The Centre for Migration Law is an interdisciplinary research institute and part of “SteR”, the research Centre for State and Law of the Faculty of Law of Radboud University Nijmegen, The Netherlands
Further information:
dr. Karin Zwaan, Coordinator
Centre for Migration Law
Faculty of Law
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Website http://www.ru.nl/law/cmr
Activities and research
2013 - 2015

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General Information

Migration Law in Nijmegen

The Centre for Migration Law of the Radboud University Nijmegen exists since 1995. It currently includes 25 experts, some in law and others in the social sciences, with a commitment to migration and minority law. Most members are staff of the Law Faculty at the University. Also one participant is from the Faculty of Management Sciences. They cover a wide range of different disciplines, such as sociology of law, EU law, human rights law, international law, private international law and law and information technology. The one thing which all participants have in common is an interest in research work, both legal and empirical, on either migration or minority law.

Purpose

The purpose of the Centre is to provide a forum for exchange of ideas and discussion on issues surrounding migration and minority protection. The work carried out by participants of the Centre is part of its long term research strategy which focuses on migration and minority issues in a European context, be that the European Union, Council of Europe or OSCE. Much of the research undertaken by participants of the Centre has a comparative element, either comparing approaches of different national legal systems in the context of international obligations in the two fields, or more widely analysing regional legal systems. The Centre has an important public and international presence. The senior participants are all internationally renown for their work in the field of migration and minorities. They have carried out research or consultancy work for international organisations such as the European Commission, the Council of Europe, the UNHCR, the International Organisation for Migration, the UN Centre for Human Rights, Amnesty International and the European Council on Refugees and Exiles. The younger participants are publishing widely and establishing themselves as important experts in these two fields. The Centre for Migration Law, Radboud University of Nijmegen, has a substantial reputation in the field of migration and minority rights as a result of the experts who have gathered here.

The Centre has long-term collaborative arrangements with the Research Centre for Institutional Behaviour and European Integration at the Austrian Academy of Sciences, the European Centre for Social Welfare Policy and Research in Vienna (Austria), the Centre for European Policy Studies (Belgium), the Danish Institute for Human Rights in Copenhagen (Denmark), the Research Centre for International and European Immigration and Asylum Law at the University of Constance (Germany), the Institute of Political Science in Paris (France), the London School of Economics (UK), the University of Huelva (Spain) and the Odysseus Network of Experts in European Migration and Asylum Law. Its members also participate in the Centre for the History of Migrants and the Asia- Europe Foundation (ASEF).
From 2004-2104 the Centre co-ordinated the European Network on Free Movement of Workers within the European Union funded by the European Commission. This Network produced each year 27 national reports on the developments regarding the freedom of workers in the Member States and a European report, based on a comparative analysis of the national reports. The national reports and the European report are published on the website of the European Commission (http://ec.europa.eu/social/main.jsp?langId=en&catId=475) and also on the CMR website.

Members of the Centre are involved in academic teaching, both at the Law Faculty itself and outside the University. The ‘Stichting Studiecentrum Rechtspleging’, the institute responsible for the legal training of Dutch judges, is a frequently visited partner in this respect.

Seminars of the Centre

Over the past years the Centre has organised numerous conferences. On 28 February 2013 a Seminar on Family Reunification Policies took place. On 16 April 2013 an international seminar on Judicial Scrutiny and Credibility Assessment in Asylum Procedures took place in cooperation with the International Association of Refugee Law Judges. Also a conference on Islamic Family Law was hosted from 19-21 June 2013. The CMR completed a research about the multi-layered structure of migration law, which was presented at the Ministry of Justice in April 2013 and during a seminar on the 20th of September 2013. Transnational families, migration and the law, was the topic of an international seminar that took place on 18 February 2014.

The Centre also holds seminars every six weeks throughout the academic year. The purpose of these seminars is to provide a venue for discussion and exchange of information on activities within the Centre. At each meeting recent work in the field is presented and discussed. The series enables researchers who are either part of the Centre or invited guests to present their work or the work of others and benefit from expert reaction and discussion of the issues. A balance is maintained between providing a service to participants in the Centre for airing work under development at the Centre itself and stimulating contact with researchers working in the two fields elsewhere by inviting them to present their work here.

In 2013 and 2014 – among others – the following seminars were held: Jeremy Bierbach (legal advisor on immigration and PhD researcher at the University of Amsterdam) gave a presentation on his PhD research on ‘How national immigration law contaminates freedom of movement for EU citizens: resolving paradoxes of equality’. Tamara Butter (PhD researcher Centre for Migration Law) gave a presentation on her PhD research entitled: ‘The provision of legal aid in asylum procedures: a comparative case study in the Netherlands, the UK and France’. During another seminar professor dr. Alberto Achermann (University of Bern, Centre de droit des migrations (CDM), Switzerland) gave a presentation on: ‘Migration Regulation by National States in an Area of Free Movement of Persons - The -Special Case of Switzerland’. Carsten Hörich (research assistant, Martin-Luther-Universität Halle-Wittenberg Juristische und Wirtschaftswissenschaftliche Fakultät, Germany) presented his research on the Return Directive; ‘Directive of Shame or key instrument for individual guaranties?’
Activities and Research 2013 - 2015

Ellen Nissen (researcher, Centre for Migration Law) presented her research: ‘Immigration judges and children’s rights: a proposal for further research’. Dr. Tomasz Dubowski and dr. Agnieszka Piekutowska (Department of European Law, Faculty of Law, University of Bialystok, Poland) presented the outcome of their research on ‘Local border traffic and the Polish part of the EU external border.’

