss each separately.

Detention

The Foreigner Act in India contains the power to detain anyone who is trying to enter India illegally, punishable up to five years in prison, with no exception. The constitution protects against the unlawful detention and allows detainees access to counsel (United States Committee for Refugees and Immigrants 2009). But refugees may face detention if they are caught entering India illegally or have illegal travel documents (Ananthachari 2001).

Work Permits

The joint report by JIPS and UNHCR notes that India has recently decided to grant refugees recognized by UNHCR long-term residential visas and work permits. This will allow refugees to work in formal sector. Earlier refugees could not work in formal sector without any interference

from the administration. Tibetan refugees have been approved loans from banks for self-employment (Ananthachari 2001). Migrants and refugees can open bank accounts, provided they can furnish a proof of local address (United States Committee for Refugees and Immigrants, 2009).

Public Relief and Education

India provides some relief to the Tibetan and Sri Lankan refugees but not to other refugees. However, refugees under UNHCR have access to health care equal to nationals. The Right to Education Act, 2012, guarantees all children aged 6 to 14 years on the Indian Territory to have free and compulsory primary education. Refugee children are allowed to enroll in local schools.

Freedom of Movement and Residence

Refugees processed under UNHCR cannot leave New Delhi as UNHCR protects them only in New Delhi, Tibetans can move within the country with their registered certificates, and Sri Lankan refugees in the state of Tamil Nadu can freely move in the areas near the camps, but they have to return for roll calls and remain under police surveillance (United States Committee for Refugees and Immigrants 2009). The Foreigner Act of 1948 prohibits asylum seekers and refugees to leave India without permission and can punish anyone assisting or aiding their escape (United States Committee for Refugees and Immigrants 2009).

Overall, we can see that even though the country does not have any specific law governing refugees, India is not without legal guidelines in regard to refugees' rights and protection. Through the judicial and executive intervention, refugees have been able to secure a grant to

stay. India also treats refugees as any other foreigner or alien in the country where all children on the territory of India get free and compulsory education between the age of 6 and 14 years. Refugees and asylum seekers are also allowed to access the justice system and the subsidized health system.

With the above considerations, I believe India is not likely to accede to the International Refugee Convention of 1951 in the near future. The next section explores some of the reasons for above-mentioned.

Understanding India's Refusal to Accede to the 1951 International Refugee Convention and Its 1967 Protocol

As world society approach argues that the states are rooted in cultural system and have come together upon a set of standards regarding norms, institutions, and appropriate structures for legitimate identity of modern nation-states (Boli-Bennet 1976, Meyer et al. 1997, Cole 2005). Keith (2012) notes three practices through which states are affected by world polity: participation in global civil society such as membership in the international nongovernment organizations (INGOs) and international government organizations (IGOs) (Boli and Thomas 1997), normative bandwagoning (Finnnemore and Sikkink 1998), and involvement in international human rights conferences (Goodman and Jinks 2004). In the context of refugee, 1951 International Refugee Convention and its 1967 Protocol constitute the global cultural principle.

Though India is a signatory of many international human rights conventions such as ICCPR or 1984 Torture Convention, India is not a signatory of the 1951 International Refugee Convention

or the 1967 Protocol in spite having substantial, significant refugee population. India has not passed any domestic legislation to protect refugees. India has adopted an *ad-hoc* approach towards refugees, which does not grant uniform privileges and rights or legal status, such as Sri Lankan refugees have organized administrative mechanism and have been accepted as *de facto* refugees (Raizada 2013). Refugee Status Determination (RSD) is conducted by UNHCR that issues refugee certificates, which are technically recognized by government. The answer to why India does not sign the 1951 International Refugee Convention and its 1967 Protocol can be found in the neo-realist perspective, which argues that states see forced migration from security lens (Betts 2009). The realist perspective argues the presence of refugees may weaken national security by creating competition over resources and tensions between the local host population and the displaced people (Milner 2009). Neo-realist also argues the states provide protection and solutions exclusively for self-interested reasons (Betts 2009).

Indian scholars have offered many insights on India's position related to the 1951 Refugee Convention. Weiner (1993) argues the borders in the South Asian region are highly permeable and lack military, administrative, and political capacity to regulate population entry. Weiner (1993) further argues the cross-border movements will also disturb the international relations, political stability, internal security, and changes in the linguistic and religious composition of the receiving country. Weiner is right while assessing the cultural and economic threats, as in 1971, the presence of Bengalis in the North-Eastern States of India (Assam, Tripura, and Meghalaya) led the state authorities to be concerned about the indigenous populations to become minorities in their own land due to Bangladeshi influx.

Two other reasons make it likely India will not join the 1951 International Refugee Convention are: First, India feels no need to ratify the Convention as UNHCR has its presence in New Delhi and Chennai. Second, legal scholars have argued that the definition of refugees in the convention is Eurocentric (Chimni 2008). The definition does not extend to the social, cultural, and economic rights and is confined to the political and civil rights. The definition also does not protect individuals or groups of individuals fleeing internal warfare or generalized violence. Chimni (2008) presents an argument that India should not accede to the international refugee convention as the convention is violated by the Global North countries. Chimni (2008) argues the accession of India should be conditional on the reversal of the deterrent policies, such as safe third-country rule, off-shore processing, visa restrictions, detention practices, removal of social and welfare benefits, and restrictive analysis of refugee convention. The destination of choices is not determined by the personal choices but by the practical demands, such as desirability, achievability, and accessibility (Zimmermann 2009). While India is not likely to ratify refugee treaty nor likely to adopt domestic law on refugees, still many factors attract forced migrants to India.

My primary interest is to assess the factors that attract India to the refugees from African continent. I discuss the two-ground-breaking field-related studies and my hypotheses in the next section.

Theoretical Expectations

This section reviews the field-related studies that are ground-breaking. The chapter reviews only a limited set of forced-migration literature related to the 'pull factors' and 'push factors' of

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forced migrants, as the detailed discussion is done in Chapter One. The empirical literature on

the destination choices is developed within the rationalist and utility-maximizing theory, which

assumes people are purposive and value their life, liberty, and property.

I turn to the rational choice theory, now. The rational choice theory plays a significant role in

explaining refugee theory. Rational choice theory is defined by the process of determining

available choices and choosing the most-preferred choice. Individuals or 'rational actors' weigh

the pros and cons of moving to staying based on the available information (Neumayer 2005).

People decide to migrate due to economic concerns or personal-safety concerns. People must

behave as self-interested rational human beings if they are to survive. Neumayer (2005) and

Moore and Shellman (2004) assume refugees, asylum seekers, and the host states as rational

actors and they have certain goals, choices, and intentions. All of them try to minimize costs and

maximize benefits. People decide to leave when the fear of victimization becomes sufficiently

high. Neumayer (2004) develops his hypotheses within the framework of expected-utility theory.

In other words, the decision to leave a country and file an application for seeking asylum is a

direct consequence of utility-optimizing actions. In other words, a person weighs the cost of

staying with respect to the cost of leaving. If the expected utility of leaving is more than the

expected utility of staying, then the individual or the whole family decides to leave their country.

The decision to leave can be based on the range of mutually non-exclusive factors (Neumayer

2004).

Micro-Level Studies

This section discusses the work of Zimmermann (2010) and Adhikari (2013) on forced migration. Zimmermann (2010) and Adhikari (2013) went a step ahead of other scholars and analyzed the determinants of forced migration at the individual level, which is what I also propose to do. Zimmermann's (2010) approach in her article is completely qualitative based on the semi-structured interviews of the thirteen Somalians settled in the UK and Netherland. The article does a good job in presenting Europe. Adhikari's article uses probit analysis to examine the determinants of the internally displaced people (IDPs) of Nepal. Zimmermann (2010) examined the realities behind the decision of movements of people with qualitative semi-structured interviews. Her work analyzes the role of financial support of the host nations, selections by relatives and friends, role of agents, degree of choice, and long-term support and adjustment. Surprisingly, she finds none of the Somali refugees interested in going to the UK; their preference was for other destinations in Europe. Most of the asylum seekers had very *limited degree of choice*. Their destination was chosen by the demands and practicality of the situation. Refugees can get to Europe and the UK with the help of agents. Many interviewees were not given any choice except the UK. It was the need for certainty, stability, and the formal asylum status along with economic stability that drove them to the UK. Four of the thirteen interviewees had no idea about their destination. The planning was done entirely by their *relatives*. However, only three have exercised *greater degree of freedom* in choosing their destination country. One of them had diplomatic passport and did not need the help of agents. The other two gathered information about the UK and the access to the refuges and Somali community before heading towards it. Their choices were also informed by the question of

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financial support in the host country. In regard to the financial support, the UK offered more than just "a piece of paper". It also offered help to refugees so that they can begin to support themselves unlike other places, such as Italy that only gives them the permission to stay. For the two interviewees, the wait and the period of adjustment were very long and until now they are unable to support themselves and their families. Two of the cases refused financial support and instead accepted the help offered by acquaintances or friends. Two of them stressed the 'pulls' as education and the help of friends along with the financial support. The decision to leave was not voluntary; rather, it was basic need for survival.

Adhikari (2013), on the other hand, uses sophisticated statistical methods and includes a wide range of control factors. In his work, he has built the study on the "choice-centered" approach to the forced migration. He focuses only on the population displaced within Nepal. The author is driven by the curiosity that why some people stay behind even under highly dangerous situation and others decide to flee? Face-to-face interviews were conducted too. The dependent variable is displaced people during the conflict in Nepal. Adhikari finds that the people facing actual violence tend to flee more than the people who experience no violence (the perceived threat to violence). Better economic conditions, membership of the rebel party, and the presence of strong social networks during civil war in villages was found to be negatively associated with the forced migration while physical terrain, infrastructure (roads and geography), and membership in the targeted party were positively related to the displacement.

Apart from the two-works discussed above, a significant body of literature in the field of forced migration studies within a rationalist framework in large cross-sectional time series analysis (Moore and Shellman 2007, Neumayer 2004, 2005b). The main determinants affecting the

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destination choice of forced migrants identified in the previous literature are human rights

condition (Apodaca 1998) genocide/politicide (Moore and Shellman 2007), level of democracy

(Neumayer 2004), economic development and average wages (Moore and Shellman 2007,

Neumayer 2004), cultural similarity such as language in bordering countries (Moore and

Shellman 2007), geographical proximity (Yoo and Koo 2014, Moore and Shellman 2007,

Neumayer 2004), presence of social networks (Zimmermann 2010, Moore and Shellman 2007,

Neumayer 2004), welfare policies (Yoo and Koo 2014), non-bordering countries party to UN

refugee treaty (Moore and Shellman 2007), and countries that pass national refugee laws (Yoo

and Koo 2014). In the section below, I now discuss the hypotheses related to core constitutional

rights provided by countries on the decision of where to go by forced migrants. The more

detailed discussion on the factors is discussed in Chapter One.

Other than the factors mentioned above, understanding the trajectories and the access of

resources of the African refugees is significant in developing full understanding of the

destination choice being India.

Trajectories of Refugees and Access to Resources

Forced migrants have two options to reach their final destination: direct or indirect. Refugees

first try to reach a safer destination and then decide on the onward journey (Robinson and Segrott

2002), or they can take direct route to the destination if they anticipate the difficulties in the

nearby places (Zimmermann 2010). To travel long distance, it needs planning, monetary

resources, and time to plan. This study looks into the trajectories of the refugees interviewed,

whether direct (without any stop) or indirect (with intermediary stops). The definition of locale

from Moret et al. (2006): "a country of settlement is defined as locale where a refugee stayed for a period of at least one month" (page 77). Gerard and Pickering (2013) in their study have shown the difficulties faced by people, especially women, who cross Africa and try to reach European countries. The increasing movement across regions is facilitated by the innovation in the means of transport and communication (Martin 2001). Moret et al. (2006) find that the number of Somali refugees has diminished in neighboring countries, while there has been an increase in the number of Somali refugees further afield between years 1992 and 2006. The share of Somali population in industrialized nations has increased tremendously from almost nil in 1990s to about 36% in 2004, which are approximately 140,000 persons (Moret et al. 2006). In the study done by Moret et al. (2006), out of the 814 individuals interviewed, 45% of the interviewees were secondary movers, but the authors also note that the general trend of secondary movers is declining due to the increased opportunities of more direct routes from Somalia to Europe or beyond. Barsky (2000) argues that the initial plan of asylum seekers can change completely while in transit to the destination country. Asylum seekers also gain information in transit countries or sometimes agent makes the changes (Barsky 2000). Most of the asylum seekers in the study avoided going to the nearest destination as they wanted radical change in their circumstances; some arrived through others' decisions, some arrived by chance, and some were denied asylum elsewhere (Barsky 1995, 2000).

Availability of resources and agents play an important role in deciding the trajectory to the destination country of a forced migrant. Many of the interviewees on the study of asylum seekers in the UK (Robinson and Segrott 2002) were fleeing violence or threat of violence, and their main concern was safety. Robinson and Segrott (2002) note a number of factors that influence

the choice of final destination, one of which is the access to resources or ability to pay for a long-distance travel. Some forced migrants cannot afford to travel very long distance and, hence, they settle with intermediate destinations, including the UK in some cases. On the other hand, some forced migrants have more funds and more choices (Robinson and Segrott 2002). Additionally, some migrations are complex, involving decision-making cycle more than once (Robinson and Segrott 2002). For example, in the study of Robinson and Segrott, an Iranian interviewee and many other respondents first fled to Turkey as a safe haven and after several months, they began to rethink their decision for final destination. This decision of second migration involves different selection criteria, different range of possibilities, and different agents, but the choice is constrained by the lack of resources (Robinson and Segrott 2002). This hinders long-distance travel to Canada or US (Robinson and Segrott 2002). To sum it all, asylum seekers initially decide to depart the country of their origin and then think about their final destination. The range of destinations might be limited due to the lack of resources or by the intervention of agents. Forced migrants are active decision makers and take decisions by determining many factors, such as the ease of entry in a country, presence or absence of networks guided by agents, the availability of resources, and the welfare policies.

I next discuss the factors that lead forced migrants to take refuge in India and the related hypotheses that emerge from the empirical literature of forced migrants. All names have been changed and interviews are done after IRB clearance.

Factors: What are the political, economic, social, and other factors that led the individual to take refuge in India, as opposed to other potential destinations?

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The literature on forced migration posits and finds evidence of many contributing factors that lead individuals to decide where to flee. As discussed above, rationalist explanations with large cross-sectional studies have largely contributed to the analysis of the decision of where to flee. Advancing the existing research on forced migrants, this paper will test the existing hypotheses regarding the implication of conflict, economic conditions, role of social networks, relocation cost, education and healthcare, role of agents, and geographical distance at individual level. Even though my primary aim in the chapter is to understand the destination choice of African forced migrants in India, I will also qualitatively discuss the factors that lead forced migrants leave their country of origin further below. In the following section, I set up hypotheses using theoretical approaches from the forced migration studies and verbatim from my survey.

WHY SEEK REFUGE IN INDIA?

Need for Physical Protection: Stable Political Condition

As discussed before, individuals value their physical safety and make decisions to leave their country of origin if their physical security is threatened. Rationalists argue that people seek protection in countries where they feel secure. Moore and Shellman (2007) find that the refugees avoid countries facing international war, civil war, and genocide/politicide in a noncontiguous country. Interviews show that forced migrants choose India due to safety along with other factors. As India has no law on refugees, people either enter India illegally with the help of agents or come on a visa, such as medical or education, as getting visa for education and medical purposes is easy. Jamilah from Somalia tells that people in Somalia talk and discuss about where

to go. They talk that India is a peaceful country and UNHCR office in India helps. Similarly, Asad from Somalia says:

> *The main reason why we choose India is the peaceful living conditions in India. I have not heard a single gunshot after coming to India.*

Likewise, Abdul from North Sudan recalls his decision of coming to India, as he knew India is a democratic country, and therefore, will be good for living. Another student, Ameen, from North Sudan knew some culture of India from Indian movies. He tells that it was his idea to come to India as he thought it will be a nice and peaceful place to live as he can roam with more freedom. He also got information and feedback on Facebook on India. Therefore, I believe, physical security due to political stability in India attracts forced migrants from Africa to take refuge in India. Hence, I posit my first hypothesis:

> *Hypothesis 1:* Forced migrants come to India due to political stability in the country.

Social Networks as Source of Information and Resource Assistance

Apart from structural factors, other factors, such as the role of social networks and reduced relocation cost in a destination country, also play an important deciding role in making destination choice. People who have moved in the past tend to pass on the information about the journey, prospects of jobs, and cost of living along with other relevant information. At an individual level, I expect refugees and asylees from African region have a network in India or

they received information from "displacement networks," which are formed during flight(s) among displaced people (Edwards, 2009).

As discussed above, I reiterate that people cannot legally travel to India for seeking refuge as India does not have any domestic law on refugees. Most of the people I met have traveled on study or health visa. Uba from Somalia had a sister in India since 2005. Uba told agents in Somalia that she wants to go to Mumbai, India. Her sister helped her with food and accommodation after reaching India. Similarly, Ateef's from North Sudan tells:

I had no place to live in Sudan. My relative in India told me to come here for studies. But the main reason was to take refuge and security. My mother is in Darfur, North Sudan, and another brother is in Egypt. All other family members have been killed.

Some respondents had connection through the African Church in New Delhi. Victoria from Democratic Republic of Congo took help of the Church to come to India, as she recalls:

I was arrested as Congo state accused me to be a part of rebel group and had put me under surveillance. The reality is I was the victim. I left Congo, and when I came back, the military arrested me again, because I left Congo. One person in military was good and he sent me to a Catholic Church in another state in Congo. A Father in the Church helped me in reaching the capital state of Congo and gave all the documents needed to come to India. I came to India with other people. My family still does not know about my whereabouts. After reaching India, African Church offered accommodation and food.

