

Interest Group on Migration and Refugee Law



Newsletter No. 11 (February 2017)

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PREPARATIONS FOR THE 2017 ESIL ANNUAL CONFERENCE, NAPLES

The [13th Annual Conference](#) of the ESIL will take place in **Naples**, Italy, from **Thursday 7 to Saturday 9 of September 2017**. The theme of the conference is '*Global Public Goods, Global Commons and Fundamental Values: The Responses of International Law*'.

In cooperation with the Swiss research consortium "NCCR → *On The Move*", the Interest Group (IG) on Migration and Refugee Law submitted a **panel proposal** for Agora 6: 'Refugee Protection: A Test for European Fundamental Values?'. The panel proposal is titled '**De-Fragmenting Paradigms in EU Migration and Asylum Governance: New Pathways to International Protection or Rising Threats to Global Public Goods?**'. The speakers in this panel would largely focus on two sets of questions revolving around the fundamental value of international protection: which types of governance are best suited for today's challenges, on the one hand, and the interplay between the European normative regime on migration and asylum and the international legal framework, on the other hand.

For Wednesday **6 September 2017**, the IG conveners are contemplating a **side-event** open to all, where IG members, including PhD students and early career scholars, on a competitive basis may present their ongoing research. The theme and precise contours of this IG side-event will be announced during spring.

RECENT PUBLICATIONS

IG member Fulvia Staiano has recently [published](#) *The Human Rights of Migrant Women in International and European Law* in which she shows the existence of a gender bias in European norms regulating migrant women's family life and employment.

Her monograph further analyses the potential of European human rights and fundamental rights law to expose and correct this bias. For this purpose, the book focuses on the case law of the ECtHR, the CJEU, as well as the domestic jurisdictions of Italy, Spain and the United Kingdom, in search of effective judicial interpretations to ensure migrant women's enjoyment of their rights and entitlements in conditions of equality and non-discrimination.

In ***Solving Statelessness***, Laura van Waas and Melanie Khanna have [collected essays](#) from twenty-five experts that aim to go beyond 'taking stock' of the several issues, instead approaching statelessness from a solutions perspective. The essays of this book, published by Wolf Legal Publishers, look at what is being done, and what more can be done, to address the issue of statelessness.

Violeta Moreno-Lax and Efthymios Papastavridis have edited a book titled ***'Boat Refugees' and Migrants at Sea: A Comprehensive Approach – Integrating Maritime Security with Human Rights***, published at [Brill](#). This voluminous work provides a holistic approach to the phenomenon of maritime migration by bringing together several disciplines and insights of different regions of the world.

Giovanni Carlo Bruno, Fulvio Maria Palambino, and Daniele Amoroso have published a book on ***Migration and Development: Some Reflections on Current Legal Questions***. This edited volume – which is available for [free download](#) - aims at offering food for thought for the analysis of the changes occurring in modern societies, that are asked to answer thoroughly to economic and forced migration. The scientific discussion concerning the increased migratory flows seems to be more focused on the questions regarding admission and / or rejection of migrants on the territory of receiving countries than on the general topic of the contribution of migrants to the financial, social and cultural development of societies (of origin, transit, or destination). The goal of this volume, then, is to encourage a discussion among experts, scholars and policy-makers on the problematic questions, outcomes, implications and achievements on migration and development.

In ***'Looking Beyond the Rhetoric of the Refugee Crisis: The Failed Reform of the Common European Asylum System'***, *European Journal of Human Rights*, [Vol. 2016/5](#), Vincent Chetail scrutinizes the recent CEAS reform, arguing that the Commission's proposals fall short of providing genuine reform and risk reproducing and even exacerbating the systemic flaws that caused the 'crisis' in the first place.

We encourage Interest Group members to share their (upcoming) publications with the coordinating committee via kristof.gombeer@vub.be so that we can spread the word!

EVENTS

From 7 to 8 February 2017, the Centre on Dynamics and Ethnicity is [organizing](#) a conference on ***Migration and Families in Europe: National and Local Perspectives at a Time of Euroscepticism*** in Manchester.