Structure

The Centre is made up of staff members from five departments in the law faculty (Institute for Sociology of Law, Migration Law, International and European Law, Private International Law and Social Law). The Centre for Migration Law forms part of the Centre for State and Law (known in the Netherlands by its Dutch abbreviation ‘SteR’ (Staat en Recht). The Centre is managed by a Board, consisting of five persons plus a coordinator.

Members of the Board

Participants in the Centre

- dr. Anita Böcker
- Tamara Butter
- Marija Davidović
- Nora Dörrenbächer
- prof. dr. Roel Fernhout
- Anoeshka Gehring
- prof. dr. Kees Groenendijk
- dr. Carolus Grütters
- prof. dr. Elspeth Guild
- prof. dr. Betty de Hart
- dr. Tetty Havinga
- Miriam Kullmann
- Sandra Mantu
- dr. Paul Minderhoud
- Ellen Nissen
- dr. Eva Rieter
- Ralph Severijns
- dr. Nadia Sonneveld
- dr. Tineke Strik
- Simon Tans
- prof. dr. Ashley Terlouw
- dr. Nena Trifunovska
- dr. Paul Vonken
- prof. dr. Henri de Waele
- dr. Karin Zwaan
Activities and Research 2013 - 2015

Activities and Research of the Centre 2013 - 2015

Teaching Activities

Members of the Centre have been involved in the following regular teaching activities:
• Dutch migration law (Master’s course, taught in Dutch)
• European Migration Law (Master’s course, taught in English)
• European and Comparative Refugee Law (Master’s course, taught in English)
• Rota Administrativa: Aliens Chamber (Bachelor’s course, taught in Dutch)

Journals and Regular Publications

  Contact: the editors Elspeth Guild, Paul Minderhoud and Ryszard Cholewinski.
• Rechtspraak Vreemdelingenrecht: yearbook on immigration law edited by members of the Centre since 1975, jointly with researchers of Utrecht University, Leiden University (Instituut voor Immigratierecht) and the Vrije Universiteit of Amsterdam. The yearbook is published by Ars Aequi. Kees Groenendijk and Paul Minderhoud are on the editorial board of the yearbook and contribute to it on a regular basis. Karin Zwaan is one of the editors of the yearbook. Contact: Karin Zwaan
• A book series on European Immigration and Asylum law and Policy; published by Brill, under the imprint of Martinus Nijhoff.
  Contact: Elspeth Guild
• Newsletters:
  Newsletter on European Migration Issues (NEMIS); cmr.jur.ru.nl/nemis
  Newsletter on European Asylum Issues (NEAIS); cmr.jur.ru.nl/neais
  Overview of CJEU judgments and pending cases
  Contact: Carolus Grütters
# Centre for Migration Law

## Research Projects finished in 2013-2014

<table>
<thead>
<tr>
<th>Title &amp; Description</th>
<th>Researchers</th>
<th>Duration</th>
<th>Publications</th>
<th>Funding</th>
</tr>
</thead>
<tbody>
<tr>
<td>This research project constitutes a part of the large research programme “Transnationality and citizenship: new approaches to migration law”. It aims at examining how migration has been regulated in Dutch law since 1945. How has the regulation affected the relation between the state and individuals, with particular attention to class, ethnicity and gender? To what extent has the legal regulation reached its explicit aims? How can the developments be explained?</td>
<td></td>
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<tr>
<td>This is a multidisciplinary project involving 21 universities across Europe examining new regimes and practices of security (with a particular focus on the emerging interface between internal and external security) and their relation to civil liberties, human rights and social cohesion.</td>
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<tr>
<td><strong>Co-ordination of a European Network on Free Movement of Workers within the European Union</strong></td>
<td>Roel Fernhout, Kees Groenendijk, Elspeth Guild, Paul Minderhoud</td>
<td>2004-2013</td>
<td>reports</td>
<td>European Commission</td>
</tr>
<tr>
<td>This project concerns the co-ordination of 27 national reports on the developments regarding the freedom of workers in the individual Member States, the writing of a European report, an ECJ case law report and the organization of an annual conference.</td>
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<tr>
<td><strong>Transnational families between Dutch and Islamic family law. A study on transnational juridical space</strong> (Transnationale gezinnen tussen Nederlands en islamitisch familierecht. Een studie over transnationale juridische ruimte)</td>
<td></td>
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<tr>
<td>The purpose of this study is – from a bottom up perspective – to research family law in daily life of transnational families. Research will be in the Netherlands, Morocco and Egypt.</td>
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<td></td>
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</tbody>
</table>
Activities and Research 2013 - 2015