Hence, I expect refugees and asylum seekers to have "displacement network." As they travel a long way to India, the chances of forming networks along the way are very high.

Hypothesis 2: Refugees in India had prior connections in the country.

Limited Choice: Less Relocation Cost and Easy to Enter India

India is a developing country and does not have any formal law in regard refugees, but offers only some protection through its courts' jurisprudence. All refugees and asylum seekers are registered by UNHCR and are resettled in a third country. India for the reasons aforementioned is not an obvious choice. The people who come to India have limited choice, as reaching a developed country is difficult and usually more expensive. Agents charge more if destination is a developed country. In addition, relocating or education in a developed country is expensive compared to India. Suzy from Congo came to India with a lady who had conception problem. She tells me:

> *I knew a lady in Congo who came to India for IVF treatment. I came as an attendant to the lady and provided the lady with assistance during the period she was in India. Visa for India is easy to get, and India was the only option for me.*

Yasmiin from Somalia did not have money to go to a developed country. She asked few people about the inexpensive place to go, and she decided to come to India mainly because of the less relocation cost:

> *I did not have more money to go to a developed country. Reaching India is cheaper than other countries, even Kenya. I asked people about various countries and they suggested me to go to India. I came on medical visa and my children came on education visa. It is also easy to get visa for India.*

Faraj from North Sudan came to India because India is cheap and safe. Faraj first came to India for studies; his brother was studying in India and he told Faraj about India. For Faraj:

> *In 2011, we moved to camps due to the war. Militias started harassing in camps. UN was supplying food and education, initially, but later, they stopped. Uncle helped to come to India. I came to India in 2012, but my visa expired, and I went back and applied for visa again. Police tried to detain me in Khartoum because I am from Darfur, North Sudan. I paid money to leave Sudan and came back to India in 2013. My whole family is displaced. All my relatives have died. Reaching India is easy and education is easy and inexpensive to get. Many people go to Europe, but the journey is dangerous. India was the last choice.*

From the above testimonies, I posit a third hypothesis:

> *Hypothesis 3:* Forced migrants come to India due to the lower relocation cost and the ease of getting a visa for India.

Role of Agents

Agents play an important role in deciding the destination country. As India is not geographically near to the African continent and refugees need guidance to travel such a long distance, I expect the role of agents in providing help to reach India or choosing India as a destination country in their origin country or in transit. India is also easily accessible through air and sea routes, and it will be interesting to find what commonly routes refugees have taken with the help of agents to reach India. Abdrihamin from Somalia took help of agent who arranged passport and visa for him. He paid agent approximately USD 600, and after 10 days, he arrived in India. In India, he gave back the passport to someone who was working for the agent and he sent back the passport to Somalia.

Sometimes the perception is also shaped by agents and they tell people that reaching or getting visa for India is easy and inexpensive. Hafez from Sudan said that he never knew about India:

> *I never knew about India. My main target was to reach a safe country. Agent advised me to go to India because visa for India is easy to get. Also, living in India is inexpensive and not difficult. I paid 240 Sudanese pounds (approximately USD 36) for Indian tourist visa and 500 Sudanese pounds (approximately USD 75) for the agent.*

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Although agents help in arranging a passport and visa, sometimes agents cheat. They promise to take forced migrants to a developed country but instead leave them in India. Salif from Mali paid the agent to take him to Australia, but the person left him in Mumbai and told him that he will come after a few days. Adil from Somalia paid the agent to take her to Europe, but brought her to India:

> *Agent told me that he will take me to Europe, but he brought me to India. When I thought I reached Europe with the agent, he disappeared from Mumbai. I did not know I was in India. He left me in a hotel and never came back. I asked people in the hotel and they told me that I am in India and not Europe. Some Somali people helped me in Mumbai and told me to go to Delhi to UNHCR office to register. They collected money and arranged train tickets for me to Delhi.*

Similarly, Salif waited in Mumbai for the agent to come back but he never came. Later, one man from Mali in Mumbai helped him to reach UNHCR office in New Delhi. Hence, I expect:

> *Hypothesis 4:* Forced migrants come to India because agents have offered the country as a choice.

Healthcare/Education

India provides good welfare policies to refugees and asylum seekers. India has free and compulsory education policy for all the children on Indian Territory between the age of 6 and 14 years. Also, the healthcare in India is subsidized and is available to refugees and asylees recognized by UNHCR. Eric from Burundi was attacked by the government's secret service as he was a part of the opposition party. He tells:

> *The main reason I came to India was that it was easy to reach and less expensive. I googled good hospitals and contacted them for the surgery. Later, my insurance company contacted a person living in India, who contacted the hospital, and the hospital sent a letter for his visa. I wanted to go to France, but it is expensive.*

Similarly, education in India is subsidized and less expensive. University-level education is also good and inexpensive compared to other countries. Gabir from North Sudan wanted to study Medical, but the fees were high in Sudan.

> *In Sudan, medical study is very expensive. Paying $2000 for medical study is a big amount. I visited more than 3-4 universities and colleges in Sudan and also visited Ministry of Education for help. I saw an advertisement on education in India and Malaysia in the Ministry of Education's office. I applied to various institutions in India and paid only $1000 to study in APTECH. APTECH is also recognized in Sudan as well.*

Sahra from Somalia came to India mainly because of health reasons. Her husband was also kidnapped by Muslim terrorist group Al-Shabaab, and now, she does not want to go back to Somalia. Hence, I expect cheap education and healthcare makes India an attractive option relative to other countries.

> *Hypothesis 5:* Forced migrants come to India due to inexpensive health and education policies.

Economic Reasons

Research has also shown that the forced migrants go to the countries with higher level of economic growth rate relative to their country of origin, and where job is easier to find. Administrative agencies in India do not harass forced migrants who have been granted residence permits. A joint study done by JIPS and UNHCR (2013) notes that India has recently allowed forced migrants recognized by UNHCR to apply for work permits and long-term visas, which will allow refugees to have access to the formal sector. The Report further records that UNHCR also provides funds for starting small businesses of INR 20,000 (approximately USD 315) each. Since 2012, a subsistence allowance for refugees unable to work or having no other support or income was started in the form of a monthly stipend of INR 3,100 (approximately USD 49) to the principal applicant and an additional INR 950 (approximately USD 15) per dependent up to seven (7) persons as reported by the joint study of JIPS and UNHCR (2013). I expect forced migrants to come to India, as it is easier to find jobs in India, especially in the informal sector. Also, refugees get some grants for setting up small business and subsistence amount. Salif from

Mali came to India due to lack of work in Sri Lanka. Many refugees and asylum seekers from Democratic Republic of Congo work intermittently. Some of them work as translator, teach French, cook food on demand for people who come from Congo to India for medical reasons or cut hair on demand for African students in India. Forced migrants from Somalia either work as translators for the people who come to India for medical purposes or live with the students from Somalia to cook food for them and take care of other household chores. Therefore, I hypothesize:

> *Hypothesis 6:* Forced migrants come to India due to economic opportunities in the country.

While the report states that refugees get long-term visa (LTV), but respondents who applied for LTV either get rejected or get a refugee card. These refugees cannot work in the formal sector, as they do not have a valid visa and companies do not recognize the refugee card. Refugees and asylum seekers also face problems in obtaining SIM card or opening bank accounts due to the lack of documents. Only one bank in Delhi accepts refugee card for opening of bank accounts, but none of the banks in Hyderabad recognize refugee card. Hence, taking contracts online for work or starting their own business becomes nearly impossible for forced migrants. Aziz from North Sudan wants to leave India because he cannot find any job in India and without money, he cannot make a family. Similarly, Bachir has a master's in technology (M. Tech.) degree in Computer Science but cannot find any job in the formal sector. Bachir has attended many interviews, but even after having LTV, he gets rejected, because he does not have valid visa and passport and companies do not recognize the refugee card given by UNHCR. He says:

No employment means I have no dignity. Some solution has to come either from UNHCR side or from the Indian state. I am in India for more than 10 years and I do not have any job. My brothers in other countries have got resettlement and they are still supporting me financially.

As verbatim demonstrates that even after having higher degrees, LTV, and skills, getting employment in formal sectors is nearly impossible in India.

Null Hypothesis 6: Forced migrants are not impacted by economic opportunities, as getting work in the formal sector is difficult.

Discrimination in India Due to Skin Color

On the other hand, Somalis in India face high level of physical assault. This drives me to the question as to why the forced migrants decide to come to India if physical assault on them is very high. The reason can be the information provided to the forced migrants was not accurate and, therefore, refugees did not make informed decision. Abdul from North Sudan agrees that he came to India thinking India as a democratic country and he will have a better life, but after living in India, he realized, Indians are highly discriminatory. Similarly, Habib from North Sudan had an impression that India is good and not discriminatory. In Sudan, Habib faced a lot of discrimination, but he is facing racism in India as well. Marwan agrees that discrimination is everywhere in India.

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Discrimination is everywhere. People call me 'Kala' (black person), 'habshi'

(blackamoor). Sometimes, Indian people are afraid of me because of my skin color. I

even worked as a construction worker for three months but had to quit the job because of

discrimination.

The story is not different for the people coming from other African countries. Amburo from

Somalia faces day-to-day discrimination. Auto drivers charge her more and people do not rent

their house easily to Africans. Similarly, Claude from Democratic Republic of Congo faces

everyday discrimination by neighbors. Neighbors call her names such as 'kaalu' (black person)

and create a lot of problems. Neighbors also have problem if someone visits her house. Claude

further tells that she does not feel comfortable in India. Only shopkeepers are good as she buys

their groceries or products. She gives them business. Hence, I expect:

Hypothesis 7: Forced migrants in India face discrimination due to skin color.

DISSIMILAR SITUATIONS FOR FORCED MIGRANTS LIVING IN DELHI AND HYDERABAD

Dissimilarity in Benefits and Allowances

The situation is completely different for the forced migrants living in the capital city of India,

Delhi, and Hyderabad. All forced migrants in Delhi receive subsidized health benefits. In

addition to health benefits, children of refugees up to 14 years of age receive free education. Many refugees in Delhi, I met receive monthly subsistence allowance (S.A.) from UNHCR while none receives S.A. in Hyderabad. Abyan form Somalia tells me that she once complained to UNHCR that refugees in Hyderabad are struggling for their living and they should also receive S.A. But UNHCR told her that if she wants S.A. then she should shift to Delhi. One explanation can be that the head office of UNHCR is in New Delhi and sending out help to forced migrants in Delhi is easier than Hyderabad. Hence, I expect:

> *Hypothesis 8:* Forced migrants in Delhi will be more satisfied with the benefits they
>
> receive.

I met many refugees in Delhi that receive S.A. from UNHCR and hence do not feel the necessity to work. But the situation is completely different for the refugees living in Hyderabad. All forced migrants in Hyderabad must work to earn their livelihood. Most refugees work in informal sector as housemaids or interpreters for the visitors. Some refugees indeed are working in Delhi, but the numbers are not high. Only 19 forced migrants from Delhi said that they are working in informal sector while 38 from Hyderabad said that they are working in informal sector. For the paper, I assess the different types of employment forced migrants are involved in Delhi and Hyderabad. Therefore, I hypothesize:

> *Hypothesis 9:* Forced migrants in Delhi are less-willing to work in informal sector than
>
> forced migrants in Hyderabad.

Dissimilarity in Discrimination in India Due to Skin Color

As discussed above, forced migrants face lot of discrimination in India but while interviewing I find forced migrants in Delhi complain more about discrimination than the forced migrants living in Hyderabad. Baare presently living in Delhi has lived in Hyderabad before. He tells me that he faced less discrimination in Hyderabad than in Delhi. One explanation can be that the Muslim population in Hyderabad is higher than in Delhi and due to religious similarity, forced migrants especially from Somalia and Sudan face less discrimination in their neighborhood. Hence, I expect:

> *Hypothesis 10:* Forced migrants in Delhi face more discrimination than forced migrants in Hyderabad.

The analyses of the above hypotheses will help in understanding the decision of destination choice of refugees that decide to take refuge in far-reaching countries. The understanding will contribute to the analyses done at the global level. Next, I discuss the research design that I plan to implement.

Research Design

For understanding the reasons behind seeking asylum and the decision to flee, most scholars have analyzed factors of forced migration with large cross-sectional analysis, but none looked at the micro level until Zimmermann (2010) and Adhikari (2013). This paper links the large cross-sectional studies done at macro level to micro level by increasing the number of observations in a

single case study (King, Keohane, and Verba 1994). In this project, I employ both qualitative and quantitative methods to assess the destination choice of forced migrants from Africa. I tried to keep the sample random with face-to-face interviews of 155 refugees and asylum seekers living in Delhi and Hyderabad. The methodological design of the project falls, somewhere, between Zimmermann (2010) and Adhikari (2013). Zimmermann's work is purely qualitative analysis based on only 13 semi-structured open-ended interviews with the Somali asylum seekers in the UK, while Adhikari (2013) surveys 1500 Nepalese IDP respondents and is able to estimate a fully specified statistical model. My population is African refugees and asylum seekers in India, and thus, I cannot estimate a model on the decision of whether to leave and where to flee, as my entire sample left their country of origin and they all have fled to India, ultimately. However, through the use of a rigorously designed survey instrument, I systematically assessed the extent to which these refugees' decisions to flee and to go to India fit the extant literature. Moreover, I have the opportunity to flesh out more factors that influenced these choices and the present living conditions in India. The strength of the paper lies in the large number of individual-level data in a single case study, which will help this study to draw more valid causal inference (Synder 2001). The study will be more systematic and rigorous than Zimmermann's work. I can also ask questions beyond Zimmermann (2010) and Adhikari (2013), particularly in regard to the resources used in reaching India, the trajectory to India, and the possible secondary migration. For the project, all necessary IRB clearances were taken. For survey questionnaire please refer Appendix C.

Sampling Strategy and Locating Respondents

Due to the vulnerable nature of the population interviewed, I faced many challenges, such as issues related to access and gaining trust of community leaders who assisted in accessing the hard-to-reach population. I approached the United Nations High Commissioner for Refugees (UNHCR), New Delhi, who after reading my proposal, agreed to help. Since the personal information of refugees and asylum seekers such as address, and phone numbers cannot be shared publicly, UNHCR gave me contact details of their sister agency, Don Bosco, who helps in implementing UNHCR's policies in India. Don Bosco helped me in locating refugees and asylum seekers living in different parts of Delhi. I was able to shortlist the localities where most refugees and asylum seekers from Africa were living with the help of community leaders. I then randomly selected people for interviews. In Hyderabad, UNHCR directly gave me the contact of community leaders working for different communities, and they further helped me in reaching refugees and asylum seekers for the interview. For the people who did not understand either English or Hindi language (the language spoken locally in India), the community leaders helped in translation.

Although it was not possible to draw completely random sample of respondents, I tried to capture different types of voices, experiences, and variations in the respondents based on the following criteria: country of origin, locality in India, length of residence in India, age, and gender. Three main nationalities interviewed were: Somalia (the largest African community living in India), North Sudan, and Democratic Republic of Congo.

Conducting the Interview

I personally conducted all the interviews between June 2017 and August 2017. Before any interview, I requested the community leaders (and UNHCR officials) to clearly explain all the respondents about the purpose of the study and the background information about the interviewer. Most respondents agreed for the interview, few were reluctant, and some did not agree to give the interview. I contacted the respondents who agreed for the interview on phone over a specific time and location for the interview. We finalized the location for conducting interviews to be Don Bosco's premises, respondent's home, or a third neutral place, such as a park. I conducted these interviews without the presence of the Don Bosco's staff.

To overcome the hesitation between the interviewer and the interviewee, I conducted the interviews in a semi-structured manner. I started the survey with some multiple-choice questions followed by open-ended broad questions to encourage respondents to engage freely with me and discuss anything that they think is important. The open-ended questions make environment more friendly and relaxed.

Descriptive Data of the Sample

In total, I undertook 155 interviews. Table 4.1 shows the descriptive analysis of the breakdown of interviews. While most of the respondents are from three nationalities: Somalia, Sudan, and Democratic Republic of Congo, the interviews also include diversity of other experiences and voices, including some who entered India recently. Table 4.1 shows the descriptive analysis of the demographic details of the respondents.