On 8 February 2017, Itamar Mann will [give a lecture](#) ***Humanity at Sea: Maritime Migration and the Foundations of International Law, 1945-2015*** at Columbia Global Centers, Paris. The lecture will attempt to connect the dots between the current 'refugee crisis' and several of its historical precedents, and will facilitate the comments of several discussants.

The Odysseus Annual Conference will take place on 10 February 2017 in Brussels and is themed ***Beyond "Crisis"? The State of Immigration and Asylum Law and Policy in the EU***. The programme can be found [here](#).

The Oxford Refugee Studies Centre is hosting a conference ***Beyond Crisis: Rethinking Refugee Studies*** on 16-17 March 2017 in Oxford. The [last booking date](#) for this event is 10 February 2017.

The European Network on Statelessness is organising a major [conference](#) on 4-5 May 2017 in Budapest to launch a new comparative report as well as to provide a platform for concerted region-wide advocacy aimed at protecting stateless persons from arbitrary detention.

[Registrations](#) are open for the ***Nordic Asylum Law Seminar*** organized at the University of Iceland, 29-30 May 2017.

One can also register for the [second Annual Conference](#) of the *Refugee Law Initiative, Mass Influx? Law, Policy and Large-Scale Movements of Refugees and Migrants*, which will take place 5-7 June 2017 in London.

The "NCCR → on the move" holds its [annual conference](#) in the format of a ***Graduate Conference of Migration and Mobility Studies***, 22-23 June 2017 at the University of Neuchatel.

From 28-30 June 2017 you can [attend](#) the 14th IMISCOE Annual Conference themed '***Migration, Diversity and the City***' in Rotterdam.

The University of Edinburgh is hosting a [conference](#) on '***Movement and Migration in the Middle East: People and Ideas in Flux***', 5-7 July 2017.

On 6 October 2017 a ESIL-ECTHR conference [will take place in](#) Strasbourg titled '***Migration and the European Convention on Human Rights***'.

NEWSFLASH

On 7 February 2017, Advocate General Mengozzi will deliver his Opinion in the Belgian [reference](#) for a preliminary ruling by the CJEU regarding the [question](#) whether a Member State can also be obliged to issue a humanitarian visa when so requested in one of its embassies or consulates abroad. On 31 January 2017, the CJEU [ruled](#) that an application for asylum can be rejected if the asylum seekers has participated in the activities of a terrorist network.

In the US, President Trump has issued a controversial [executive order](#) 'Protecting the Nation from Foreign Terrorist Entry into the United States' which is arguably [at variance with](#) international human rights and refugee law. The UN-IOM and UNHCR also reacted earlier with a [joint statement](#).

CALL FOR PAPERS AND ARTICLES

The *Forced Migration Review* is preparing an issue covering the variety of **shelter and settlement responses** for displaced people. The [deadline for submission](#) of articles (max. 2500 words) is 13 February 2017.

The *German Law Journal* has issued a [call for papers](#) for a special issue on ***Constitutional Identity in the Age of Global Immigration***. Deadline is 15 February 2017.

The *8th Tensions of Europe Conference* (7-10 September 2017) has published its [call for papers](#) on '**Borders and Technology**' which closes on 15 February 2017.

The [call for papers](#) for the Migration Conference at the Lincoln Law School of 10 April 2017 in Lincoln (UK) is open until 20 February 2017. The theme is ***Spaces and Places of the Journey to the UK: Assessing the Legal Framework for People Fleeing Conflict***.

A call for papers is [open](#) for the ***International Interdisciplinary Conference on Refugee and Forced Immigration Studies in Social Sciences, Humanities and Art***, taking place on 29-30 September 2017, Istanbul.

The [Interest Group on Migration and Refugee Law](#) (MigRefLaw) is one of the interest groups of the [European Society of International Law](#). The IG focuses on the law and policy of states and international organisations with regard to people who seek entry to their communities. The movement of people across borders is a defining reality of our time. This IG aims to provide a forum for discussion on the the legal principles and processes governing the movement of people as well as their reception in host communities. By doing so, the group hopes to build a shared knowledge base among ESIL members interested in migration and refugee law.