<table>
<thead>
<tr>
<th>Researchers</th>
<th>Jessica Carlisle, Friso Kulk, Iris Sportel</th>
</tr>
</thead>
<tbody>
<tr>
<td>Supervision</td>
<td>Betty de Hart and Ashley Terlouw</td>
</tr>
<tr>
<td>Duration</td>
<td>2008-2013</td>
</tr>
<tr>
<td>Publications</td>
<td>books and articles (including the finished PhDs under nrs. 3 and 5)</td>
</tr>
<tr>
<td>Funding</td>
<td>NWO Vidi (Netherlands Organisation for Scientific Research)</td>
</tr>
</tbody>
</table>

5. Title & Description  
*Dual Nationality: Changing Perspectives on Individual and State*

The aim of the study is to describe ideology (political debate and legal rules) and practice (statistics and interviews with migrants) and to see to what extent similarities and differences between three countries (Netherlands, Germany and United States) and within those countries can be explained by changing perspectives on the relationship between individual and state on the one hand, and of gender and ethnicity on the other hand.

<table>
<thead>
<tr>
<th>Researchers</th>
<th>Betty de Hart</th>
</tr>
</thead>
<tbody>
<tr>
<td>Supervision</td>
<td>Kees Groenendijk and Thomas Spijkerboer</td>
</tr>
<tr>
<td>Duration</td>
<td>2002-2013</td>
</tr>
<tr>
<td>Publications</td>
<td>book and articles</td>
</tr>
<tr>
<td>Funding</td>
<td>NWO (Netherlands Organisation for Scientific Research)</td>
</tr>
</tbody>
</table>

6. Title & Description  
*Family Reunification – a barrier or facilitator of integration?*

The project conducts research on policies, practices, and legislation on family reunification in seven EU Member States - with a particular focus on family reunification as a tool for the integration of immigrants and their families.

<table>
<thead>
<tr>
<th>Researchers</th>
<th>Betty de Hart, Tineke Strik, Ellen Nissen</th>
</tr>
</thead>
<tbody>
<tr>
<td>Duration</td>
<td>2011-2013</td>
</tr>
<tr>
<td>Publication</td>
<td>report</td>
</tr>
<tr>
<td>Funding</td>
<td>INTI/European Commission</td>
</tr>
</tbody>
</table>

7. Title & Description  
*Integration of Highly Skilled Third Country Nationals in Europe: A New Proposal for Circular Talent Management (with the University of Comillas, Madrid)*

The project has been approved under the European Integration Fund, call for proposals 2010. Its main aim is to define integration processes adapted to different highly skilled immigration patterns and the socio-economical needs of European countries, on the basis of a multidisciplinary discussion/thinking on the relation among admission policies, integration of highly skilled third country nationals in EU countries and circular talent management.

<table>
<thead>
<tr>
<th>Researchers</th>
<th>Elspeth Guild, Paul Minderhoud, Ricky van Oers</th>
</tr>
</thead>
<tbody>
<tr>
<td>Duration</td>
<td>2011-2013</td>
</tr>
<tr>
<td>Publication</td>
<td>report</td>
</tr>
<tr>
<td>Funding</td>
<td>INTI/European Commission</td>
</tr>
</tbody>
</table>
### 8. Title & Description

*The Reconceptualization of EU citizenship - Jean Monnet workshops*

The project comprises three research streams: 1. Citizenship of the EU and European identity: Immigration, access to nationality in the member states and a common European identity; 2. The boundaries of identity in the EU: mobility, equality and social rights and 3. When EU citizens become foreigners: security of residence for EU citizens before and after Directive 2004/38. In reconceptualising European Union citizenship, this research project shall take into account the complexities of the topic by using a set of different theoretical assumptions to assess the processes of reconceptualization and to foster the development of multidisciplinary research frameworks that could be used as inspiration for other areas of European integration studies. Critical legal studies, sociology, political theory and international relations all offer stimulating insights into the manner in which the processes of transformation of EU citizenship can be mapped out.

**Researchers**
Elspeth Guild, Cristina Gortazar, Dora Kostakopoulou, Paul Minderhoud, Sandra Mantu

**Duration**
2011-2013

**Publications**
working-papers, workshops, book

**Funding**
Jean Monnet

### 9. Title & Description

*Network of socio-economic experts in the anti-discrimination field, the SEN Network*

The objective of the Network of Socio-Economic Experts in the Non-Discrimination Field (SEN) is to analyse national situations and policy developments with regard to discrimination on the grounds of age, disability, ethnic or racial origin, sexual orientation, religion or belief and multiple grounds. SEN is one of the networks facilitated by the PROGRESS programme. It provides the Commission with independent expertise and advice and up-to-date information. The country experts of SEN write two reports per year. Topics covered so far include: Ethnic minorities, migrants and employment; Non-discrimination mainstreaming; The economic case for anti-discrimination.