TABLE 4.1 Descriptive Analysis of the Demographic Details

State	Frequency	Percent	Gender	Frequency	Percent
Delhi	84	54.19	Female	87	56.13
Telangana	71	45.81	Male	68	43.87

Status in India	Frequency	Percent	Religion	Frequency	Percent
Refugee	128	82.58	Muslim	128	82.58
Asylum-Seeker	27	17.42	Christian	27	17.42

Country of Origin	Frequency	Percent	Origin region	Frequency	Percent
DR Congo (Central Africa)	23	14.84	Central Africa	24	15.48
Somalia (Eastern Africa)	83	53.55	Eastern Africa	88	56.77
Sudan (Northern Africa)	39	25.16	Northern Africa	39	25.16
Mali (Western Africa)	3	1.94	Western Africa	4	2.58
Eritrea (Eastern Africa)	3	1.94			
Ethiopia (Eastern Africa)	1	0.65	Marital Status	Frequency	Percent
Angola (Central Africa)	1	0.65	Married	47	30.32
Burundi (Eastern Africa)	1	0.65	Divorced	7	4.52
Gambia (Western Africa)	1	0.65	Unmarried	74	47.74
			Widow	26	16.77
Age	Frequency	Percent	Engaged	1	0.65
<18	1	0.65			
			Duration of Stay in India	Frequency	Percent
19-25	28	18.06	11 days-90 days	1	0.65
26-35	72	46.45	3 months-12 months	18	11.61
36-45	32	20.65	1 year-3 years	49	31.61
46-60	20	12.9	>3 years	87	56.13
>60	2	1.29			

Figure 4.2 shows the respondents' arrival year in India. The graph shows an increase in the

number of respondents after 2007. Figure 4.1 above also shows the constant increase of forced

migrants in India from Africa after 2007. One explanation can be that as forced migrants' social

networks became stronger in India, more people started coming to India. Another reason can be

that many forced migrants, especially from Sudan, came to India for higher studies and did not

go back due to the unstable political situation in their origin country. Additionally, I could not

include voice of many refugees who came in late 1990s and early 2000s. I tried hard to explain

the importance of the work, but they were unwilling to give me interviews. Some of the refugees

are waiting for resettlement since many years and some of them have become hopeless while

others have developed strong resentment towards the established institutions such as UNHCR.
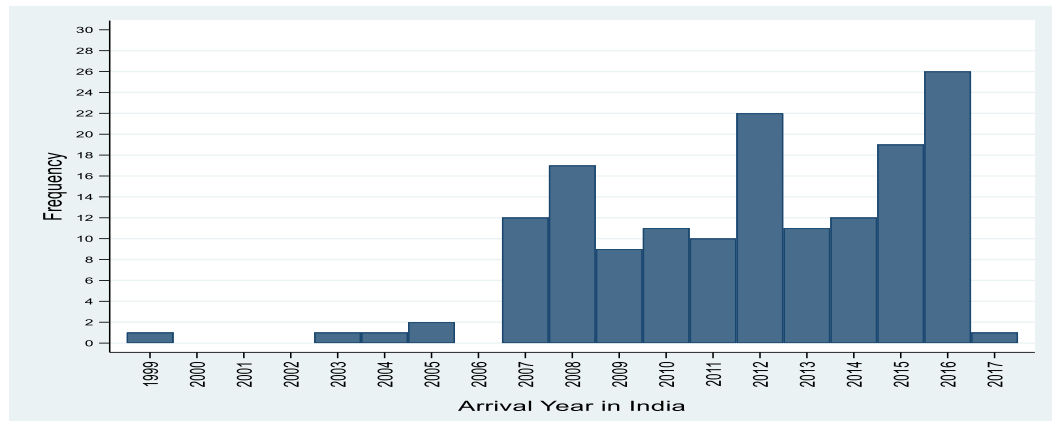
FIGURE 4.2 Respondents Arrival Year in India

Operationalizing the Hypotheses

For the analysis, I estimate 3 models: Model 1 assesses my primary variables of interest, that is,

the factors that led them take refuge in India, Model 2 presents the present living conditions in

India, and Model 3 examines their source of income and present working condition in India.

Given the small sample size of the data analyzed, the uncertainty increases. Therefore, I will also

include the findings significant level at 10% level. For the independent variables that score 0 for

any specific category, I coded it as 0 to correct the standard errors. It introduces measurement

error, but the error is very minimal, and any analysis may contain some degree of measurement

error. The minimal measurement error is better than losing an important variable.

Model 1 primarily assesses the factors that lead forced migrants take refuge in India.

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Dependent Variable: Dependent variable is the unordered regional division of African continent.

Respondent's countries divided into four regions: Central Africa, Eastern Africa, Northern

Africa, and Western Africa. I dropped Western Africa for the regression analysis as I do not have

enough respondents from the Western Africa. Central Africa is coded as 1, Eastern Africa is

coded as 2, and Northern Africa is coded as 3.

Independent Variables

<u>Why India:</u> The variables are coded dichotomous (0/1) where 0 is coded as "No" and 1 is coded

as "Yes". I have coded the following variables related to the destination choice as India: political

stability, democracy, social network, less relocations cost, easy to get visa and enter India, help

of agents, health and education purposes, better living condition, better employment,

inexpensive, if any organization helped, and if someone falsely promised to take somewhere else

but brought to India.

<u>Discrimination in Neighborhood:</u> I also examine the discrimination faced by respondents and I

coded the variable as dichotomous (0/1) where 0 is coded is "No" and 1 is coded as "Yes".

Model 2 and Model 3: Model 2 primarily examines the present living conditions in India and

Model 3 mainly assesses the work-related variables.

Dependent Variable: During interviews, I find different living conditions and different work-

related condition in the capital city of India, Delhi and in Hyderabad. To assess these conditions,

I use logit model and my dependent variable is a dichotomous variable. Forced migrants residing in Delhi are coded as 1 and, forged migrants not residing in Delhi (or residing in Hyderabad) are coded as 0.

Independent Variables

Present Living Conditions in India: I code the following variables to test the present living situation in India

Benefits received from UNHCR and/or Government of India: Whether any benefits are received by forced migrants is coded 0 as "No" and 1 as "Yes"

Any help from NGO or community-based organizations: Help received from any NGO or community-based organization is coded 0 as "No" and 1 as "Yes"

Satisfaction level of the benefits received from UNHCR and/or Government of India: To test the satisfaction level of the benefits, I code 0 as "Not satisfied", 1 as "Somewhat satisfied", and 2 as "Satisfied".

Police Responsiveness: I coded police responsiveness to address grievances 0 as "No", 1 as "Yes", and 2 as "Never approached".

Discrimination from police or local authorities: Whether forced migrants faced any discrimination by local authorities or by police is coded 0 as "No", 1 as "Yes", and 2 as "Never approached"

Discrimination in neighborhood: As described above

Relationship with Africans: Relationship with Africans is coded 1 as "No relations/don't know yet", 2 as "Cordial", 3 as "Average (Some good, some bad)", 4 as "Bad/Not willing to maintain relation"

Relationship with Indians: Relationship with Indians is coded 1 as "No relations/don't know yet", 2 as "Cordial", 3 as "Average (Some good, some bad)", 4 as "Bad/Not willing to maintain relation"

Work-Related Variables: The primary variables are coded dichotomous (0/1) where 0 is coded as "No" and 1 is coded as "Yes". I have coded the following variables related to the present working status of forced migrants in India: formally employed, unemployed, student, working as housemaid, irregular work, not able to work as the person is disabled or too old/too young to work, and aid from UNHCR.

Other Work-Related Variables:

Income level: I coded the monthly income 1 as "No regular income", 2 as "Up to INR 6000 (approximately USD 92), 3 as "INR 6001-INR 15000 (approximately USD 92-USD 231), 3 as "Above INR 15001 (approximately USD 231), and 4 as "No money, only food and shelter".

Discrimination at Work: Whether respondents faced any discrimination at the workplace is coded 1 as "Yes", 2 as "No", 3 as "Not working", and 4 as "Works with Africans hence no discrimination"

How did forced migrants get employment: I coded the various categories of the related as dichotomous (0/1) where 0 is coded as "No" and 1 is coded as "Yes". I have coded the following variables: employment by own effort, employment through UNHCR/NGO, employment through social network, and unemployed.

Analysis

As my dependent variable is unordered, I use multinomial logit to examine my primary variables of interest related to the various factors as to why do forced migrants take refuge in India. In addition, during interviews, I find dissimilarity between the population living in Delhi, the capital of India, and the population living in Hyderabad, a Southern Indian state. Hence, I use logit model to examine the present living conditions and employment-related variables in Delhi

and Hyderabad. Due to the small sample size, I have kept regression in the paper to only my main variables of interest. The coefficient of regression is in scales of log odds as follows:

$$\text{m/logit(p)} = (\log\frac{p}{(1-p)}) = \beta_0 + \beta_1{}^*X_1 + \beta_2{}^*X_2 + \beta_3{}^*X_3$$

To interpret the regression coefficients into an exact percentage, I use margins command in Stata. The results from the regression analysis are mixed. Model 1 assesses the forced migrants' destination choice as India. Approximately 64% said that India was their first choice, approximately 15% wanted to go somewhere but came to India whether due to money constraints or cheated by the agents, and approximately 22% said they had no other option except India.

Why India

Model 1 examines my primary question of interest, that is, why do forced migrants seek refuge in India. The empirical results confirm hypotheses that forced migrants come to India because of reasons such as political stability, role of agents, and role of social networks. I find the role of agents as highly significant. Relative to the countries from East Africa, role of agents is related with -4.167 log odds decrease in the likelihood of forced migrants from Central Africa (significant at 99% confidence interval) and -3.269 log odds decrease in the likelihood of forced from Northern Africa (significant at 97% confidence interval). The results make sense as people from Somalia (Eastern region) are more likely to take the help of agents as compared to the countries that lie in Central Africa or Northern Africa. Out of 40 forced migrants who took help of agents, 37 are from Eastern region, 2 from Central Africa, and only 1 from Northern Africa.

TABLE 4.2 Multinomial Logit Analysis of Why India and Discrimination in Neighborhood in India

Independent Variable	Model 1
Central Africa	
Politically stable	-1.223*
	(.723)
Democracy	1.459
	(1.601)
Social network	-.204
	(.797)
Less relocation	-2.668*
	(1.529)
Easy/inexpensive via/passport	-.651
	(.773)
Agents	-4.167****
	(1.191)
Health/education	-3.447***
	(1.313)
Better living	-1.933*
	(1.098)
Better employment	3.471*
	(1.820)
Organization helped	1.124
	(1.791)
False promise	-3.095*
	(1.628)
Discrimination Neighborhood	2.221***
	(.784)
Constant	-.159
	(1.079)
Eastern Africa	(Base outcome)
Northern Africa	
Politically stable	1.150
	(.752)
Democracy	2.123**
	(.964)
Social network	1.227*
	(.643)

Less relocation	1.167
	(.730)
Easy/inexpensive via/passport	-.204
	(.633)
Agents	-3.269***
	(1.116)
Health/education	.541
	(.581)
Better living	.199
	(.613)
Better employment	-.0422
	(4.601)
Organization helped	3.231
	(2.115)
False promise	-2.168
	(4.634)
Discrimination Neighborhood	1.930****
	(.559)
Constant	-3.802****
	(.962)
Observations	151
Prob > F	.001
Pseudo R-squared	.395
Standard errors are in parenthesis	
* p<.10, ** p<.05, *** p<.01, **** p<.001	

In addition to the role of agents, my results also indicate the stable political condition and democracy in India as an important deciding factor. The results indicate that the stable political condition is associated with less people seeking refuge in India by -1.223 log odds (significant at 90% confidence interval) from Central Africa relative to Eastern Africa. One explanation can be that the forced migrants from Central Africa are more educated and have prior knowledge about the developed countries. Many of them wanted to go to developed country. But forced migrants from Somalia are not well aware of the political situation in various countries. They did not

contemplate much on the destination, rather picked the option that was offered to them. Their main aim was to reach a safe country. In addition to stable political condition, democracy is associated with more people seeking refuge in India by 2.123 log odds (significant at 90% confidence interval) from Northern Africa relative to Eastern Africa. Forced migrants that mostly come from Northern Africa (or mostly Sudan) are well educated and know the political conditions of the countries around the world. Of 39 forced migrants interviewed from Sudan, 22 have bachelor's degree and 5 are post-graduate while the rest are at least higher secondary passed. On the other hand, forced migrants from Eastern Africa (or Somalia) are not well-educated. Of the 83 respondents, 49 were illiterate or had only informal education, 9 completed bachelors' degree, and 7 completed post-graduation.

The role of social network is also important. The results indicate that the forced migrants that come from Northern Africa are more likely to take help of social networks by 1.227 log odds (significant at 90% confidence interval) relative to forced migrants from Eastern Africa. About 72% forced migrants from Northern Africa (or mainly Sudan) took help of social networks while about 48% forced migrants from Eastern Africa (or mainly Somalia) took help of social network. Forced migrants from Eastern Africa mainly take help from agents.

Other significant variables are the better living condition in India, better employment opportunities, less relocation cost, and good and inexpensive education and health facilities in India. The results from the regression shows that the better living condition, better employment, and less relocation costs are associated with the decrease in the relative log odds by -1.933, increase in relative the log odds by 3.471, and decrease in relative log odds by -2.668

respectively of forced migrants seeking refuge in India from Central Africa versus Eastern Africa. All three variables are significant at 90% confidence interval.

Government policies in India such as the good and subsidized health and education in India is associated with the less forced migrants coming from Central Africa by -3.447 log odds relative to Eastern Africa. Most forced migrants from Congo come to India to seek refuge from human rights violations by the government agencies. On the other hand, forced migrants from Somalia came to India either due to health reasons or for the education of their children apart from the physical security reasons. The variable is significant at 97% confidence interval. Additionally, the false promise by agents (significant at 90% confidence interval) is also related to the less forced migrants coming from Central Africa by -3.095 log odds (significant at 90% confidence interval) relative to Eastern Africa. As discussed above more forced migrants from Eastern Africa (or mostly from Somalia) take help of agents and hence are more likely to be cheated. I do not find the variable if any organization helped forced migrants in seeking refuge in India as significant. One explanation can be that not enough forced migrants come to India with the help of community organization.

I also included a variable whether forced migrants feel discriminated in their neighborhoods in India. I find the variable highly significant. The results of discrimination indicate that forced migrants from Central Africa and Northern Africa face more discrimination by 2.221 log odds and 1.930 log odds respectively relative to Eastern Africa. Many Somalians did not complain about the discrimination. 42 people out of 83 from Somalia complained about discrimination, while 20 out of 23 from Congo, and 29 out of 39 from Sudan complained about facing discrimination in neighborhoods. One explanation maybe they most of them are women and

Muslim. Women are likely to be less discriminated, and also, most Somalians live in Muslim neighborhoods.

Predicting Probabilities: Discussion of Marginal Effects

The marginal effects predict probabilities and separates the effects of categorical variables when other variables are held constant at mean values. In Model 1, as discussed above, more forced migrants from East Africa take help of agents. The marginal effects show that the agents are responsible for bringing 24% of forced migrants from East Asia, while 53% less from Central Africa and 27% less from Northern Africa. Additionally, forced migrants from Northern Africa are more likely to come to India due to the political stability by 17%. The effect on democracy is also important for the forced migrants coming from Northern Africa. 22% more forced migrants from Northern Africa choose democracy as a factor while 27% less forced migrants from Eastern Africa choose democracy.

TABLE 4.3 Marginal Effects of Table 4.2

Variable	Central Africa	Eastern Africa	Northern Africa
Politically stable	-.123**	-.045	.168**
Democracy	.059	-.277**	.217**
Social network	-.046	-.105	.152**
Less relocation	-.235**	.029	.206**
Easy/inexpensive via/passport	-.045	.053	-.008
Agents	-.240***	.526****	-.286**
Health/education	-.279***	.129	.151**
Better living	-.154*	.082	.072
Better employment	.269	-.177	-.092
Organization helped	.006	-.364	.358
False promise	-.184	.366	-.182
Discrimination Neighborhood	.123**	-.298****	.175****

The marginal effects also indicate that the better living conditions and less relocation cost in India is associated with 15% more and 24% more forced migrants taking refuge in India from Central African region. Forced migrants from Central Africa are 28% less likely to come to India due to the reasons like health and education but 15% are more likely to come from Northern Africa. Discrimination in the neighborhood is faced more by forced migrants from Central Africa by 12%, 18% more by forced migrants from Northern Africa, and 30% less by forced migrants from Somalia.

Present Living Condition in India

Model 2 assesses the present living condition of forced migrants living in Delhi and in Hyderabad. I have also tested the overall effect of all the categorical variables with more than two categories (Refer Appendix C, Table C1 to Table C7). Forced migrants in Delhi receive more support and financial aid from UNHCR, Government of India, or from other community-based organization. As expected, the benefits received from UNHCR or the Government of India by forced migrants is positive by 4.448 log odds and highly significant. Similarly, I also find the coefficient of forced migrants living in Delhi get more help from NGO/community-based organization increases by 1.942 log odds (significant at 90% confidence interval). Furthermore, the results show the satisfaction level on the benefits received by the forced migrants and find that forced migrants are somewhat satisfied versus not satisfied decreases the log odds in Delhi - 2.223. The variable is significant at 95% confidence interval.

TABLE 4.4 Logit Analysis of the Present Living of Forced Migrants Condition in India

Independent Variable	Coefficients Model 2	Marginal Effects
Delhi		
Benefits	4.448**** (.967)	.925****
Help NGO/community	1.942* (0.991)	.404**
Satisfaction from the benefits		
Not satisfied		.810****
Somewhat Satisfied	-2.223* (1.021)	.315**
Satisfied	-.950 (1.083)	.622**
Police responsiveness		
No		.913****
Yes	5.122* (2.880)	.999****
Never Approached	-2.065 (1.369)	.572****
Discrimination from police/local authorities		
No		.613**
Yes	-1.939 (1.635)	.185
Never Approached	1.484 (1.375)	.875****
Discrimination Neighborhood	3.603**** (1.036)	.749****
Relationship with Africans		
No relations/don't know yet		.721**
Cordial	-.136 (1.649)	.692****
Average (some good, some bad)	-1.622 (1.949)	.338
Bad/Not willing to maintain relation	4.779** (2.428)	.997****
Relationship with Indians		
No relations/don't know yet		.645****
Cordial	.693 (1.196)	.784****
Average (some good, some bad)	.0203 (.875)	.650****
Bad/Not willing to maintain relation	1.440 (1.920)	.885****
Constant	-3.001 (2.410)	
Observations	151	
Prob > F	.001	
Pseudo R-squared	.697	
Standard errors are in parentheses		
* p<.10, ** p<.05, *** p<.01, **** p<.001		

For every one-unit change in discrimination, the log odds of discrimination in neighborhood in

Delhi (vs. not in Delhi) increases by 3.603. The results also indicate that forced migrants'

relationship with other African are either bad or not willing to maintain relationship versus no

relations increases the log odds in Delhi by 4.779 (significant at 95% confidence interval). In

Delhi, having police accessibility when needed versus not having police accessibility when

needed increases the log odds by 5.121 and is significant at 95% confidence interval.

I do not find other variables, such as the relationship with Indians and discrimination faced by

local authorities or police as significant. One reason can be the small sample size of my data.

Another explanation can be that not enough respondents share any significant relationship with

Indians or have approached police for any help.

