

## Interest Group on Migration and Refugee Law



### Newsletter No. 9 (June 2016)

#### CONTENT

- Mission statement of the new coordinating committee
- Interest Group event
- Publications by members
- News from around the world
- Events and call for papers
- Vacancies and internships

#### MISSION STATEMENT OF THE NEW COORDINATING COMMITTEE

Dear IG members,

This newsletter is the first of many under the newly elected Coordinating Committee. We would like to wholeheartedly thank **Evelien, Isabelle and Lisa** for bringing this IG to life in 2013 and establishing it as a central hub for academics interested in migration and refugee law with a member body of 181 and growing.

Under our term as Coordinating Committee members, we would like to further establish the IG's reach within academia and to appeal to

students and practitioners alike.

We want to keep bringing you the latest of what is going on in academia through our blog platform, by sharing recently published work of our members, and through the announcement of conferences and workshops via the newsletter.

Migration and refugee law and practice is undergoing change rapidly, not least in Europe and at its borders. Therefore our newsletter will keep feeding you with news about recent developments in *inter alia* politics and the court rooms. To take stock of events, the IG will organize a conference in course of 2017.

We are also pleased to invite you to the **AAIL-ESIL conference on International Legal Aspects of Migration – African and European Perspectives** which will take place on 14 October 2016 in The Hague. The conference will address foundational issues, such as diverging refugee definitions and the drivers of irregular migration, the adequacy of the current legal framework, including criteria to be employed in making a 'safe third country' determination, and more topical problems pertaining to the impact of current EU policies on migrants and refugees, as well as multilateral efforts to ameliorate or prevent refugee crises *ab initio*. Attendance will be free of charge and

open to the public. Further details, including program updates, will be posted to our Interest Group's website (our blog) once they become available.

The IG thrives by the engagement and contributions of its members. We therefore welcome suggestions and input to our newsletters and events. We hope to meet you in Riga at the ESIL Annual Conference in September where we will also organize a business meeting for our IG members.

Kristof, Tamás and Tom

## RECENT PUBLICATIONS BY MEMBERS

Mariana Gkliati [posted](#) 'Proud to Aid and Abet Refugees: The Criminalization of "Flight Helpers" in Greece' in *Border Criminologies* on 23 May.

Ekaterina Yahyaoui has an [article](#) 'Considering time in migration and border control practices' forthcoming in the *International Journal of Migration and Border Studies* and wrote a [brief](#) on private sponsorship of refugees.

*Migration in the Mediterranean - Mechanisms of International Cooperation* which critically examines how institutional actors act and interact at the international scene to manage migration [appeared](#) at Cambridge University Press and was edited by IG members Francesca Ippolito and Seline Trevisanut.

Tamás Molnár took stock of [60 years of protecting stateless persons and new tendencies](#) in *Reconceptualising the Rule of Law in Global Governance, Resources, Investment and Trade*, edited by Photini Pazartzis and Maria Gavouneli at Hart Publishing. He also [published](#) in the Hungarian Yearbook of International Law on the Constitutional Court's decision on the compatibility of the Hungarian statelessness determination procedure with international law.

## NEWS FROM AROUND THE WORLD

### Europe

Earlier in April, the European Commission issued a [communication](#) on reforming the Common European Asylum System. Having already initiated proposals on *inter alia* Dublin, Eurodac, and a European Border and Coast Guard, it is now aiming to launch detailed proposals on 7 July 2016 for a new recast Reception Conditions Directive as well for turning the Asylum Procedures Directive and the Qualification Directive into Regulations. More recently, the Commission also [released](#) a communication on a

## INTEREST GROUP EVENT AT THE ESIL ANNUAL CONFERENCE, RIGA

On Thursday, 8 September 2016, the IG will convene a business meeting from 18.00 to 19.00 in the wake of the [ESIL Annual Conference in Riga](#). After our business meeting all Conference participants are invited to a reception at Riga Castle at 20:00.

Note also that in the framework of the ESIL Annual Conference there will be a forum dedicated to "The Refugee (Law) Crisis" on Friday, 9 September from 9:00 to 10:30. Speakers are Elspeth Guild, Nils Muižnieks, Boldizsár Nagy and Madeline Garlick. Chair of the forum will be Alice Edwards.

reform of the Blue Card scheme and presented its Action Plan on Integration. A reform of the Return Directive, as well as an EU legislative instrument on resettlement are being contemplated.