**Researchers**
Anita Böcker and Ashley Terlouw

**Duration**
2010-2013

**Publications**
national reports

**Funding**
European Commission

### 10. Title & Description

*Multi-layered structure of migration law (Gelaagdheid van regelgeving)*

Dutch migration law contains many delegation and facultative provisions. Dutch alien regulation contains (at least) four layers of regulation. In this research this layered structure is investigated in historical perspective and compared with other branches of administrative law. This research answers the following questions: Why is this the case and what are the consequences?
How is this compared to other fields of administrative law? Furthermore, a comparison is made with other EU Member States regarding the existence of such layers in alien law.

Researchers: Ashley Terlouw, Anita Böcker, Carolus Grütters, Ricky van Oers
Duration: 2013
Publications: report, book
Funding: WODC (Scientific Research- and Documentation Centre)

11. Title & Description: Association Agreement EEC-Turkey
Research with a view on the implementation of the Association agreement in Dutch law.
Researchers: Kees Groenendijk, Marieke Vreeken, Tineke Strik
Duration: 2013
Publication: report
Funding: Inspraak-orgaan Turken in Nederland (IOT is a national organisation representing Turkish immigrants in the Netherlands)

12. Title & Description: Quality of the provision of legal aid in immigration cases
The project was commissioned by the Presidents of the Netherlands Bar Association (NOvA) and concerned a pilot study into the quality of legal aid provided by lawyers in immigration cases.
Researchers: Tamara Butter, Miek Laemers, Ashley Terlouw
Publication: report
Duration: 2013-2014
Funding: Presidents of the Netherlands Bar Association (NOvA)

13. Title & Description: Access to citizenship and its impact on immigrant integration (ACIT)
Access to citizenship and its impact on immigrant integration is a follow up on the EUDO-project.
Researchers: Anita Böcker and Ricky van Oers
Publication: country-report
Duration: 2013
Funding: WODC (Scientific Research- and Documentation Centre)
# Current Research Projects

1. **Title & Description**  
*Developments regarding the Dutch Act on Restricting Export of Benefits*

This Act stipulates that the export of social security benefits will only be possible to countries, with which a social security treaty is concluded that guarantees sufficient control on the compliance. The compatibility of this Act with several international treaties is disputed.

**Researcher**  
Paul Minderhoud

**Duration**  
ongoing

**Publications**  
articles

**Funding**  
Law Faculty, Radboud University Nijmegen

2. **Title & Description**  
*BOOM Basic Migration Law*

In this project a basic book on Dutch migration law was written, aimed at providing an introduction to the legal framework of Dutch migration law for students and lawyers. The researchers are all expert in a certain field of migration law, which is reflected in the different chapters of this introductory book. The book is updated every two years.

**Researchers**  
Kees Groenendijk, Carolus Grütters, Betty de Hart, Anjo Hekman, Ricky van Oers, Miriam Kullmann, Tineke Strik, Roel Fernhout, Paul Minderhoud, Karin Zwaan

**Duration**  
ongoing, regular updating

**Publication**  
book

**Funding**  
Boom Juridische Uitgevers

3. **Title & Description**  
*Immigrant integration in Germany and the Netherlands*

This project compares the process of integration of immigrants in Germany and the Netherlands. Special attention is paid to the impact of host-society institutions on immigrant integration. A central hypothesis is that general policies and institutions have a more important impact than special integration policies.

**Researcher**  
Anita Böcker

**Publications**  
articles and book chapters

**Duration**  
ongoing

**Funding**  
Law Faculty, Radboud University Nijmegen

4. **Title & Description**  
*Commentary European Migration Law*

This commentary - written for Dutch legal practice – gives a legal analysis of the European Union Directives and Regulations on Migration. Topics which are dealt with are European law context, legislative history, jurisprudence and literature.