Predicting Probabilities: Discussion of Marginal Effects

The likelihood of the help received from UNHCR or Government of India increases by 92% for

the forced migrants in living in Delhi. The results also suggest that forced migrants in Delhi are

more likely to get help from NGO/community-based organizations by 40%. Discrimination

experienced in the neighborhood in Delhi (versus in Hyderabad) increases by 74%.

I also tested the size of the marginal effects of the covariates of the level satisfaction of the

benefits received from UNHCR or the Government of India, police responsiveness,

discrimination from police/local authorities, relationship with Africans, and relationship with

Indians. The variable satisfaction level with the benefits receive suggests the predicted

probability is .622 for the satisfaction level but .810 for not satisfied with the benefits holding all

other variables at their means. The predicted probability of the police responsiveness towards

forced migrants living in Delhi is .999, for non-responsiveness is .913, and never approached is .875 holding all other variables at their means. Discrimination from police or local authorities shows the predicted probability of facing (versus not facing) discrimination is .613 but the predicted probability of forced migrants who never approached is .875.

The predicted probability of the kind of relationship forced migrants share with other Africans living in Delhi is highest at .997 for the covariate not willing to maintain relationship/bad relationship and lowest for cordial relation at .692 holding all other variables at their means. Similarly, the predicted probability for kind of relationship forced migrants share with Indians is highest for not willing to main relationship/bad relationship at .885 and lowest for average (some good, some bad) at .650. Figure 4.3 show the plotted predicted probabilities for the variables with more than 2 categorizations.
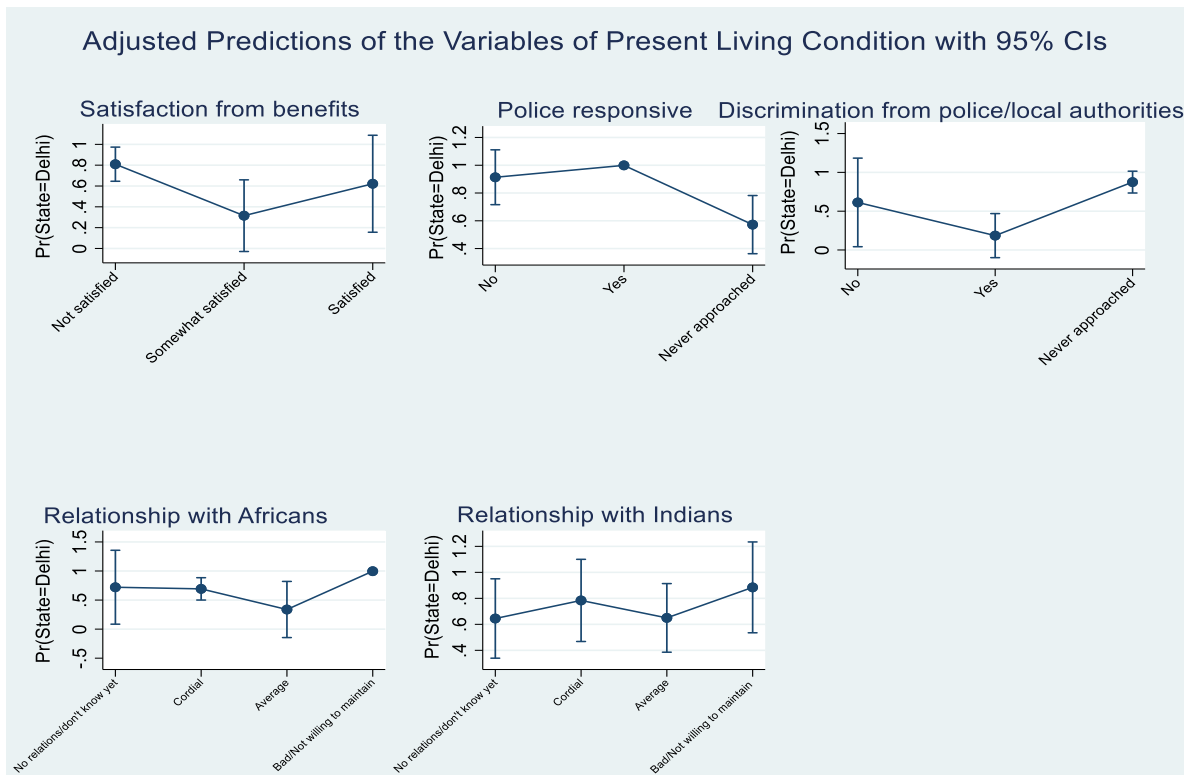
FIGURE 4.3 Plotted Predicted Probabilities of the Living Condition in India Variables

Work-Related Variables

My last Model 3, examines the present employment-related variables. I also tested the overall

effect of all the categorical variables with more than two categories (Refer Appendix C, Table

C1 to Table C7). The results indicate that the log odds of being a student in Delhi decreases by -

2.276. The variable is significant at 90% confidence interval. Many students go to Hyderabad for

higher studies as living in Hyderabad is inexpensive. The interviews also reveal that the student's

community from Africa is very strong in Hyderabad. Another explanation can be religious

similarity of forced migrants and the local population. Hyderabad has high Muslim population.

Similarly, forced migrants working as housemaids is significant at 95% confidence interval. The

variable indicates that the log odds of working as housemaid in Delhi are lower by -3.383. The

variable makes sense only 3 respondents from the 80 people interviewed in Delhi work as

housemaids, but in Hyderabad, 23 respondents out of 71 interviewed works as housemaids

(leaving 4 respondents from Western Africa not included in regression). As expected, I find the

variable forced migrants receiving monetary aid from UNHCR in Delhi increases by 5.588 log

odds (Significant at 97% confidence interval). In Delhi, 40 respondents of the 80 interviewed

receives some kind of monetary aid from UNHCR but in Hyderabad, none receives monetary

benefits from UNHCR.

TABLE 4.5 Logit Analysis of the Present Living of Forced Migrants Condition in India

Independent Variable	Coefficients Model 3	Marginal Effects
Delhi		
Formal Working	3.679 (2.395)	.825
Unemployed	-0.094 (1.611)	-.021
Student	-2.276* (1.194)	-.510*
Housemaid	-3.384** (1.526)	-.758**
Irregular work	.013 (1.577)	.003

Disable or too old/too young to work	-1.325 (.938)	-.297
Aid from UNHCR	5.588*** (1.765)	1.253****
Employment by own effort	-1.638 (1.208)	-.367
Employment through UNHCR/NGO	.087 (1.559)	.02
Employment through social network	1.570 (1.151)	.352
Unemployed	.862 (1.580)	.193
Income		
No regular income		.762****
Up to INR 6000 (approximately USD 92)	.027 (.764)	.767****
INR 6001 to INR 15000 (approximately USD 92-USD 231)	-1.372 (.996)	.448**
Above INR 15001 (approximately USD 231)	-1.174 (2.348)	.497
No money, only food, and shelter	-2.044* (1.236)	.293
Discrimination at work		
Yes		.810****
No	-.215 (1.133)	.774****
Not working	-1.475 (1.113)	.493***
Works with Africans hence no discrimination	-.003 (1.161)	.809****
Constant	.574 (2.222)	
Observations	151	
Prob > F	.001	
Pseudo R-squared	.527	
Standard errors are in parentheses		
* p<.10, ** p<.05, *** p<.01, **** p<.001		

The income level suggests that the log-odd of receiving only food-shelter in Delhi decreases the
log odds by -2.044 (90% confidence interval). The variable is related to the work of housemaid.
Most forced migrants that work as housemaids only get food and shelter. They typically work in
the houses of students that come from Africa to study in India. I also tested the overall effect of
the variable.

I do not find other variables, such as who helped in getting employment and the discrimination at
workplace as significant. Again, one explanation can be the small sample size of my data.

Another explanation can be most forced migrants are not working or are working mostly with

Africans or as housemaids and they do not go out of their home.

Predicting Probabilities: Discussion of Marginal Effects

The results suggest that the likelihood of being a student and housemaid in Delhi decreases by

51% and 75% respectively. The likelihood of receiving monetary benefits from UNHCR

increases by 125% for the forced migrants living in Delhi versus Hyderabad.

The predicted probability of no regular income is .762, up to USD 92 is .767, and lowest for the

no money, only food and shelter at .293 holding all other variables at their means. The predicted

probability of the discrimination faced at work living in Delhi is highest at .810 and lowest for

not working at .493 holding all other variables at their means. Figure 4.4 show the plotted

predicted probabilities for the variables with more than 2 categorizations.
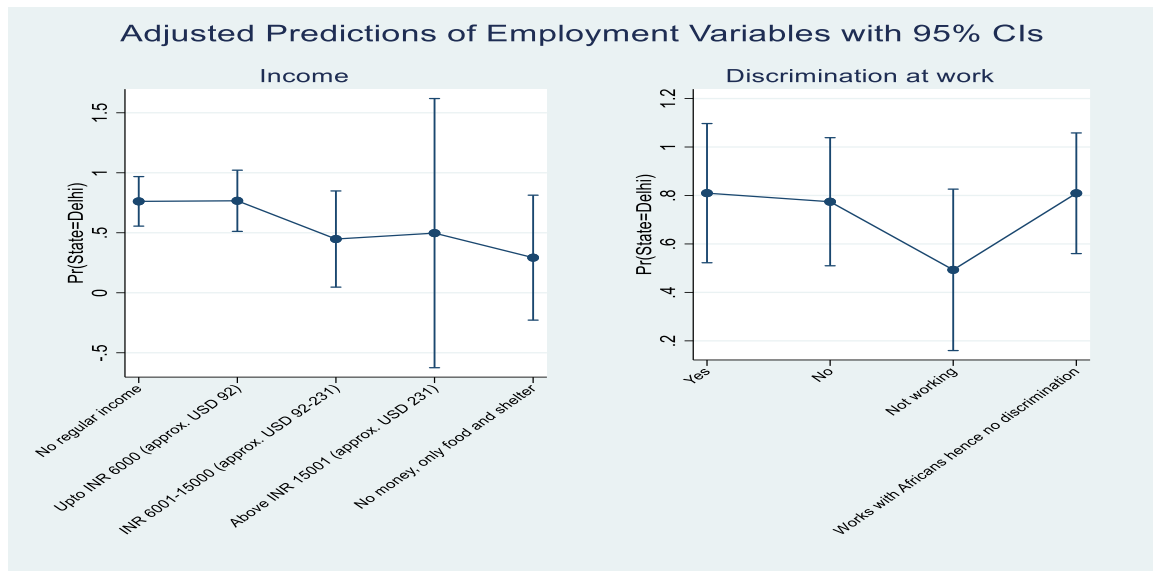
FIGURE 4.4 Plotted Predicted Probabilities of the Work-Related Variables

Qualitative Observations beyond Regression Analysis

Apart from the factors discussed before, other factors, such as geographical distance, also holds

significance in deciding the destination. As my study focuses on African refugees and asylees in

India, hypotheses about geographical proximity does not hold true. My expectation is that the

refugees and asylum seekers come to India as they wanted a radical change in their

circumstances; some have arrived by chance with the help of networks and/or agents. I also

expect India as not the first country of refuge, as reaching India needs resources and time to plan.

Regression analysis has shed some important insights on the reasons for leaving the origin

country and destination choice of refugees. Some important observations are made during

interviews that cannot be set up in the regression analysis.

Related Factors

ESCAPE

Political Conditions

Researchers agree that conflict is a major factor in forced migration. As discussed above,

scholars working on forced migrants have identified different forms of violence: human rights

violation, genocide/politicide, dissident's violence, ethnic and civil conflicts, international war,

and hostility towards forced migrants. Moore and Shellman (2007) find refugees avoid countries

facing international war, civil war, and genocide/politicide in a noncontiguous country.

Similarly, I will expect the absence of aforementioned factors, which provides physical security

in India and attracts forced migrants to take refuge in India. The interviews reveal that the need

to get away from the suppression and violence, both from the state and rebels, is the main factor

for leaving their country of origin. While Astur from Somalia came to India on student visa for the safety of her life from Al-Shabaab, she recounts her reason for leaving Somalia:

> *My mother is old. Al-Shabaab wanted to kill me because all the teachers in my school belong to Al-Shabaab. I was young, and the teacher told me to marry him. When I refused, they attacked my sister and killed her. My life was in danger in Somalia.*

Similarly, Asad recounts his escape from the leaders of the other majority tribe in Somalia. He left Somalia in the year 1991 after the civil war started and took refuge in Yemen. He went back to Somalia in 2004 after civil war started in Yemen. He recounts:

> *When Somalia started civil war in 1991, I went to Yemen. I left Yemen in 2004 and moved back to Somalia when civil war started in Yemen. Before 1991, I had restaurant in Somalia, so I tried to open it again. Members of the other tribe took my property and harassed me. They told me to leave or they will kill me.*

For the forced migrants from the countries in the study, internal displacement was not an option. People coming from countries such as Somalia have lost all their property and the means of livelihood. Bilal from North Sudan lost his father due to genocide in Darfur in 2009. He has lived in a camp with his family in Khartoum, North Sudan and recalls:

I lost my father during the genocide in 2009. I wanted to go to a safe place away from the war zone. I lost everything because of war. I think it is my responsibility to take his family away from the war zone and to a safe place. I went to refugee camp, but even refugee camp was also attacked. Before 2011, some organizations were helping people in the camp by providing food and education, but right now, the organizations have left, and the situation is very bad. There is no hospital and no education. Even employment opportunity is not good.

The story is not very different for the forced migrants coming from other countries. Ariam from Eritrea came to India for her daughter's treatment, but now she cannot go back due to her country's compulsory military service:

I came to India for my daughter's treatment. After I left Eritrea, the police arrested her husband and brother, because I came to India without finishing military service. I cannot go back now, and I have not seen my eldest daughter since so many years. She is in Eritrea with her grandmother.

Gloria from Democratic Republic of Congo left her country because of abusive President. Her father and husband belonged to the opposition party. When the present President came, he started targeting people belonging to the opposition party:

My husband faced charges in Congo because he belonged to the opposition party. My husband and I were arrested and tortured by police. I was pregnant, and police raped me before taking me to prison. I lost my baby because of the torture by police. We had to flee for our safety.

Apart from physical security, I also find the forced recruitment by the militias or dissident groups as an important factor. Faisal from Sudan, a young boy tells:

Situation is very bad in Sudan. They took family members for recruitment. 18-19 years old boys are taken from family for forced recruitment in dissident group. They took other family members. Before they could take me, I came to India. I lost everything in Sudan, our land, and family members as well.

Existing studies on forced migration and the above testimonies from my interviews demonstrate that violence, war, or conflict is the most important factor explaining forced migration. In order to understand the effect of war and conflict on displacement, the exposure of conflict by state or dissident group becomes important[9].

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[9] As examining causes is not my primary interest in the paper, I do not include analysis in the main paper. For regression analysis on causes of fleeing please refer Appendix C (Table C8)

JOURNEY TO INDIA

What are the trajectories taken to reach India?

Trajectory and Resources Used

India is not geographically near to the African continent. I expected more indirect migration to India relative to the direct migration. However, as I find all respondents came to India directly through air routes, except for two individuals from Western Africa, who came to India via Sri Lanka. Only 11 forced migrants took refuge in another city or country before coming to India. As discussed above, India is a country far from Africa and to travel long distance, it needs time for planning and monetary resources. Tina from Democratic Republic of Congo tells:

> *My doctor was a student in India who told me about the country. The doctor was with her till India. India is the only country I know, and Congo is not safe for my husband and me. My husband was a human rights activist and he was tortured in jail. He is now paralyzed. I sold all my goods and property. I gave some money to a military person to arrange papers for me. Military gave some money if they can get out. The same military helped with papers too.*

Similarly, Absame from Somalia sold his property for USD 3000. He gave USD 1000 to the agent who helped him sell the property in Somalia and used USD 2000 to come to India. Most

people from Sudan had lost their property and they arranged resourced from the networks living in different parts of the world.

India by Chance

The above discourse is testimony to the role of social networks in providing useful information and resource assistance, but some respondents experience deceit by the people who came with them. I had respondents from all the countries, were deceived in to traveling to India and then left alone in India. Aasiya came to India with her Somalian neighbor. Her father was killed by terrorist group in Somalia. A neighbor in Somalia arranged her visa and passport and traveled with her to India. She lived in Mysore, India with her neighbor for almost two years and then the lady left for the US leaving her alone in India. The lady took away Aasiya's passport with her. Kelly's story is not very different from Aasiya's. Kelly is from Democratic Republic of Congo and her parents and sister were killed by rebel group in Congo. She recalls:

> *After my parents and sister died, I became homeless. One lady who knew my parents came to know about my situation. She took me to her home. That lady came to India for medical treatment and I with her as an attendant. Doctors told the lady to come after eight months and the lady left me here. Now I do not have any contact with her. I have also lost her contact number.*

Similarly, Kariem from North Sudan came to India with his friend to study but was left in India after his friend completed his studies.

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I came with my friend to India for studying. I was living in a camp in Sudan. My friend's father had money and he told me that coming to India will be good for me. So, I came to India. My friend's father helped me a lot at the time when I came to India, but after my friend left, his father did not help at all. I did not even have money to go back to Sudan. I heard about UNHCR in 2012, so I went to UNHCR and registered myself. I have not met my parents since 2008.

Kadida's story impacted me the most. Kadida left Mali because she lost her husband and all other family members. Her father and one kid were killed by rebels and Boko Haram:

I left Mali because of war. I lost all family members. I fled to Niger and lived there for one week. I do not remember all the details, but I faced lot of trouble till Niger because of Boko Haram. I was raped thrice by many men in the deserts of Africa while going to Niger. I also became pregnant because of the rape in the deserts of Africa. In Niger, I was working for a lady who also does business in India. Condition was not good in Niger, so that lady brought me to India. I never chose India. That lady took me to prostitution in Delhi to pay back for the trip to India. I did not accept, as I was pregnant at that time. She took my passport and all other documents. I then took help from the African Church in Delhi and they took me to UNHCR.