The first inadmissibility decisions under the amended Greek Law have been

## VACANCIES AND INTERNSHIPS

### *Vacancies*

Check inter alia [UNHCR](#)'s and [IOM](#)'s websites for vacancies. There are also a few [vacancies](#) open at the International Centre for Migration Policy Development.

### *Internships*

We will be on the lookout for internship positions for students and other people new to the field. Currently, the Migration Policy Institute is [accepting applications](#) for internships until 1 July 2016 for the Fall Semester.

[successfully appealed](#) in the wake of the implementation of the EU-Turkey deal which uses the 'first country of asylum' and 'safe third country concepts to return Syrians back to Turkey. The quashing of the decisions comes at a bad time for the EU politicians as the EU-Turkey deal has [already come under a lot of pressure](#).

On 22 June 2016 the Grand Chamber of the European Court of Human Rights in Strasbourg held a [hearing](#) in the case of *Khlaifia v. Italy* in which a Chamber previously found a violation of the prohibition of collective expulsion as well as a violation of Article 3 ECHR while the applicants – three Tunisians – were held in *Contrada Imbriacola*, an Early Reception and Aid Centre.

### *Asia-Pacific*

On May 28, 68 Syrian refugees [arrived](#) in Kuala Lumpur out of 3000 Malaysia aims to receive, while Vietnam [jailed four](#) asylum seekers returned by Australia. Meanwhile, the migration and refugee theme is starting to [weigh in](#) on the Australian federal elections which will take place on 2 July 2016, with contender [Bill Shorten](#) of the Labor Party also seemingly in favor of offshore processing of asylum seekers and resettlement in countries other than Australia.

### *Americas*

According to the Washington Times, on 23 May the US State Department has set [a new single-day record](#) for Syrian refugee approvals. Meanwhile, Donald Trump kept [railing against 'illegal migration'](#) during his campaign.

## EVENTS AND CALL FOR PAPERS

### *Conferences*

The first annual conference of the Refugee Law Initiative on ["The Future of Refugee Law"](#) will take place between 29 June and 1 July 2016 in London.

The [#StatelessKids Youth Congress 2016](#) organized by the European Network on Statelessness will take place from 11 to 13 July 2016 in Brussels.

The 16<sup>th</sup> edition of the [Summer School on EU Immigration and Asylum Law Policy](#) organized by the Odysseus Network will take place between 4 and 15 July 2016 in Brussels.

#### *Call for papers*

The 11<sup>th</sup> Annual Centre for Refugee Studies Student Caucus Conference will be held from 23-24 September 2016, [focussing on](#) the production of forced migration. Deadline for abstracts (250 words) is 30 June 2016.

The Centre for Southeast European Studies at the University of Graz, Austria is organizing a conference titled "[Unsettled Europe](#): Refugees, states and politics in Southeastern Europe" and will take place in Graz from 27-29 January 2017. Abstracts (max. 300 words) are to be submitted by 20 September 2016.

The Nordic Journal of Migration Research has launched a [call for proposals](#) for special issues for 2018. Deadline is 15 July 2016.

From 6-10 April 2017, the University of Birmingham is organizing a conference on '[Heritages of Migration](#)' in Buenos Aires, Argentina, encouraging a provocative dialogue across disciplines. Abstracts (300 words) are to be submitted no later than 14 October 2016.

#### *Other events*

Within the Council of Europe, a [Committee of experts on Administrative detention of migrants](#) (CJ-DAM) had its first meeting between 23 and 25 May 2016 in Strasbourg. The CJ-DAM, working under the authority of the European Committee on Legal Co-operation, is instructed to codify existing international standards relating to the conditions in which migrants are to be held in closed administrative centres and, as appropriate, in other places of non-penal detention in the form of a recommendation for the Committee of Ministers. Further meetings are envisaged until the end of 2017, when the codifying instrument (recommendations) will be adopted by the Committee of Ministers.

The European Law Institute (ELI) recently started running [a project](#) on the "detention of asylum seekers and irregular migrants and the rule of law". The project aims to contribute to developing a harmonised approach to application of the common standards and effective implementation of the rule of law in detention cases of asylum seekers and third country nationals.

The REDIAL project which stands for the 'Return Directive Dialogue' has [produced its first outcomes](#). The project is coordinated by the EU's Migration Policy Centre and is funded by the European Commission. Its main purpose is to enhance the effective implementation of the Return Directive (2008/115/EC) through judicial cooperation among courts from all EU Member States.

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 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.