**Researchers**  
Carolus Grütters, Tineke Strik, Karin Zwaan and others

**Supervision**  
Kees Groenendijk

**Duration**  
ongoing, regular updating
<table>
<thead>
<tr>
<th>Publication</th>
<th>book</th>
</tr>
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<tbody>
<tr>
<td>Funding</td>
<td>Sdu Publishers (The Hague)</td>
</tr>
<tr>
<td>5. Title &amp; Description</td>
<td>The role of private international law in solving conflicts between the dominant Dutch legal culture and the legal culture of immigrant groups in the multicultural Dutch society</td>
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<tr>
<td>This research goes into the following questions: Which private international law instruments are available for dealing with issues of cultural diversity and social cohesion? What is the function of human rights and international legal principles?</td>
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<tr>
<td>Researcher</td>
<td>Paul Vonken</td>
</tr>
<tr>
<td>Duration</td>
<td>ongoing</td>
</tr>
<tr>
<td>Publications</td>
<td>book in the Asser Series and articles</td>
</tr>
<tr>
<td>Funding</td>
<td>Law Faculty, Radboud University Nijmegen</td>
</tr>
<tr>
<td>6. Title &amp; Description</td>
<td>The Refugee Law Reader</td>
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<tr>
<td>The Refugee Law Reader is a comprehensive on-line model curriculum for the study of the complex and rapidly evolving field of international refugee law. The Reader is aimed for the use of professors, lawyers, advocates, and students across a wide range of national jurisdictions. It provides a flexible course structure that can be easily adapted to meet a range of training and resource needs. The Reader also offers access to the complete texts of up-to-date core legal materials, instruments, and academic commentary</td>
<td></td>
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<tr>
<td>Researcher</td>
<td>Elspeth Guild</td>
</tr>
<tr>
<td>Duration</td>
<td>ongoing</td>
</tr>
<tr>
<td>Publication</td>
<td>the Refugee Law Reader</td>
</tr>
<tr>
<td>Funding</td>
<td>the European Refugee Fund and UNHCR</td>
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<tr>
<td>7. Title &amp; Description</td>
<td>Regulation of kosher and halal food</td>
</tr>
<tr>
<td>This project explores the governmental and non-governmental regulation of halal and kosher foods. Which actors are involved in kosher and halal food regulation? What is the division of roles between state actors, the food industry, certification agencies and religious authorities in these regulatory arrangements? The Netherlands, like other Western countries, is a growing market for halal food products, that is, food products that comply with Islamic food laws. Halal food is becoming more visible as Dutch supermarkets, hospitals and schools decide to include halal food in their supply. The increased visibility of halal food leaded to public discussion. The project involves a comparative analyse between the Netherlands and the United States.</td>
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<tr>
<td>Researcher</td>
<td>Tetty Havinga</td>
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<tr>
<td>Publications</td>
<td>articles and book chapters</td>
</tr>
<tr>
<td>Duration</td>
<td>ongoing</td>
</tr>
<tr>
<td>Funding</td>
<td>Law Faculty, Radboud University Nijmegen</td>
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</tbody>
</table>
8. Title & Description
*International protection considerations of Roma in Europe; the implementation of the Aznar Protocol*

On request of UNHCR two studies were carried out. One on the implementation of the Aznar Protocol in Europe. The purpose of this study is to analyse how the Aznar Protocol combined with the EU acquis (Qualification Directive) is being implemented by Member States, assess how this affects access to international protection for EU nationals and its application on the basis of international refugee law. The second paper analyses the international protection considerations of Roma in Europe.

<table>
<thead>
<tr>
<th>Researchers</th>
<th>Elspeth Guild, Ashley Terlouw, Carolus Grüters, Karin Zwaan</th>
</tr>
</thead>
<tbody>
<tr>
<td>Publications</td>
<td>reports and articles</td>
</tr>
<tr>
<td>Duration</td>
<td>2013-2014</td>
</tr>
<tr>
<td>Funding</td>
<td>UNHCR (United Nations High Commissioner for Refugees)</td>
</tr>
</tbody>
</table>

9. Title & Description
*Sharia in times of revolution*

With the Mubarak regime gone and the constitution suspended, many issues in post-revolutionary Egypt are up for discussion. The only field of law where the principles of the sharia still apply, family law and women’s rights have emerged as critical topics in the public and political debate. Whether and how these debates affect the judicial process in courts all over the country is the topic of a new research project by anthropologist Nadia Sonneveld, called Sharia in times of Revolution: A Longitudinal and Comparative Approach to the Role of Islamic Law in Egypt.

<table>
<thead>
<tr>
<th>Researcher</th>
<th>Nadia Sonneveld</th>
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<tbody>
<tr>
<td>Publications</td>
<td>book and articles</td>
</tr>
<tr>
<td>Duration</td>
<td>2013-2017</td>
</tr>
<tr>
<td>Funding</td>
<td>NWO (Netherlands Organisation for Scientific Research)</td>
</tr>
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</table>

10. Title & Description
*Evaluating the improved Dutch asylum procedure*

In 2010 a new improved asylum procedure was introduced in the Netherlands. After three years an evaluation of this new procedure is carried out by the Centre for Migration Law.