LIMITED PROTECTION IN INDIA

Since India is not a signatory of the 1951 International Refugee Convention, nor has any

domestic law on refugees, protection in India is limited. The refugees and asylum seekers are

registered under UNHCR, and policies are implemented through sister agencies of UNHCR.

Apart from UNHCR, its three sister agencies: Don Bosco, ACCESS, and SLIC (Socio-Economic

Information Centre) play an important role in implementing policies. In New Delhi, Don Bosco

provides socio-psychological help and education, ACCESS helps in providing employment, and

SLIC helps in the legal issues of refugees and asylum seekers. In Hyderabad, COVA (The

Confederation of Voluntary Associations) helps in registration of refugees and asylum seekers.

In reality, the role of these institutions is limited. Most respondents in New Delhi go to Don

Bosco for learning English, Hindi, and some basic computer skills, but only one respondent got

help from SLIC in resolving his detention. Alain from the Democratic Republic of Congo was

arrested at his friend's place.

> *Police arrested me, and I spent four months in jail in Rohini, Delhi. I had refugee card,*
>
> *but police did not recognize refugee card. I was arrested on charge that I do not have*
>
> *documents. I approached UNHCR who provided me a lawyer through SLIC. The court*
>
> *later gave judgment that I cannot be deported because I have refugee card.*

Although, Alain got help from SLIC, but not everyone is fortunate enough to get the appropriate

help. None of the other respondents got any kind of help from ACCESS or SLIC. Victoria from

the Democratic Republic of Congo recalls her experience with SLIC. She was cheated in the Western Union office when she went to withdraw the money that her husband's friends had sent for her husband's medicines.

> *I complained to the police, but the police did not help me. I then approached SLIC. They sent someone, but nothing happened. He told me that the matter is very complicated, and I cannot help. I again approached police and the police officer told me that he will call, but he never called me.*

Manal and Omari from North Sudan share their experience with ACCESS and tell:

> *ACCESS cannot even provide labor work or work in a restaurant. For 18 months, I did not get anything. ACCESS gave us bulb making training and has also given certificate for the same. But after four-five months of training, they gave us only INR 700 (approximately USD 11) and did not give any job.*

Similarly, another lady Hibaaq from Somalia went to ACCESS for many times, but she did not get any job. She states that finding job in India is not easy. Hibaaq had applied in ACCESS many times for job, but she is still waiting to hear from them. Daahir from North Sudan approached ACCESS for employment.

I went to ACCESS for any employment opportunity they may have for me. ACCESS told me to first get the refugee card. When I got the card, I again went to ACCESS and got registered with them. It has been one and a half years now. I have attended many meetings with ACCESS, but nothing happened. I once got a call from the Australian call center in Kirti Nagar, Delhi. Time of the job was from 6 am to 3 pm. I told the company that the office is far and getting public transportation at 4:30 am is difficult. The company told me that they will keep me on hold. ACCESS later called me and informed about my acceptance. The company asked me to wait for a few days as they are hiring more people from the area where I live and will arrange transportation for all of us. Till date, I am waiting. After a few days, I again got a call from ACCESS for another job interview in Malviya Nagar, Delhi to work as an interpreter from Arabic to Hindi. When I went for the interview, the interviewer told me that they only need someone who has a Ph. D. in Arabic language or in Islamic Studies. I later told ACCESS to at least see the qualifications before asking me to go for an interview.

The above testimonies of refugees and asylum seekers show how limited are the role of UNHCR's sister agencies. As stated before, getting employment in formal sector in India is difficult as forced migrants do not have valid visa and passport. Many of them are working in informal sector as interpreters or as housemaids, usually with other Africans who come to India either as students or for health purposes. Figure 4.5 and 4.6 compares the benefits/support received by refugees and asylum seekers from UNHCR or from other community-based agencies in India. Figure 4.5 shows the description of the support received by refugees from UNHCR. The

present situation is very different in Delhi and in Hyderabad. Approximately 89% of the refugees received some kind of help from UNHCR, while only about 8% of the refugees in Hyderabad received any kind of support from UNHCR.
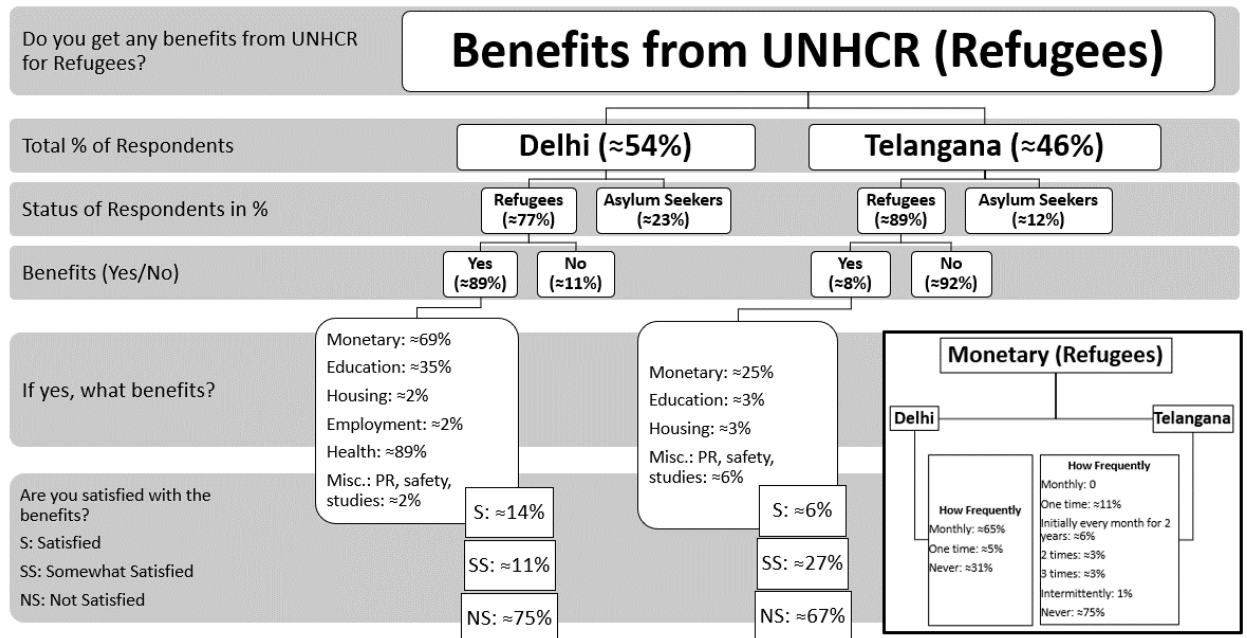
FIGURE 4.5 Benefits Received by Refugees from UNHCR

Figure 4.6 elaborates the benefits received by forced migrants from sister agencies of UNHCR and other community-based agencies. About 72% of refugees receive support from Don Bosco for education and health while about 11% received help from African Church. African Church helps refugees and forced migrants mainly for food, lodging, and in spiritual support. Asylum seekers in Delhi also receive health benefits and around 63% of the respondents got health benefits in Delhi for free or at subsidized rates and none of the respondents in Hyderabad get any kind of benefits, However, about 13% of asylum seekers said they get physical safety in India.
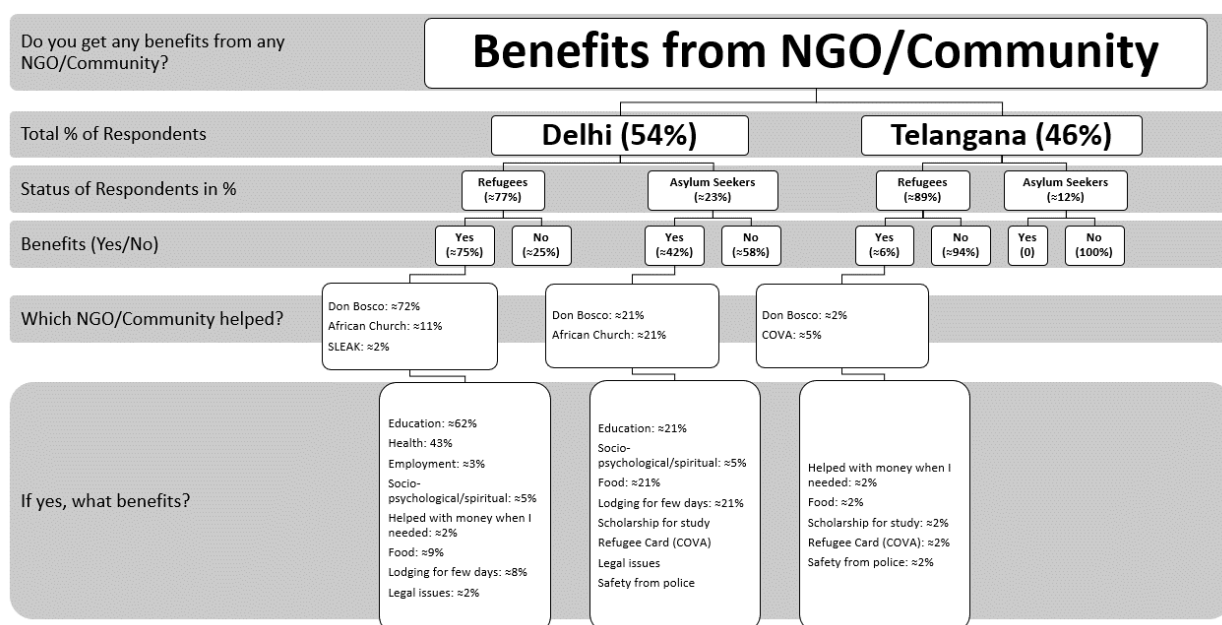
FIGURE 4.6 Benefits Received from UNHCR's Sister Agencies or other Community

PERIOD OF ADAPTATION AND FINANCIAL SUPPORT IN INDIA

Apart from the difficulties that refugees and asylum seekers face in terms of getting employment and discrimination in India due to their skin color, some are relatively well-placed than others. Forced migrants with time learn to adjust either with the support from UNHCR, friends, or community or by involving themselves in some kind of informal employment. Forced migrants living in Delhi have access to government hospitals and get some medicines and tests done for free. Women, irrespective of being refugee or asylum seeker, get sanitary kit and health awareness sessions in Delhi. Hani from Somalia tells:

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UNHCR has helped me in opening bank account, getting education for my children, and in providing medical facilities. Intermittently, government also gives money in schools up to amount INR 1000 (approximately USD 15)[10].

Story is not same for everyone. Sometimes, it depends in which part of the city forced migrants are living. Nafis from North Sudan is presently living in New Delhi and he actively takes part in the initiatives of UNHCR in promoting awareness about forced migrants among Indian public and shopkeepers. UNHCR also holds meetings with the police on sensitivity. Nafis regularly organizes rally to increase awareness among neighborhoods:

We hold regular meetings and awareness workshops in schools about refugees. Students initially feel afraid, but we smile at them and give chocolates to make them feel comfortable with us. We also have two clubs, one for Africans and one for Afghans. We also organize rallies and make posters about refugees.

Even though UNHCR with the help of refugees and asylum seekers is trying to spread awareness among Indian people, the impact of the activities does not reflect everywhere. Dilek from North Sudan tells:

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[10] The intermittent money is given to all the children studying in government schools in Delhi irrespective of the residential status in India. This is not any specific scheme for refugees.

My small brothers and sisters have stopped going to school because of discrimination. Kids in school call them 'habshi' (blackamoor). Every day, my siblings came home crying from school.

Leaving aside medical and school facilities, refugees in Delhi get monthly Subsistence Allowance (S.A.). Preferences for monthly S.A. are given to vulnerable women or women with kids. Total 61 refugees from 128 refugees interviewed said that they are receiving or have received some form of financial support from UNHCR. Of the 61 refugees, who said yes, 52 are women and 42 are receiving monthly S.A. and living in Delhi. None receives monthly S.A. in Hyderabad. The S.A. provided by UNHCR is minimal and is not enough for women with more children. Idil from Somalia has three kids and one younger sister to take care of. Her younger sister has a very low visibility and, hence, cannot work. Idil works at an Afghani home and the lady gives her food. Similarly, Kahdra from Somalia has a big family with ten children. Neighbors do not like her as she has too many children and landlord always create problem:

I was in Pune, India, for five years before coming to Delhi. Lots of students from Somalia come to Pune. I worked for the students in Pune and managed my family, but in Delhi, the S.A. I get from UNHCR is not enough to manage my family. I have thyroid problem and hence I stopped working in Pune and shifted to Delhi.

In Hyderabad, the situation is completely different. Schools and medical facilities are not free. Children in Hyderabad go to private schools. Faduma from Somalia recalls that when she came

to India her kids were very young. UNHCR and Somali community helped her in paying her children's school fees. Since Faduma came about a decade back, she was fortunate to receive help from UNHCR, but the situation since then has changed. Now, refugees living in Hyderabad do not get any kind of monetary help from UNHCR. Approximately 69% of the Delhi refugees are either presently receiving monetary help from UNHCR every month or have received monetary help in the past but in Hyderabad merely about 25% of the refugees have receive monetary help from UNHCR, but none receive it now. Of the 69% in Delhi, approximately 65% receive money every month.

In Hyderabad, women mostly work in the houses of foreign students and take care of their food and other daily chores in return for food, shelter, and sometimes a small sum of money. Other important support systems are the community members or relatives.

> *When the war started in Darfur, North Sudan, we went to refugee resettlement. Terrorists also started attacking refugee settlements. My two brothers were kidnapped, and father was killed in the war. I went to my uncle's house in the capital city. My uncle contacted a friend in India and I came to India on education visa. Uncle later stopped supporting me as he retired. Friends helped a lot while I was studying.*

Refugees and asylum seekers have learned to deal with the legal issues and to adapt to the changing environment. Amaani from Somalia tells:

I came to Delhi in 2015. Before coming to Delhi, I worked with Somali people in Hyderabad, Hyderabad. They provide me with food and shelter. Police was looking for me in Hyderabad as I entered India illegally, so I shifted to Delhi. I have not faced any problem in Delhi so far.

Amaani found a way to deal around authorities in India. The larger question which remains unanswered is for how long the forced migrants in India will have to wait to get resettlement or start their new life. Examples of Aziz and Bachir from Sudan who are highly skilled and unemployed feel helpless about their present situation. Some of the respondents even said, "It is better to die in our country than to live in the situation we are in right now."

FUTURE PLANS

As India can provide limited protection, another question intrigued me is their future plans. Of the 155 forced migrants I interviewed 133 people, that is, about 86% forced migrants said that they want to leave India as they don't have any future in India. A young lady from Somalia shares:

I am 28 and cannot marry. I came to India when I was 18 years and hoped to make a good life after escaping from Somalia. I have completed my college degree and for the last many years, I am trying to find a groom. She feels helpless and is trapped in the situation. The situation is same for my friends from Somalia in India.

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On the other hand, male refugees complain that their situation is uncertain, both in terms of money and resettlement, and to make a family. Abdo from Sudan says, "I am highly educated but I still do not have any job, how do you think I will take care of my wife and children?" Another young man from Sudan is applying for scholarship abroad to study so that he can leave India. Abu from Sudan is planning to take the help of agents while few others are taking help of the relatives who have got resettlement in developed countries. Abu further says,

> *I want to leave India for better living conditions. I cannot work here; I cannot study as I don't have money. I have no life and no dignity in India. I am young, and I want to work but I am still dependent on my family.*

But most refugees are waiting for the resettlement. About 80% (124) forced migrants said that they are waiting for the resettlement from UNHCR. Only 5 people (about 3%) said that they are not planning to leave India.

Cases discussed above help to underline the difficulties forced migrants face in exile. The difficulties increase in a country which does not provide full protection and their future can remain uncertain and bleak. For many, especially for youths, frustrations and disappointments are eclipsing hope they came with to India.

Conclusions and Policy Implications

Drawing together from the three analytical chapters in my dissertation, my aim of the chapter is to assess the factors that lead African refugees and asylum seekers to take refuge in India. Main factors that drive me to study African forced migrants in India are as follows: India is not a signatory of the international refugee treaty, India does not have any international refugee law, and India is not geographically near to Africa. This chapter also gives an opportunity to directly interact with hard-to-reach populations and is also under-represented.

My findings from regression supports the argument that role of agents and stable political condition is an important factor. But these factors are more relevant in Eastern region relative to the forced migrants coming from other regions. One explanation can be the forced migrants from Eastern Africa (or mostly who come from Somalia) are not educated and pick up any safe destination offered by the agents. And therefore, I also find the forced migrants from Eastern Africa are more likely to be cheated by agents than the forced migrants coming from Eastern Africa. On the other hand, forced migrants from Northern Africa are more likely to come to India due to democracy. Forced migrants from Sudan (Northern Africa) are well-educated and they have fair idea about the political conditions of the countries in the world.

The findings also support that forced migrants come to India due to presence of social network especially from the forced migrants coming from Northern Africa (or mostly who come from Sudan). Most forced migrants from Sudan come to India for educational purposes. They get information about education in India mostly from their social networks. Other important factors are better living condition, especially for the forced migrants coming from Central Africa (or most of the respondents from Democratic Republic of Congo) as they come to India to seek

protection from the human rights violation perpetrated by the state institutions. Other important variable captured by regression analysis is the discrimination faced by forced migrants in India. The discrimination in India due to skin color is highly prevalent among forced migrants.

In the chapter, I also tested the living and working conditions of forced migrants living in the state of Delhi (Capital city of India), and in Hyderabad. I find forced migrants feel more discriminated in Delhi. One explanation can be religious similarity. Muslim population is much higher in the city of Hyderabad than in Delhi, and hence discrimination is less. I also find forced migrants living in Delhi get more benefits from UNHCR, NGO/community-based. As the head office of UNHCR is in Delhi, the distribution of benefits become much easier in Delhi than in far-away cities.