<table>
<thead>
<tr>
<th>Researchers</th>
<th>Ashley Terlouw, Anita Böcker, Miek Laemers, Tineke Strik, Carolus Grüters, Karin Zwaan</th>
</tr>
</thead>
<tbody>
<tr>
<td>Publication</td>
<td>report</td>
</tr>
<tr>
<td>Duration</td>
<td>2014</td>
</tr>
<tr>
<td>Funding</td>
<td>WODC (Scientific Research- and Documentation Centre)</td>
</tr>
</tbody>
</table>

11. Title & Description
*Researching multilingually: at the Borders of Law, Health, Conflict and State Security*

The Arts and Humanities Research Council Translating Cultures Program awarded one of its three large grants of £2 Million to the project, lead by professor Alison Phipps, University of Glasgow. An international team of researchers with different disciplinary backgrounds, research experiences,
Activities and Research 2013 - 2015

different languages and performance skills will conduct international comparative research on translation and interpretation at different kinds of border in order to develop theory, ethical research practices and research methodologies in relation to multilingual research. The project has two overarching aims:

1) to research interpreting, translation and multilingual practices in challenging contexts, and, 2) while doing so, to evaluate appropriate research methods (traditional and arts based) and develop theoretical approaches for this type of academic exploration.

Researchers  Karin Zwaan and Sarah Craig
Publications  report, articles, book
Duration  2014-2017
Funding  Scottish Arts and Humanities Research Council (AHRC)
Centre for Migration Law

Finished Dissertation Research Projects

1. Title & Description  
Citizenship Tests in Germany, the Netherlands and the UK  
This research concerns the reasons for the introduction and effects of language and integration tests as a condition for citizenship in Germany, the Netherlands and the UK. To find out the reasons for the introduction of the citizenship tests, parliamentary debates leading up to the amendment of the Dutch, German and British nationality laws will be analysed. In order to analyse the effects of the tests, interviews will be conducted with persons who are concerned with the exam (candidates, municipal officials, members of immigrant organisations, etc.) in all three countries. Furthermore, statistics on naturalisation and the tests will be examined. Lastly, an analysis of the content of the various tests will be conducted, to answer the question what knowledge is required to become a Dutch, German or British citizen.

Researcher Ricky van Oers  
Supervision Kees Groenendijk and Betty de Hart  
Duration 2007-2013, defense 1 March 2013  
Funding Centre for Migration Law, Radboud University Nijmegen

2. Title & Description  
Full jurisdiction or marginal review?  
This research focuses on the requirements for effective judicial remedies, the intensity and scope of judicial review and the investigative obligations of judges in asylum expulsion cases under international and EU asylum law: the Refugee Convention, ICCPR, CAT, ECHR, and EU secondary asylum legislation.

Researcher Dana Baldinger  
Supervision Kees Groenendijk and Elspeth Guild  
Duration 2008-2013, defense 16 April 2013  
Funding Centre for Migration Law, Radboud University Nijmegen

3. Title & Description  
Parents and children between Dutch, Egyptian, and Moroccan family law (Ouders en kinderen in transnationale gezinnen tussen Nederlands en islamitisch familierecht)  
This research studies how parents in Egyptian-Dutch and Moroccan-Dutch transnational families deal with family law. In what ways do parents in transnational families use the different family law systems that apply to them when creating the legal relationship with their children? Which factors influence the ways in which parents in transnational families use family law? The research combines insights and methodologies from sociology of law with legal scholarship in three different countries (Egypt, Morocco and the Netherlands). It has a clear empirical component that consists of around fifty qualitative interviews with parents living in the three countries. The research aims at generating more insight in the role of family law in the everyday lives of transnational families by studying the interaction between Dutch, Egyptian, and Moroccan family law from a bottom-up perspective.
Activities and Research 2013 - 2015

<table>
<thead>
<tr>
<th>Researcher</th>
<th>Friso Kulk</th>
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</thead>
<tbody>
<tr>
<td>Supervision</td>
<td>Betty de Hart, Ashley Terlouw, Leon Buskens</td>
</tr>
<tr>
<td>Duration</td>
<td>2008-2013, defense 7 October 2013</td>
</tr>
<tr>
<td>Funding</td>
<td>NWO (Netherlands Organisation for Scientific Research)</td>
</tr>
</tbody>
</table>

4. Title & Description  
**Sovereignty, Autonomy and Right Human Rights Law and the International Effort to Seek Justice for Romani Women Coercively Sterilized in the Czech and Slovak Republics**

In this research Cahn examines the impact of the international human rights law framework on national sovereignty and human autonomy. Questions are posed as to the ability of the human rights order to live up to its promise of dignity, where persons live under conditions of extreme stigma and exclusion, in atomized, pariah situations. One particular case study is examined in detail: the efforts by Romani women in the Czech Republic and Slovakia to secure due legal remedy for acts of coercive sterilization.

<table>
<thead>
<tr>
<th>Researcher</th>
<th>Claude Cahn</th>
</tr>
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<tbody>
<tr>
<td>Supervision</td>
<td>Kees Groenendijk and Elspeth Guild</td>
</tr>
<tr>
<td>Duration</td>
<td>2008-2013, defense 14 January 2014</td>
</tr>
<tr>
<td>Funding</td>
<td>Centre for Migration Law, Radboud University Nijmegen (external PhD)</td>
</tr>
</tbody>
</table>

5. Title & Description  
**Transnational divorce**

The aim of the research will be to explore the working and meaning of family law in everyday life of transnational families. It will focus on divorce and the ways members of Dutch-Moroccan and Dutch-Egyptian families use their agency in dealing with the interaction or collision of different family law systems. Legal analysis will be combined with qualitative empirical research in Morocco, Egypt and the Netherlands.

<table>
<thead>
<tr>
<th>Researcher</th>
<th>Iris Sportel</th>
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<tbody>
<tr>
<td>Supervision</td>
<td>Betty de Hart, Ashley Terlouw, Willy Jansen</td>
</tr>
<tr>
<td>Duration</td>
<td>2008-2013, defense 18 February 2014</td>
</tr>
<tr>
<td>Funding</td>
<td>NWO (Netherlands Organisation for Scientific Research)</td>
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6. Title & Description  
**Privatization of Immigration Control: A Socio-legal Study into the Role of Private Transport Companies**

This study focuses on the consequences of the involvement of private transport companies in the process of immigration control. What are the legal and empirical consequences of privatization of immigration control for the mutual relations between the state (i.e. the immigration authorities), private companies and individual passengers?

<table>
<thead>
<tr>
<th>Researcher</th>
<th>Sophie Scholten</th>
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<tbody>
<tr>
<td>Supervision</td>
<td>Paul Minderhoud and Kees Groenendijk</td>
</tr>
<tr>
<td>Duration</td>
<td>2004-2013, defense 21 March 2014</td>
</tr>
<tr>
<td>Funding</td>
<td>NWO (Netherlands Organisation for Scientific Research)</td>
</tr>
</tbody>
</table>
Currently available dissertation research projects:

1. Title & Description
   Enacting European Citizenship: State Acts of Depriving Citizenship
   The aims of this project are to examine enacting citizenship through formal mechanisms in a selection of member states on deprivation of citizenship and understand the changes in capacity to enact citizenship inherent in state actions depriving individuals of citizenship. In recent years, several MS have changed their legislation in order to ease the conditions for loss of citizenship. The power to set down rules on who is entitled to be a citizen is seen as one of the most important prerogatives of national sovereignty. Within the EU this is acknowledged by the fact that the Union has no powers regarding the nationality laws of its Member States and up to now, there has been no explicit attempt to change this situation. However, the matter of who is a citizen of the Member States has a Union dimension, since only nationals of the Member States are also Union citizens capable of accessing a set of community rights throughout the territory of the Union.

   Researcher: Sandra Mantu
   Supervision: Elspeth Guild and Paul Minderhoud
   Duration: 2008-2014, defense scheduled for 19 June 2014
   Funding: European Commission, Framework VII

2. Title & Description
   Codes and covenants: (self-)regulation of student migration to Europe
   The central questions of the research is: What are the differences between self-regulation versus government regulation on the operation of the Student Directive, in relation to the duration of the admission procedure and the quality assurance and positioning of the educational sector? How do the costs relating to the student migration (tuition fees and legal fees) affect the student mobility? What circumstances determine the choice of self-regulation rather than government regulation? Does self-regulation by the conclusion of a covenant shorten the admission procedure more effectively than legal rules would do? Leads self-regulation by developing a code of conduct to better results in respect of the quality assurance and positioning of the education sector?

   Researcher: Arno Overmars
   Supervision: Roel Fernhout and Michiel Herweijer
   Duration: 2010-2014
   Funding: Faculty of Management Sciences/Law Faculty

3. Title & Description
   Service provision and migration: changing norms in EU law, international trade regulation and Dutch and UK immigration rules
   The liberalisation of trade in services is an important objective of the European Union. The so-called Bolkestein Directive which has been adopted in December 2006 is only the most recent manifestation of the implementation of this important free movement right. At the international level the Doha...
Activities and Research 2013 - 2015

Round of negotiations on widening the scope of the General Agreement on Trade in Services also seeks to achieve a similar opening up of service provision internationally. However, service provision includes the movement of persons, either as service providers or employees of service providers across international borders. This study focuses on the consequences of EU and international measures on service provision for Dutch and UK immigration rules. What are the legal and empirical consequences of service provision liberalisation on Dutch and UK immigration law and policy?

Researcher: Simon Tans
Supervision: Elspeth Guild and Paul Minderhoud
Duration: 2008-2014
Funding: NWO (Netherlands Organisation for Scientific Research)

4. Title & Description: Pensioners on the move
This research compares Turkish, Spanish and Dutch pensioners who move or return to Spain or Turkey after their retirement. Retirement migrants are migrating at a time in their life when social security becomes increasingly important. Consequently, seeking access to both public and private social security provisions and resources, in the country where they spent their working life and/or the country of retirement, can be highly important for them. The focus of this research is therefore on the ways in which retirement migrants arrange their social security and on the ways in which the relevant national and EU legal framework – concerning social security law, migration law and citizenship law – facilitate or impede access to social security provisions.