Several important policy implications come to light in my analysis. Both the regression analysis and the qualitative cases defies the notion of refugees as "bogus" that suggests that forced migrants have choices and go to countries where they receive the best reception conditions. The evidence supports the results of my previous chapters that refugees go to countries that are politically stable, and where they feel less threatened. None came to India because of any reception benefits as India does not provide them.

The study does not support India's non-accession to the International Refugee Treaty and the non-adoption of domestic refugee law. These measures are taken by the government to deter forced migrants from coming to India. Most people who seek refuge in India come on tourist visa, medical visa, education visa, or business visa. Many respondents also took help of agents and traffickers. The deterrence measures are denying protection to refugees and making life more

difficult. Respondent were surprised at the discrimination they face in India and how hard their everyday life has become.

The study also shows the ineffectiveness of the policies such as the Long-Term Visa policy that allows refugees to work in formal sector in India; it needs to be implemented properly. As noted before, even refugees that have Long-Term visa cannot work in India due to lack of valid passport and visa. State should spread awareness about the refugee card and allow companies to hire refugees that have valid UNHCR refugee card.

The results of the study confirm the analyses of the other two chapters on the destination choice of refugees. Forced migrants go to countries that are politically stable, have low level of terror and violence, and the presence of social networks. The role of agents cannot be tested in large cross-sectional regression analyses I conducted in the other two chapters of dissertation. But this chapter confirms the increasing role of agents in deciding destination choice.

As discussed in my other papers, countries need to address the existing situations in the origin countries. Collaboration between states and well-designed can help address collective action problems. Current research on deterrence policies appears to aim at appeasing the media and the xenophobic elements among the people, rather than identifying long-term solutions to the root cause of forced migration (Thielemann 2004).

Finally, the findings confirm the hardships forced migrants' face, especially in a country which provides temporary protection. The future of many refugees in India is in limbo. I want to end the chapter with a quote from my interview that I am sure most forced migrants can relate: "Normal life is like a dream to attain."

CHAPTER 5

CONCLUSION

The refugee crisis has gained considerable attention recently. Both the quantitative and qualitative studies of the forced migration literature provide a useful framework for understanding the factors that affect the destination choices of refugees, and the impact of deterrence policy on the destination choice of refugees. As the literature review in Chapter One demonstrates, destination choice is influenced by factors such as the geographical proximity to conflict-affected countries, low level of terror and violence in the destination country, presence of social networks in the destination country, and the role of agents. As the inflow of refugees has increased, especially after the end of Cold War, countries have adopted deterrence policies to contain the inflow forced migrants in the destination country. Most empirical studies on the impact of deterrence policies have focused on developed or OECD countries. These studies have shown some policies to be more effective than others; for example, Thielemann (2004) finds prohibition of work is the most effective deterrence measure in the OECD countries. On the other hand, Schuster (2000) qualitatively assesses three areas of asylum policies: entry, welfare, and temporary protection and does not find any decline in asylum applications in the seven European countries under analysis.

I argue that to provide a more in-depth assessment of the impact of deterrence policies, we must expand the analysis to the global set of countries. And more importantly, fully understanding the choices of refugees requires examining the actual voices of refugees. My work expands to cover specific measures of detention policy, restriction on work rights, and the impact of constitutional provisions on the destination choice of refugees. The study also expands the analyses to the

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global set of countries. Furthermore, the study also addresses the shortcomings of large cross-sectional study and includes rich qualitative and rigorous quantitative assessment of the actual voices of refugees. Below, I summarize the contributions of my dissertation work to the field of forced migration, while recognizing the limitations of my study. I also discuss its policy implications and make suggestions for future research.

Contributions of this Work

The three chapters in the dissertation focus on refugees and their decision of destination choice. The chapters are informed by literatures on constitutional law, human rights, and forced migration. Together my findings help us to recognize many important deterrence policies and formal rights that are important in deciding a destination choice of refugees. Specifically, the analysis demonstrates an important role played by the deterrence policies. Under the umbrella of forced migration, I have systematically addressed three questions:

1. To what extent the formal rights provided to forced migrants determine their destination choice?
2. What are the factors that lead states to adopt deterrence policies and the impact of deterrence policies on the destination choice of forced migrants?
3. Why do forced migrants from African region seek refuge in India, especially when India is not a signatory of International Refugee Treaty/Convention nor does India have any domestic law on forced migrants?

Chapter 2 examines the extent to which the formal legal rights affect the destination choice of refugees. A growing body of scholarly literature has sought to understand the effect of the constitutional rights provisions generally, but as far as I know, no study has yet examined the extent to which the rights provided by constitutions affect the decision of destination choice by forced migrants. And while the forced migration literature has considered the effect of asylum rights and welfare policy in the developed countries on the decision of refugees of where to flee (Thielemann 2004), none have studied the effects of the core constitutional rights on these choices globally. The refugee literature largely informed by the rational choice theory assumes an individual is a 'rational actor' that weighs the pros and cons of the decision to flee and where to take refuge based on available information or perceptions (Neumayer 2005a). To understand these decisions, I set my study within rational approach theory and world polity perspective. Specifically, I identify seven constitutional rights important for protecting forced migrants: the right to seek asylum, the right to seek refuge, alien/non-citizen freedom of movement, gender equality, racial equality, freedom of religion, and writ of *habeas corpus.* In this chapter, I present a new dyadic dataset from 1993-2014 for all the countries. In the chapter, I found some evidence supporting world society approach. The constitutional provision of the right to seek asylum has the greatest effect. In addition, I also find provisions for gender protection, and race/nationality protection lead to more inflow of refugees in a country (controlling for a large set of factors derived from the literature). Apart from constitutional provisions, my findings confirm that refugees are not 'bogus', and countries with low levels of terror and violence, absence of genocide/politicide, and presence of social networks also play an important deciding factor in destination choice of refugees.

In chapter 3 I extend my research to the domestic deterrence policies of countries which have been promulgated with the primary aim to deter forced migrants. In the chapter, I expand on the existing rational choice literature and assess systematically and quantitatively the factors that lead countries to adopt deterrence policies and concomitantly, the impact of deterrence policies on the decision of destination forced migrants. Despite the importance of assessing deterrence policies, the empirical analysis largely ignores the topic due to the lack of available data. The empirical studies on deterrence policies are confined to OECD or European countries. I code the variables of detention policy and used exploratory factor analysis to come with factor scores. I also code restriction on the work rights of forced migrants to assess the impact of different deterrence policies on the destination choice of refugees. Analysis of a large panel dataset from 1997-2014 demonstrates a significant effect of the convergence of deterrence policies in countries that lie within a region. However, I do not find evidence that increase in the inflow of refugees in a county have any effect on the adoption of deterrence policies. The results are supported by the analysis in step two, where I find highly significant evidence that refugees are more likely to go to the contiguous countries and are impacted by the presence of social networks. Next, I do not find any effect of the number of contiguous conflict-affected countries on the adoption of restrictive policies. The findings result in the second part of the paper confirms that the refugees are genuine. The results show that most refugees take refuge in neighboring countries, as most refugees do not reach developed countries that adopt more restrictive deterrence policies, especially in regard to the detention policies. The paper also indicates that deterrence policies work, but as convergence builds they stop having a deterrent effect.

Building on the previous chapters on the destination choice of refugees, Chapter 4 goes beyond the aggregate level of analysis that provides important insights but is ultimately inappropriate for assessing individual choices. I extend the rational-choice theory to complement refugee-centered approach. The approach refines 'micro-macro' linkage. The paper analyzes individual-level behavior arguing that forced migrants are not bogus and move to a place where they feel safe. To, test my argument I interviewed 155 African refugees and asylum seekers living in India. African forced migrants are important in the Indian context as they travel a long way to India and such a migration requires considerable resources and time to plan. Moreover, India does not have any national law for refugees, and India is also not a signatory of 1951 International Refugee Convention, nor of 1967 Protocol. Thus, India does not appear to be a logical choice and the choice of these refugees to flee to India seems particularly interesting from a micro-level choice perspective. The results from both quantitative and qualitative analysis supports the findings from the literature and the first two analytical chapters that forced migrants are not 'bogus' and rational. Forced migrants go to countries which are politically stable, have low level of terror and violence, presence of social networks. The chapter also examined the present living conditions of forced migrants in India. The results also indicate the forced migrants living in Delhi receive more benefits than forced migrants living in Hyderabad. One limitation is the study only includes the African forced migrants in India and the findings cannot be generalized to the other forced migrant's communities presently living in India.

Several policy implications come to light from my research. First, formal rights and deterrence policies do matter in addition to the other 'structural' factors of the destination country. Instead

of focusing on the deterrence policies, policy-makers of the host countries should recognize the inevitable and shift resources towards migration management. The recognition of the problem has many advantages such as it prevents the further formation of the thriving underground industry of traffickers, and thus reduces the exploitation of refugees during the journey. Second, refugees are inequitably distributed among countries. Hence, the regional and international cooperation between states can deliver a fairer policy for the standards of protection and the distribution of responsibilities for forced migrants (Thielemann 2012). Third, the results of all the three chapters are indicative of the fact that refugees are not 'bogus' and in fact, they go to the nearest haven that protect their physical being. The formal rights and deterrence policies matter, but policymakers over-estimate the significance. Some destinations will always attract more refugees based on the geographical proximity to the origin country, and presence of social networks.

Overall, the results show refugees are genuine and their foremost purpose is to seek physical security. Hence, countries instead of adopting more restrictive deterrence policies should work together to deal with the present refugee crisis.

Limitations of the Research and Next Steps

First, however, Chapter 2 and Chapter 3 do not fully address the various aspects of conflict on the destination choice. My research highlights constitutional law and human rights of an individual my aim is to extend it further to cover other aspects of conflict. The present research investigates that growing number of refugees, in fact, increases the risk of violence in the host countries. In this project, I want to examine the factors that lead to escalate conflict in host

countries. More specifically, I have focused my research to address the following: Why do conflicts surge in host countries apart from the increasing refugee population? Is the growing population of refugees in the host countries responsible for the conflicts, or the state's coercive policies that create unrest amongst the people and refugees which further lead them to indulge in confrontation with the host country? For this study, I want to develop my arguments by assessing the speeches of politicians in various host countries. The study is motivated by the recent increase in the xenophobic elements in the host countries.

Second, Chapter 2 and Chapter 3 are limited in terms of deterrence variables. I intend to develop my arguments further by extending current data on forced migrants and the deterrence policies. The project aims to include refugee's rights such as property rights and the right to primary/higher education. I plan to operationalize the variables from zero to three with higher values indicating fewer restrictions on rights. The idea is to prepare new dataset highlighting other important dimensions of forced migration such as integration of refugees in host countries. More specifically, I want to explore the important factors that lead refugees to fully integrate in a country.

Finally, Chapter 4 focuses exclusively on refugees from Africa. The lack of resources and time constrained my field work and I intend to extend it in my future work. I plan to extend the field research and include forced migrants from other countries (especially forced migrants that come from neighboring countries) living in India. I then, plan to examine and compare the present situation and the reasons why they choose India as destination choice.

Final Thoughts

The destination choice of refugees is determined by many factors. Besides deterrence policies and formal rights, other factors such as geographical proximity, political condition of the destination choice, increasing role of agents, and the presence of social networks in destination country are unavoidable. The results are also supported by the fieldwork I conducted in India. In order to understand the complete picture of destination choice, we must take into account all the factors and due to the inequitable distribution of forced migrants among countries, the states should cooperate to fairly distribute the responsibility. The results from the chapters also shows the global convergence of deterrence policies negate the effect of detention policy on the destination choice. Hence, cooperation rather than competition between states become more important.

A.1 ADJUTMENTS MADE IN THE DATASET

Missing Variables:

Refugees (DV)

Bosnia and Herzegovina: Analyzed with 0 for 1995-1996

Israel: Analyzed with 0 for 1995-1997

Russia: Analyzed with 0 for 1995

Singapore: Smooth the data for the year 2000.

PTS

Slovenia: 1995-1996 taken as 1United States: Smooth data for the year 2013

Origin Literacy

To reduce the number of missing variables, I extrapolated the missing variables and made data smooth.

Polity

I coded polity as Moore and Shellman (2007)[11] Online Appendix:

"The polity project assigns missing values for the democracy and autocracy indicators for transition regimes which do not have established polity characteristics. Many of these countries are examples of what has come to be known as 'failed states.' Rather than drop cases from the statistical analysis due to missing data we recoded these missing values to the value 0 and coded a dummy variable that we named 'transition regime' (we assigned it a value of 1 when the

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[11] https://whmooredotnet.files.wordpress.com/2014/07/onlineappendixwither.pdf

democracy and autocracy measures had a "transition value" (e.g. -88), and 0 otherwise). In addition to resolving a missing data problem, we used the transition variable as an indicator of the provision of public order. That is, we submit that the absence of authority could be coded as a useful proxy of an expectation of a lack of order" (2).

TABLE A1 Correlations Matrix of Independent Variables (1993-2014)

	Variables	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18
1	Right to Seek Asylum	1																	
2	Right to Seek Refuge	0.215	1																
3	Asylum Right to Movement	0.074	.095	1															
4	Asylum Right to Religion	0.048	.002	.372	1														
5	Asylum Race/Nationality Protection	0.092	.037	.393	.577	1													
6	Asylum Gender Protection	0.081	-.007	.345	.582	.918	1												
7	Asylum Writ of Habeas Corpus	0.053	.023	.315	.338	.462	.432	1											
8	Common Contiguity	.003	-.009	.004	.009	.003	.003	.001	1										
9	Asylum Treaty/Protocol Signatory	.177	.003	.149	.270	.218	.230	.193	.008	1									
10	Asylum Judicial Independence	-.180	-.064	.106	.122	.156	.143	.216	.004	-.082	1								
11	Asylum GDP/Capita	-.113	-.041	-.057	-.018	-.057	-.059	-.079	.005	.001	.473	1							
12	Asylum Unemployment Rate	.011	.016	.023	.076	-.139	-.143	.042	-.001	.172	-.022	-.171	1						
13	Asylum Political Terror Scale	-.103	.008	.084	.090	.162	.151	.093	.013	-.130	.532	.484	.001	1					
14	Asylum Polity	-.007	.074	.168	.227	.238	.235	.396	.006	.301	.560	.301	.031	-.419	1				
15	Asylum Genocide/Politicide	-.056	.026	.054	.006	.019	.021	.091	.004	.042	.080	.053	.049	-.195	-.102	1			
16	Common Land Civil/Ethnic Violence	-.007	-.004	-.009	.011	.010	-.007	.013	.149	-.009	.025	.021	.011	-.062	-.025	.035	1		
17	Common Land International Conflict	-.001	-.001	.001	.001	.000	.000	.002	.040	.001	.001	.004	.004	.008	.005	.001	.044	1	
18	Origin Literacy	.005	.007	.007	.007	.011	.012	.009	-.018	.011	-.013	.023	-.005	.003	.010	.007	-.034	-.004	1.000

TABLE A2 All Individual Rights and Gender Protection (1993-2014)

	Model 1	Model 2
	Linear Regression FE	Linear Regression FE
Estimation Technique		
Monadic Variables		
Right to Seek Asylum (t-1)	.012*	
	(2.25)	
Right to Seek Refuge (t-1)	-.006	
	(-.88)	
Right to Seek Asylum and/or Right to Seek Refuge (t-1)		.003
		(.55)
Asylum Right to Movement (t-1)	.001	.002
	(.44)	(.47)
Asylum Right to Religion (t-1)	-.016***	-.019***
	(-4.50)	(-5.12)
Asylum Race/Nationality (t-1)	-.013**	
	(-2.58)	
Asylum Gender Protection (t-1)	.022***	
	(4.94)	
Asylum Sum Race/Nationality and Gender Protection (t-1)		.007***
		(5.16)
Asylum Writ of Habeas Corpus (t-1)	.003	-.001
	(.99)	(-.23)
Asylum Treaty/Protocol Signatory	-.019***	-.018***
	(-3.88)	(-3.70)
Asylum Judicial Independence	-.001	-.001
	(-.26)	(-.16)
Asylum GDP/Capita (logged)	.012***	.012***
	(7.73)	(8.15)
Asylum Unemployment Rate	-.001	-.001
	(-1.92)	(-1.53)
Asylum Political Terror Scale	-.004**	-.004**
	(-2.84)	(-2.87)
Asylum Polity	-.001*	-.001*
	(-2.02)	(-2.09)
Asylum Genocide/Politicide	-.009**	-.008**
	(-3.10)	(-2.85)

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Origin Literacy	.001***	.001***
	(6.91)	(6.89)
Dyadic Variables		
Social Networks	.277***	0.277***
	(46.42)	(46.42)
Common Contiguity	3.315***	3.315***
	(21.08)	(21.07)
Common Land Civil/Ethnic Violence	.210*	0.209*
	(2.09)	(2.08)
Common Land International Conflict	.283	0.282
	(.82)	(0.82)
Constant	-.039*	-0.041**
	(-2.50)	(-2.66)
Observations	517179	517179
Prob > F	.001	0.001
R-squared	.506	0.506
Adj R-squared	.480	0.480
t statistics in parentheses		
* p<.05, ** p<.01, *** p<.001		
Standard errors are robust		

TABLE A3 Percentage Change in Refugee Flow deduced from the Fixed Effects Model from Table A1

Independent Variable	Percentage Increase	Percentage Increase
Right to Seek Asylum (t-1)	1.17*	
Asylum Right to Religion (t-1)	-1.61***	-1.86***
Asylum Sum Race/Nationality (t-1)	-1.28**	
Asylum Gender Protection (t-1)	2.16***	
Asylum Sum Race/Nationality and Gender Protection (t-1)		.697***
Asylum Treaty/Protocol Signatory	-1.86***	-1.77***
Asylum GDP/Capita (logged)	.0115***	.0121***
Asylum Political Terror Scale	-.409**	-.413**
Asylum Polity	-.0588*	-.0609*
Asylum Genocide/Politicide	-.895**	-.821**
Origin Literacy	.116***	.116***
Social Networks	.277***	.277***
Common Contiguity	331.5***	331.5***
Common Land Civil/Ethnic Violence	21.0*	20.9*

	Right to Seek Asylum* Origin Literacy	Right to Seek Refuge* Origin Literacy	Asylum Right to Movement *Origin Literacy	Asylum Right to Religion* Origin Literacy	Asylum Race/Natio nality and Gender Protection *Origin Literacy	Asylum Writ of Habeas Corpus* Origin Literacy	Asylum Right to Seek Asylum and/or Right to Seek Refuge *Origin Litera cy
Estimation Technique	Linear Regressio n FE	Linear Regressi on FE	Linear Regression FE	Linear Regressio n FE	Linear Regression FE	Linear Regressi on FE	Linear Regres sion FE
Monadic Variables							
Right to Seek Asylum (t-1)	.003	.012*	.012*	.012*	.012*	0.012*	
	(.33)	(2.21)	(2.25)	(2.28)	(2.3)	(2.31)	
Right to Seek Refuge (t-1)	-.010	-.029*	-.009	-.009	-.009	-0.009	
	(-1.47)	(-2.25)	(-1.37)	(-1.41)	(-1.38)	(-1.40)	
Right to Seek Asylum and/or Right to Seek Refuge (t-1)							-.005
							(-0.55)
Asylum Right to Movement	.001	.001	.008	.001	.001	0.001	.002

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(t-1)

	(.35)	(.38)	(1.4)	(.35)	(.41)	(0.38)	(0.48)
Asylum Right to Religion (t-1)	-.019***	-.018***	-.019***	-.018***	-.019***	-0.019***	-0.018***
	(-5.04)	(-4.95)	(-5.24)	(-3.54)	(-5.12)	(-5.16)	(-4.96)
Asylum Sum Race/Nationality and Gender Protection (t-1)	.006***	.007***	.006***	.006***	.005**	0.006***	0.007***
	(4.82)	(4.85)	(4.79)	(4.8)	(2.63)	(4.81)	(5.18)
Asylum Writ of Habeas Corpus (t-1)	.001	-.001	-.001	.001	.001	-0.001	-0.001
	(.04)	(-.05)	(-.04)	(.01)	(.04)	(-0.12)	(-0.25)
Asylum Treaty/Protocol Signatory	-.019***	-.019***	-.019***	-.019***	-.019***	-0.019***	-0.017***
	(-3.85)	(-3.88)	(-3.93)	(-3.94)	(-3.92)	(-3.94)	(-3.61)
Asylum Judicial Independence	-.001	-.001	-.001	-.001	-.001	-0.001	-0.001
	(-.17)	(-.14)	(-.14)	(-.15)	(-.20)	(-0.17)	(-0.16)
Asylum GDP/Capita (logged)	.012***	.012***	.012***	.012***	.012***	0.012***	0.012***
	(8.07)	(8.08)	(8.19)	(8.17)	(8.13)	(8.16)	(8.07)
Asylum Unemployment Rate	-.000618	-.000627	-.000622	-.000616	-.000615	-0.000614	-0.000591
	(-1.61)	(-1.63)	(-1.62)	(-1.60)	(-1.60)	(-1.60)	(-1.54)
Asylum Political Terror Scale	-.004**	-.004**	-.004**	-.004**	-.004**	-0.004**	-0.004**
	(-2.96)	(-2.97)	(-2.86)	(-2.93)	(-2.96)	(-2.94)	(-2.89)

	(1)	(2)	(3)	(4)	(5)	(6)	(7)
Asylum Polity	-.001*	-.001*	-.001	-.001*	-.001*	-0.001*	-0.001*
	(-2.10)	(-2.05)	(-1.85)	(-1.97)	(-2.08)	(-2.02)	(-2.15)
Asylum Genocide/Politicide	-.008**	-.009**	-.008**	-.009**	-.009**	-0.009**	-0.008**
	(-2.92)	(-2.96)	(-2.89)	(-2.96)	(-2.97)	(-2.96)	(-2.84)
Origin Literacy	.001***	.001***	.001***	.001***	.001***	0.001***	0.001***
	(6.46)	(6.67)	(7.00)	(6.80)	(6.38)	(6.55)	(6.36)
Right to Seek Asylum*Origin Literacy	.001						
	(1.59)						
Right to Seek Refuge*Origin Literacy		.001*					
		(2.09)					
Asylum Right to Movement*Origin Literacy			-.001				
			(-1.68)				
Asylum Right to Religion*Origin Literacy				-.001			
				(-.32)			
Asylum Race/Nationality and Gender Protection*Origin Literacy					.001		
					(.91)		

Asylum Writ of Habeas Corpus*Origin Literacy						0.001 (0.21)	
Asylum Sum Right to Seek Asylum and/or Right to Seek Refuge *Origin Literacy							0.001 (1.27)
Dyadic Variables							
Social Networks	.277*** (46.41)	.277*** (46.41)	.277*** (46.42)	.277*** (46.42)	.277*** (46.42)	0.277*** (46.42)	0.277*** (46.42)
Common Contiguity	3.315*** (21.07)	3.315*** (21.07)	3.315*** (21.07)	3.315*** (21.07)	3.315*** (21.07)	3.315*** (21.07)	3.315*** (21.07)
Common Land Civil/Ethnic Violence	.209* (2.08)	.209* (2.08)	.209* (2.08)	.209* (2.08)	.209* (2.08)	0.209* (2.08)	0.209* (2.08)
Common Land International Conflict	.283 (.82)	.282 (.82)	.282 (.82)	.282 (.82)	.283 (.82)	0.282 (0.82)	0.282 (0.82)
Constant	-.038* (-2.44)	-.039* (-2.51)	-.045** (-2.86)	-.043** (-2.75)	-.039* (-2.47)	-0.041** (-2.61)	-0.038* (-2.40)
Observation	517179	517179	517179	517179	517179	517179	51717

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							9
s							
Prob > F	.001	.001	.001	.001	.001	.001	.001
R-squared	.554	.554	.554	.554	.554	.554	.554
Adj R-squared	.530	.530	.530	.530	.530	0.530	0.530

t statistics in parentheses

* p<.05, ** p<.01, *** p<.001

Standard errors are robust

B.1 ADJUSTMENTS MADE IN THE DATASET

Missing Variables:

Refugees (DV)

Israel: Analyzed with 0 for 1995-1997

Russia: Analyzed with 0 for 1995

Singapore: Smooth the data for the year 2000.

PTS

Slovenia: 1995-1996 taken as 1

United States: Smooth data for the year 2013

Polity

I coded polity as Moore and Shellman (2007)[12] Online Appendix:

"The polity project assigns missing values for the democracy and autocracy indicators for transition regimes which do not have established polity characteristics. Many of these countries are examples of what has come to be known as 'failed states.' Rather than drop cases from the statistical analysis due to missing data we recorded these missing values to the value 0 and coded a dummy variable that we named 'transition regime' (we assigned it a value of 1 when the democracy and autocracy measures had a "transition value" (e.g. -88), and 0 otherwise). In

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[12] https://whmooredotnet.files.wordpress.com/2014/07/onlineappendixwither.pdf

addition to resolving a missing data problem, we used the transition variable as an indicator of the provision of public order. That is, we submit that the absence of authority could be coded as a useful proxy of an expectation of a lack of order" (2).

I used both fixed effects and random effects. To check the consistency of two models I ran Hausman test and the test suggested me to do fixed effects. It also made sense as my variables in the data are slow changing variables.

TABLE B1 Correlations Matrix of Independent Variables (1997-2014)

	Variables	1	2	3	4	5	6	7	8	9	10	11	12	13
1	Prior Refugee Flow in Country	1												
2	Prior Refugee Flow in Region	0.387	1											
3	Prior Refugee Flow Globally	0.102	0.262	1										
4	Contiguity with Civil/Ethnic Violence	0.161	0.134	-0.001	1									
5	Contiguity with International War	0.065	0.067	0.005	0.181	1								
6	Polity	-0.029	-0.064	0.021	-0.327	-0.215	1							
7	Unemployment Rate	-0.019	-0.045	-0.030	-0.085	-0.038	0.031	1						
8	Population Density	-0.004	0.014	0.008	-0.036	-0.012	-0.053	-0.113	1					
9	GDP/Capita	-0.003	0.089	0.072	0.219	0.009	0.294	-0.174	0.157	1				
10	Terrorist Attack Severity	0.085	0.144	0.073	0.143	0.037	0.014	0.018	-0.001	-0.062	1			
11	Detention Regional Convergence	0.026	0.067	0.044	-0.157	0.057	0.334	-0.081	0.021	0.451	-0.012	1		
12	Detention Global Convergence	0.033	0.085	0.326	0.007	-0.116	0.073	-0.040	0.025	0.193	0.127	0.134	1	
13	Restriction Work Right Regional Convergence	0.008	0.021	-0.053	0.413	0.040	-0.479	0.070	0.134	0.450	0.083	-0.472	-0.199	1
14	Restriction Work Right Global Convergence	-0.025	-0.064	-0.244	0.000	-0.107	0.073	-0.043	0.022	-0.182	-0.091	-0.124	0.924	-0.215

TABLE B2 Correlations Matrix of Independent Variables (1997-2014)

	Variables	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17
1	Factor Scores of Severity of Detention Policy	1																
2	Restriction on Right to Work	-0.148	1															
3	Severity Detention Regional Convergence	0.620	-0.233	1														
4	Severity Detention Global Convergence	0.083	-0.098	0.134	1													
5	Restriction Work Right Regional Convergence	-0.292	0.495	-0.472	-0.199	1												
6	Restriction Work Right Global Convergence	-0.077	0.106	-0.124	0.924	0.215	1											
7	Domestic Law on Refugees	0.131	-0.435	0.169	-0.186	-0.462	-0.188	1										
8	Number of Contiguous Borders	0.146	-0.032	0.012	-0.009	-0.071	-0.008	0.008	1									
9	Contiguity with Civil/Ethnic Violence	-0.004	0.218	-0.157	0.007	0.413	0.000	0.249	0.400	1								
10	Contiguity with International War	0.028	-0.036	0.057	-0.116	-0.040	-0.107	-0.138	0.157	-0.181	1							
11	GDP/Capita	-0.395	0.231	0.451	0.193	-0.450	0.182	-0.212	0.066	-0.219	0.009	1						
12	Unemployment Rate	-0.080	0.005	-0.081	-0.040	-0.070	0.043	0.067	0.020	-0.085	-0.038	-0.174	1					
13	Polity	0.375	-0.324	0.334	-0.073	0.479	-0.073	0.420	0.007	-0.327	-0.215	0.294	-0.031	1				
14	Political Terror Scale	-0.272	0.220	0.318	-0.002	0.466	-0.011	0.314	0.186	0.456	0.117	-0.505	0.011	-0.420	1			
15	Genocide/Politicide	-0.076	-0.060	-0.001	-0.037	0.067	-0.037	0.059	0.066	0.150	0.118	0.048	0.037	-0.097	-0.177	1		

					4														
16	Social Networks	0.023	0.019	0.026	0.033	0.008	0.025	0.035	0.060	0.161	0.065	0.003	-0.019	-0.029	-0.074	0.013	1		
17	1951 Treaty and 1967 Protocol	-0.042	-0.347	0.035	0.035	-0.366	-0.039	0.476	0.020	-0.235	-0.119	0.019	0.187	0.315	0.150	-0.033	-0.055	1

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APPENDIX C

C.1 SUPPLEMENTARYTABLES FOR CHAPTER 4

TABLE C1 Test for Satisfaction from the Benefits Received from UNHCR/Government of India

Somewhat satisfied: Satisfaction from the benefits = 0
Satisfied: Satisfaction from the benefits = 0
chi2 (2) = 4.95
Prob > chi2 = .084

TABLE C2 Test for Police Responsiveness

Yes: Police Responsive = 0
Never approached: Police Responsive = 0
chi2(2) =   7.46
Prob > chi2 = .024

TABLE C3 Test for Discrimination from Police/Local Authorities

Yes: Discrimination from police/local authorities = 0
Never approached: Discrimination from police/local authorities = 0
chi2 (2) = 6.76
Prob > chi2 = .034

TABLE C2 Test for Relationship with Africans

Cordial: Relationship with Africans = 0
Average (some good, some bad): Relationship with Africans = 0
Bad/Not willing to maintain relation: Relationship with Africans = 0
chi2(3) = 7.42
Prob > chi2 = .060

TABLE C3 Test for Relationship with Africans

Cordial: Relationship with Indians = 0
Average (some good, some bad): Relationship with Indians = 0
Bad/Not willing to maintain relation: Relationship with Indians = 0
chi2(3) = .85
Prob > chi2 = .838

TABLE C6 Test for Income

Up to INR 6000 (approximately USD 92): Income = 0
INR 6001-INR 15000 (approximately USD 92-USD 231): Income = 0
Above INR 15001 (approximately USD 231): Income = 0
No money, only food, and shelter: Income = 0
chi2 (4) = 4.69

Prob > chi2 = .320

TABLE C7 Test for Discrimination at Work

No: Discrimination at work = 0
Not working: Discrimination at work = 0
Works with Africans hence no discrimination: Discrimination at work = 0
chi2 (3) = 2.63
Prob > chi2 = .453

TABLE C8 Multinomial Logit Analysis of the Causes of Fleeing Origin Country

Independent Variable	Coefficients
Central Africa	
Physical threat by state	2.087**
	(1.062)
Physical threat by terrorist/dissident	-1.691*
	(.905)
Murder of family member by state	2.870**
	(1.339)
Murder of family member by terrorist/dissident	.080
	(.896)
Physical and mental torture by state	.939
	(1.000)
Physical and mental torture by terrorist/dissident	-.0263
	(.981)
Forced recruitment	.504
	(1.545)
Sexual harassment	.842
	(.912)
Lack of economic opportunity	-.323
	(1.638)
Loss of job	-.448
	(1.834)
Loss of home/land/cattle	-.553
	(1.107)
Health	.817
	(1.546)
Someone who left	.659
	(1.610)
Constant	-2.010**
	(.996)
Eastern Africa	(base outcome)
Northern Africa	
Physical threat by state	3.345***
	(1.088)
Physical threat by terrorist/dissident	-1.249
	(.823)
Murder of family member by state	3.038**

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	(1.333)
Murder of family member by terrorist/dissident	-.142
	(.776)
Physical and mental torture by state	-.813
	(1.062)
Physical and mental torture by terrorist/dissident	.891
	(.801)
Forced recruitment	2.254**
	(1.061)
Sexual harassment	-.255
	(.941)
Lack of economic opportunity	.491
	(1.291)
Loss of job	1.337
	(1.045)
Loss of home/land/cattle	2.843****
	(0.815)
Health	2.150
	(1.489)
Someone who left	.927
	(1.542)
Constant	-3.425****
	(1.040)
Observations	151
Prob > F	.001
Pseudo R-squared	.515
Standard errors are in parentheses	
* p<.10, ** p<.05, *** p<.01, **** p<.001	

C.2 QUESTIONNAIRE FOR CHAPTER 4

ONLY RESEARCH GROUP

SECTION A: GENERAL BACKGROUND INFORMATION AND DEMOGRAPHIC DETAILS

A.1.

0.1 Date of the Interview		0.2 Duration of Interview	
0.3 District	1. Central 2. East 3. New Delhi 4. North 5. North-East 6. North-West 7. South 8. South-East 9. South-West 10. West	0.4 Area/Sub-District	
0.5 Gender Male: 1 Female: 2			
0.6 Status Refugees: 1 Asylum Seekers: 2			

A.2. How old are you? Age (years): _____

>18	1	26-35	3	46-60	5
19-25	2	36-45	4	>60	6

A.3. Religion

Muslim	1	Christian	2	Others (Specify)	3

A.4. Tribe: _____

A.5. Marital Status

Married	1	Unmarried	4
Divorced	2	Widow	5
Others (specify)	997		

A.6. Education

Illiterate	1	Matric/High school/secondary (Up to Class 10)	4	Bachelor's Level	7
Primary School (Up to Class 4)	2	Higher secondary/ pre-university/intermediate (Up to Class 12)	5	Post-Graduation	8
Middle School (Up to Class 8)	3	Technical diploma or certificate below degree	6	Informal Education	9
Others (Specify)	997				

A.7. Kind of School attended/attending

Government school	1	Madrasah	3
Private School	2	Others (specify)	4

A.8. What language do you normally speak at home? _____

A.9. What are the other languages you know?

Hindi	1	English	2	Others (specify)	997

A. 10.i. Work status

Working	1	Not able to work due to disability	8
Not working but seeking work (Unemployed)	2	Too old/ too young (unable to work)	9
Student	3	Working but irregular work	10
Student and employed	4	UNHCR aid	11
Small business	5	Working but irregular work and UNHCR aid	12
Housemaid	6	Others (specify)	997
Only domestic chores within the household	7		

A.10.ii. If not employed, how do you plan to make a living?

A.11.i. Monthly income, if employed (household from all sources)

No regular income	1	Rs. 6001 to Rs. 10,000	4	Rs. 20,000 to Rs. 25,000	7
Up to Rs. 3000	2	Rs. 10,001 to Rs. 15,000	5	Above Rs. 25,000	8
Rs. 3001 to Rs. 6000	3	Rs. 15,000 to Rs. 20,000	6	Others (Specify)	997

A.11.ii. What do you do for living?

| |
| |

A.12.i. If came with spouse, children or parents, how many members are earning?

| 1 | 2 | 3 | >4 |

A.12.ii. Monthly family income, if employed:

No regular income	1	Rs. 6001 to Rs. 10,000	3	Rs. 20,001 to Rs. 25,000	6
Up to Rs. 3000	2	Rs. 10,001 to Rs. 15,000	4	Above Rs. 25,001	7
Rs. 3001 to Rs. 6000	3	Rs. 15,001 to Rs. 20,000	5	Others (Specify)	997

A.13. Who else lives with you?