Researcher: Anoeshka Gehring
Supervision: Elspeth Guild and Anita Böcker
Duration: 2011-2015
Funding: Centre for Migration Law, Radboud University Nijmegen

5. Title & Description: Legal Aid in Asylum Procedures
This research project is a comparative case study into the provision of legal aid in asylum procedures in the Netherlands, England and France. It examines whether and to what extent the differences and similarities concerning the conduct and decision-making of legal aid providers in these countries can be explained by the national institutional context (i.e. the functioning of the asylum procedure and legal aid system) in which the legal aid providers operate.

Researcher: Tamara Butter
Supervision: Ashley Terlouw, Mies Westerveld, Tineke Strik
Duration: 2011-2016
Funding: Centre for Migration Law, Radboud University Nijmegen and Dutch Legal Aid Board (Raad voor de Rechtsbijstand)
6. Title & Description  
*The establishment of facts in the Dutch asylum procedure (Feitenvaststelling in asielzaken)*

Asylum procedures can be characterized by a lack of reliable information, limitations of the possibilities to gather information and difficulties to assess the available information. Nevertheless, the government is obligated to assess the information provided by the asylum seeker and to decide on his asylum application diligently. The study examines how civil servants of the Immigration Service deal with the uncertainties about the facts and will touch upon on the role expert advice and other instruments plays in reducing the level of uncertainty in the asylum procedure.

**Researcher** Ralph Severijns  
**Supervision** Ashley Terlouw and Raymond Schlössels  
**Duration** 2011-2017  
**Funding** Centre for Migration Law, Radboud University Nijmegen

7. Title & Description  
*Registration and use of personal data in (semi)public sectors in Germany and the Netherlands*

This is a research project about differences and similarities with regard to the registration and use of personal data by the police, in education and healthcare in a Dutch and German city. Currently many member states of the EU are struggling with the issue of ethnic registration, due to the sensitive character of ethnic data, questions or doubts with regard to the necessity, legality and legitimacy of collecting these data, and the fear that ethnic data which are collected with a particular, legitimate aim are in practice used for other aims. This research focuses on the registration and use of ethnic data in three (semi) public sectors in Germany and the Netherlands (police, education, healthcare), and the discussion and ideas about the necessity, legitimacy and legality of doing so within these sectors.

**Researcher** Marija Davidović  
**Supervision** Ashley Terlouw, Anita Böcker and Roel Fernhout  
**Duration** 2012-2016  
**Funding** Centre for Migration Law, Radboud University Nijmegen

8. Title & Description  
*The practical implementation of the Reception Conditions Directive*

What motivates agencies, what is the culture of compliance? The research is on the practical implementation of EU migration law in several EU Member States. This PhD research concentrates on sub-national actors in the administration phase and their cultural predispositions towards implementation and will look at the practical implementation of the Reception Conditions Directive.

**Researcher** Nora Dörrenbächer  
**Supervision** Eelke de Jong, Ellen Mastenbroek, Martin van der Velde, Tineke Strik  
**Duration** 2013-2017  
**Funding** Faculty of Management Sciences/Law Faculty
9. Title & Description

The Rohingya in Indonesia; between Statelessness and Claims for Refugee Status

This research focuses on the study of the Rohingya; an ethnic group originating from Myanmar seeking refuge in Indonesia, a country that has not ratified the 1951 UN Convention Relating to the Status of Refugee, and its 1964 protocol. Therefore Indonesia is not required to follow the obligation sets out within the convention in addressing the Rohingya’s request for protection and refugee status from Indonesia.

Researcher: Ainul Gazari
Supervision: Ashley Terlouw and Karin Zwaan
Duration: 2014-2017
Funding: Indonesian Government

10. Title & Description

Developments in the Distinctions between Illegal Migrants, Legal Migrants and Citizens

The central questions of the research are: what is the relevance of de facto membership of a community for legal residence rights (including the status involving the strongest possible residence right, namely nationality)? And how is ‘membership’ defined in this context?

Researcher: Jan Coen de Heer
Supervision: Kees Groenendijk, Betty de Hart and Tetty Havinga
Duration: 2001-2014
Funding: NWO (Netherlands Organisation for Scientific Research)

Visiting Fellows 2013 - 2014

The Centre hosts visiting fellows from other universities and institutes all over Europe, in order to exchange academic ideas and cooperate in academic research. In the past years the Centre was visited by the fellows listed below:

* Gisbert Brinkmann (former civil servant, Ministry of Labour and Social Affairs, Germany), is associated with the Centre as visiting research fellow.

* Dr. Tomasz Dubowski and Agnieszka, University in Bialstok, Poland, stayed with the Centre from 10 - 17 December 2013.

* Israel Macias LLaga, from the University of Huelva, Spain, will stay with the Centre from 28 April 2014 - 28 July 2014.
Check the website of the Centre for Migration Law for:
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  • new research
  • publications
  • lectures
  • agenda of the seminars
  • and more

http://www.ru.nl/law/cmr