Living Alone	1	People from the same ethnic group	4	Non-African migrants	7
My family members	2	People from the same religious group	5	Indian citizens	8
People from the same country	3	Africans from another country	6	Other (specify)	997

A.14. Who are the family members living with you in India? No(s).:_____

Alone	1	Spouse and child/children	4
Spouse	2	Child/children	5
Parents	3	Others (Specify)	997

SECTION B: DECISION TO FLEE

B.1. What is your country of origin? _____

B.2. When were you first displaced?
Year:
Month:

B.3. Were there any other reasons for displacement (Check all that apply):

Lack of economic opportunities	1	Coercion by dissident/terrorist/dissident/terrorist/another tribal group	9
Job Loss	2	Murder of family member by state	10
Seizure/Loss of land	3	Murder of family member by dissident/terrorist/dissident/terrorist/another tribal groups group	11
Seizure/Loss of cattle	4	Physical and mental torture by state	12
Destruction/Seizure of home	5	Physical and mental torture/threat by dissident group/terrorist/another tribal groups	13
Physical threat by state	6	Forced recruitment in dissident group/terrorist/another tribal groups	14
Physical threat by dissident/terrorist/another tribal groups	7	Sexual harassment	15
Political coercion	8	Others (Specify)	997
Tick 3 reasons in order of priority			

B3: Others 997: Describe the details (Focus on the details and kind of conflict such as ethnic and civil conflict and international conflict over territory):

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B.4.i. Have you taken refuge in another city in your origin country before coming to India?

Yes	1	No	2

B.4.ii. Have you taken refuge in another country before coming to India?

Yes	1	No	2

B.4.iii. If yes, where did you take refuge? _____

B.5. Why did you leave your last country of refuge? Describe the details:

```
[                                                                        ]
[                                                                        ]
[                                                                        ]
[                                                                        ]
[                                                                        ]
```

B.6. Did you ever return your origin country after displacement?

Yes	1	No	2

B.6.i. If yes, then why did you decide to leave your origin country again? Describe:

```
[                                                                        ]
[                                                                        ]
[                                                                        ]
[                                                                        ]
[                                                                        ]
[                                                                        ]
[                                                                        ]
```

SECTION C: WHY PREFERRED INDIA AS A DESTINATION COUNTRY?

C.1. What factors did attract you to come to India?

Better living condition	1	Stable political environment	8
Better employment opportunities	2	Democracy	9
Less relocation lost	3	Porous borders	10
Poor law enforcement	4	It is easy/cheap to get an illegal or legal visa/passport in India	11
I had friends/relatives who had come to India or know India	5	Any specific government policy/is that have attracted you to come to India (such as education or health)	12
Agents	6	Others (specify)	997
Lack of stringent laws	7		

Multiple top three reasons in order of priority			

C.1.i. Specify More (Record Verbatim)

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C.2. Whether India was your first choice as a destination country?

| Yes | 1 | No | 2 | No other option | 3 |

C.2.i. If answer is "NO" then what could be other choice if you had not chosen India as a destination country? Record Verbatim

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C.3. Did agent promised you to take somewhere else and brought you to India?

| Yes | 1 | No | 2 |

C.4. From where did you get the information about India?

| Relative/Friends | 1 | Media | 3 |
| Agents | 2 | Other (please specify) | 997 |

C.5. Duration of stay in India

| 0-10 days | 1 | 3 months - 12 months | 3 | >3 years | 5 |
| 11 days - 90 days | 2 | 1 year - 3 years | 4 | | |

C.6. Do you have visa?

| Yes | 1 | No | 2 |

C.6.i. If "yes", is it expired?

Yes	1	No	2

C.6.iii. If answer is "yes", when did your visa expire?

0 - 90 days ago	1	1 - 3 years ago	3
3 - 12 months ago	2	More than 3 years ago	4

SECTION D: HOW DID YOU REACH INDIA/JOURNEY TO INDIA?

D.1. Was India your first country of refuge?

Yes	1	No	2

D.1.i. If no, name the countries where you have taken refuge before or lived in a refugee camp before? Record Verbatim

D.2. How long did you stay in refugee camps or in another country before you decided to come India?

D.3. Have you ever been denied asylum in another country?

Yes	1	No	2

D.4. Name those countries you have crossed to reach India by land or water?

D.5. How did you enter India?

Aerial route	1	Water ways	3	Other (specify)	997
By road	2	Both road and water ways	4		

D.6. Entry-point to India in mainland territory? _____

D.7. Explain your journey and how do you rate your experience to enter into India

| |
| |

D.8 Did any agent help you in reaching India?

| Yes | 1 | No | 2 |

D.8.i. If answer is YES, how did the agent help you to come to India?

| |
| |

D.8.ii. How much money that you give to the agent? _____

D.8.iii. Apart from agent, what was the extra amount you had to incur during the journey? _____

| Yes | 1 | No | 2 |

D.9. How did you get to know about agents?

| Friends/Relatives | 1 | Electronic Ads | 3 |
| Newspapers | 2 | Others (please specify) | 997 |

D.10. Are agents easily available in your country?

| Yes | 1 | No | 2 |

D.11. Legal status in India

| Legal entry | 1 | Illegal entry | 2 |

D.12. Any criminal activity or exploitation during transit to India?

| Yes | 1 | No | 2 |

D.12.i. If answer is "Yes", then brief me what kind of activity/exploitation you had to face during transit in India?

| |
| |

SECTION E: ADJUSTMENT AND STAY PERIOD IN INDIA

E.1. What was your first step as a refugee/asylum seeker after landing to India? (Record verbatim)

| |
| |

E.2. Do you have refugee status?

| Yes | 1 | No | 2 |

E.2.i. If answer is NO, then how long have you been residing in India without having refugee status?

1-10 days	1	1-2 months	3
11-30 days	2	2-6 months	4
Others (please specify)	997		

E.3. When did you approach UNHCR after landing to India?

1-10 days	1	1-2 months	4
11-20 days	2	Others (specify)	997
21-30 days	3		

E.4. How much time UNHCR took in issuing asylum seekers certification?

1-10 days	1	21-30 days	3
11-20 days	2	1-2 months	4
Others (please specify)	997		

E.5. How much time UNHCR took in issuing refugee status?

1-10 days	1	1-2 months	3
11-30 days	2	2-6 months	4
Others (please specify)	997		

E.6. What was UNHCR's response when you notified them of your arrival?

E.7. Did UNHCR help you financially?

Yes	1	No	2

E.7.i. If answer is yes, write down the amount/assistance they helped/offered?

E.8. Did you get other benefits from UNHCR after getting refugees status?

Yes	1	No	2

E.8.i. If answer is YES, then what kind of benefits you received from UNHCR? (Record verbatim)

E.9. What were the other amenities that UNHCR provide you?

Helped my children in getting admission to school	1	Helped me in getting employment	3
Helped me in getting housing	2	Helped in providing health facilities	4
Others (please specify)	997		

E.10. Who helped you in getting home?

By own efforts	1	UNHCR	4
Indian authorities	2	Friends/relatives	5
Non-Government Organization/Church	3	Others (please specify)	997

E.11. Housing Status

E.11.i.	Housing Status: Rented or Government aided agencies (Rented-1, Government aided-2, Independent agencies like UNHCR-3)	
E.11.ii.	Whether house electrified? (Yes-1; No-2)	
E.11.iii.	Do you get safe drinking tap water? 1: Yes 2: No but use tap water 3: No and buy water	
E.11.iv.	Toilet facility 1: Yes and not sharing 2: No 3: Yes and sharing	
E.11.v.	Number of Household assets (Yes-1; No-2)………………………….	

(a) Radio	(b) TV	(c) Mobile	(d) Vehicle	(e) Refrigerator	(f) Others (specify)
1: Yes and not sharing 2: No 3: Yes and sharing	1: Yes and not sharing 2: No 3: Yes and shared	1: Yes and not sharing 2: No 3: Yes and shared	1: Yes and not sharing 2: No 3: Yes and shared	1: Yes and not sharing 2: No 3: Yes and shared	1: Yes and not sharing 2: No 3: Yes and shared

E.12. Facilities Provided

E.12.i.	Do the doctors/healthcare personnel attend you properly? (Yes-1, No-2)	
E.12.ii.	If answer is NO, then what kind of discrimination do you face? ……………………………………………………………………………..	
E.12.iii.	Do you get free medicine and other benefits from hospital under refugee status? (Yes-1, No-2)	
E.12.iv.	Do you or your children get benefits in college/school under refugee status? (Yes-1, No-2)	

E.13. Who helped you in getting employment?

By own efforts	1	Friends/relatives	5
Indian authorities	2	Not Working	6
Some Non-Government Organization	3	Others (please specify)	997
UNHCR	4		

E.14. Did you get benefits from the Government of India after getting refugees status?

Yes	1	No	2

E.14.i. If answer is YES, then what kind of benefits you received from the Government of India? (Record verbatim)

E.15. Are you satisfied with the treatment/benefits you received from UNHCR?

Satisfied	1	Somewhat satisfied	3
Not satisfied	2	Others (specify)	997

E.16. Are you satisfied with the treatment/benefits you received from the Government of India?

Satisfied	1	Somewhat satisfied	3
Not satisfied	2	Others (specify)	997

SECTION F: LAW AND ORDER SITUATION

F.1. Are police officers accessible to you, if required?

Yes	1	No	2	Never approached	3

F.2. If yes, are they responsive and prompt to redress your grievances?

Yes	1	No	2	Never approached	3

F.3. Were you ever stopped/harassed by police?

Yes	1	No	2

F.3.i. If "yes", how many times? _____

F.3.ii. Why did they stop or harass you?

F.4. Have you ever detained by police?

Yes	1	No	2

F.5. Do you think Indian police treats you differently than other migrants?

Yes	1	No	2	Never approached	3

F.6. Do the police lodge FIR promptly?

Yes	1	No	2	Never approached	3

F.7. How is the law and order situation in your area such as why did police detain you or what are the challenges did you face with the police or government authorities?

F.8. Do you get any help from NGOs or community/religious organizations?

Yes	1	No	2

F.8.i. If answer is yes, then elaborate what kind of help they offered to you?

F.9. Do you face any discrimination at workplace?

Yes	1	Not working	3
No	2	Works with Africans hence no discrimination	4

F.9.i. If answer is YES, what kind of discrimination you face in day-to-day life? Record verbatim.

F.10. Do you face any discrimination by neighbors?

Yes	1	No	2	No relations with neighbors but other people discriminate	3

F.10.i. If answer is YES, what kind of discrimination you face in day-to-day life? Record verbatim.

F.11. Do you face any discrimination by local authorities?

Yes	1	No	2	Never approached	3

F.11.i. If answer is YES, what kind of discrimination you face in day-to-day life? Record verbatim.

F.12.i. Do you plan to leave India?

Yes	1	No	2	Don't know	3

F.12.ii. If yes, how do you plan to leave India?

Air travel	1	Refugee Settlement by UNHCR as do not have any other option	4
Through the land border	2	Won't leave India	5
With the help of agents	3	Other (specify)	997

F.13. How is your relationship with Africans in India?

| Not willing to maintain relation | 1 | cordial | 3 | Don't know yet | 5 |
| Average | 2 | Bad | 4 | No relations | 6 |

F.14. How is your relationship with Indian citizens?

| Not willing to maintain relation | 1 | cordial | 3 | Don't know yet | 5 |
| Average | 2 | Bad | 4 | No relations | 6 |

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BIOGRAPHICAL SKETCH

Shaivya Verma was born in Lucknow, Uttar Pradesh, India in 1987. After completing her school work at Bal Bharati Public School, she attended Sri Venkateswara College, University of Delhi and graduated with her B.A. (Hons.) in 2009. She also attended the University of Delhi and received her M.A. in Political Science in 2011. Shaivya also worked as a Research Associate in India for two years before joining Ph.D. She got admitted and enrolled in the Ph.D. Political Science program at The University of Texas at Dallas in 2013. She received her M.A. in Political Science in 2016 from The University of Texas at Dallas.

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EDUCATION

Ph.D. Candidate in Political Science, The University of Texas at Dallas	Expected
Dissertation: Seeking Refuge: Global Analysis of Deterrence Policies and Formal	2018
Rights	
Ph.D. Chair: Prof. Harold D. Clarke	
Featured on School of Economic, Political and Policy Sciences (EPPS) Website.	
M.A., Political Science, The University of Texas at Dallas	2016
M.A., Political Science, University of Delhi	2011
B.A. (Hons.), Political Science, Sri Venkateswara College, University of Delhi	2009

RESEARCH EXPERIENCE

Research Associate	September 2011 - October 2012
Research Assistant	November 2012 - June 2013

Institute for Research on India and International Studies (IRIIS), India

- I was responsible for managing varied office responsibilities from undertaking library research, creating databases for research, taking care of financial aspects of the institute, editing articles, reports, books, and the handbook of the convention in International Relations to playing an active role in all deliberations with academicians, media professionals, politicians, high-level government officials.
- Collaborated with the IRIIS teams in organizing the first Annual Convention of IAIS (Indian Association of International Studies) in collaboration with IRIIS "The Dawning of the Asian Century: Emerging Challenges before Theory and Practices of IR in India" where 150 speakers from India and around the world participated. I was given full pre-conference responsibility to interact for academic and non-academic purposes.
- Organized several other workshops and seminars.
- My participation with IRIIS also includes preparing reading materials, conducting a literature survey on issues related to terrorism, climate change, economic governance, non-proliferation and international law for the book published by Oxford University Press *Volume 4: India Engages the World.*

Field Researcher	May 2012 - June 2013

Jammu and Kashmir, India

- The project CORE (Cultures of Governance and Conflict Resolution in Europe and

India) of PRIO in collaboration with the University of Delhi aimed at understanding and improving the operational and theoretical sides of peace building, conflict resolution, and human rights.

- During my field visits in the Kashmir valley I got the opportunity to interview and meet many separatist leaders and ex-militants who have given up their arms. They were part of the separatist groups of the conflict in Kashmir that started in 1980s and continues in various forms.
- The project gave me an insight of the psychology of ex-militants on why they picked up arms and what lead them to surrender them later. In addition, the project also helped me understand government policies that have failed in building trust, bringing development, and peace to the Kashmir valley.

Internship   June 2011 - July 2011
National Foundation for India, India
- Worked in the slums of Bhubaneswar, Cuttack and the villages of Deogarh, India. My task included collecting and analyzing data on socio-economic conditions of lower class women. More specifically, I analyzed the gaps between the contribution and the lack of work recognition of women living in the urban slums and in the tribal villages. For example, the role of women in decision making at home and in communities and what are the differences exists between rural and urban women.

TEACHING EXPERIENCE

Teaching Assistant	Political Behavior, Prof. Marianne C. Stewart (Spring 2018)
Instructor	Selected Topics in Government and Politics - Refugee and Asylum Policy (Fall 2017)
Teaching Assistant	American Political Institutions, Prof. Thomas L. Brunell (Spring 2017) and (b) Proseminar in Political Institutions and American Politics, Prof. Euel E. Elliott (Spring 2017)
Teaching Assistant	State and Local Government, Prof. Euel W. Elliott (Fall 2016 and Fall 2015)
Teaching Assistant	Selected Topics: Environmental Policy, Prof. Robert C. Lowry (Spring 2016)
Teaching Assistant	Government, Dr. Brian A. Bearry (Spring 2015)
Teaching Assistant	Global Politics, Dr. Clint W. Peinhardt (Spring 2014)
Teaching Assistant	International Political Economy, Dr. Clint W. Peinhardt (Fall 2014 and Fall 2013)

OTHER EXPERIENCE

Summer Trainee   June 2008 - August 2008
Dynamic Orbits Advisory Pvt. Ltd., India
- Worked as a mediator between Dynamic Orbits Advisory Pvt. Ltd. And the companies import-ing bulk chemicals such as hydrogen peroxide and potassium carbonate and Dynamic Orbits to explore opportunities for the Dynamic Orbits as a distribution partner.

- Also worked as a consultant on the REACH Policy (Registration, Evaluation, and Authorization of Chemicals), which requires the importers and the manufacturers of chemicals (one ton or more) to register their substances

RESEARCH INTERESTS

Migration
Forced Migration
Human Rights
Constitutional Law
Comparative Politics
Asia

CONFERENCE PRESENTATIONS

Midwest Political Science Association Annual Meeting. April 2018. Proposal Accepted "Taking
Refuge in India: Case of African Refugees".

Midwest Political Science Association Annual Meeting. April 2017. Presented paper on "Constitutional Provisions and the Destination Choice of Refugees".

Tenth Annual Winter Course on Forced Migration, India. 2012-2013. Presented paper on, "Refugee Women and Protection Regimes in India".

Participated in the Programme, "Traditional and New Security Challenges: South Asia in Global Perspective" organized by Delhi University, University of Birmingham and University of Melbourne (13-17th February 2012). Presented paper on, "The Environment Threats in Pakistan."

GRANTS AND AWARDS

2018	2018 Ph.D. Research Small Grants Program ($500), granted
2017	2017 Ph.D. Research Small Grants Program ($500), granted
2016	2016 Horowitz Foundation for Social Policy ($10000), declined

WORKS IN PROGRESS

"Constitutional Rights and the Destination Choice of Forced Migrants."
"Seeking Refuge: Do Deterrence Policies Deter?"
"Taking Refuge in India: The Case of African Refugees"

COMPUTER SKILLS

Stata, R, SPSS, eViews, MS Office Suite, Qualtrics, LateX

METHODOLOGICAL TRAINING

Descriptive and Inferential Statistics
Regression

Time Series Analysis
Survey Research
Data Management
Factor Analysis
Data Visualization

LANGUAGES

English: Fluent (Read, write, and speak)
Hindi: Excellent (Read, write, and speak)

PROFESSIONAL MEMBERSHIP

MPSA (Midwest Political Science Association)
APSA (American Political Science Association)