



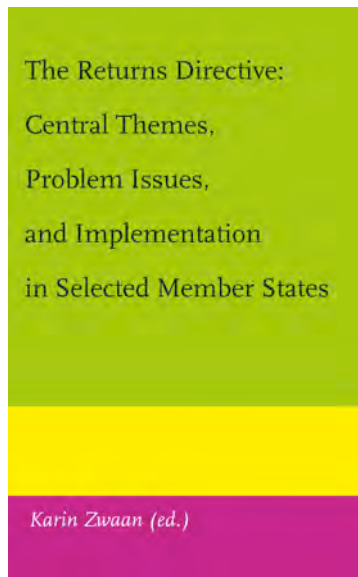
This free CMR newsletter is published by the Centre for Migration Law, Faculty of Law of Radboud University Nijmegen (The Netherlands)
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Newsletter

Newsletter

We would like to draw your attention to a number of recently published books

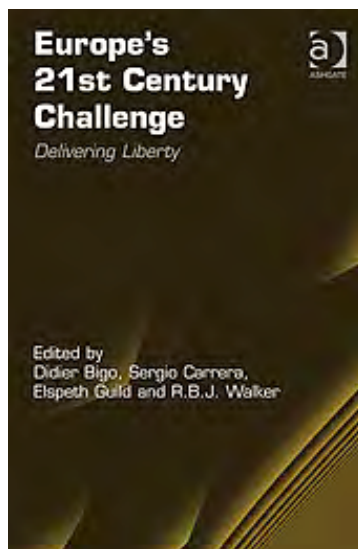
Recently published



The Returns Directive: Central Themes, Problem Issues, and Implementation in Selected Member States

by **Karin Zwaan** (ed.),
Nijmegen (NL): Wolf Legal Publishers 2011 <www.wolfpublishers.nl>
ISBN: 9789058506634

On 24 December 2010 the deadline for the transposition of the Returns Directive (2008/115/EC, Directive on Common Standards and Procedures in Member States for Returning Illegally Staying Third Country Nationals) expired. The lectures on which this book is based were originally given during a Jean Monnet/Centre for Migration Law seminar on the Returns Directive that took place in Nijmegen, at the Centre for Migration Law, Radboud University, on Monday 14 February 2011. In light of the very substantial level of interest, we have decided to publish a book on the results of the seminar so that people who were not able to attend may benefit from the wealth of knowledge and information which was shared. The book is divided in two sections. The first section goes into the central themes and the problem issues of the Returns Directive. The second part of the book focuses on the implementation of the Returns Directive in a selected number of Member States. This book offers insight in all the different aspects of the Returns Directive.



Europe's 21st Century Challenge

by **Didier Bigo, Sergio Carrera, Elspeth Guild & R.B.J Walker**

Ashgate (UK) 2011 <www.ashgate.com>
ISBN: 9781409401940

This volume presents the final results of the CHALLENGE research project (The Changing Landscape of European Liberty and Security) - a five-year project funded by the Sixth Framework Programme of DG Research of the European Commission.

The book critically appraises the liberties of citizens and others within the EU, and the different ways in which they are affected by the proliferation of discourses, practices and norms of insecurity enacted in the name of collective and individual safety. It analyses from an interdisciplinary perspective the impacts of new techniques of surveillance and control on the liberty and security of the citizen. The book studies illiberal practices of liberal regimes in the field of security, and the relationship between the internal and external effects of these practices in an increasingly interconnected world, as well as the effects in relation to the place of the EU in world politics.



Constructing and Imagining Labour Migration

by **Elspeth Guild & Sandra Mantu** (eds.)

Ashgate (UK) 2011 <www.ashgate.com>

ISBN: 9781409409632

Labour migration has been on the agenda of many countries around the globe at the same time as governments of both sending and receiving countries have been trying to develop regulatory mechanisms. This book opens the debate on the global politics of labour migration by proposing a re-assessment of the interaction between states regarding labour migration.

Presenting case-specific scholarship from leading experts from five different continents, each contribution engages with the changing landscape of migration control and teases out emerging control patterns, dynamics and correlations that can be made between them and existing control paradigms. The multidisciplinary and global focus in 'Constructing and Imagining Labour Migration' sheds much needed light on the mechanisms deployed by states in their attempts to control labour migration and on the manner in which these mechanisms impact upon migrants themselves, leaving some caught up in the politics of labour market control.

Visa Policy of Member States and the EU towards Turkish Nationals after Soysal

by **Elspeth Guild & Kees Groenendijk**

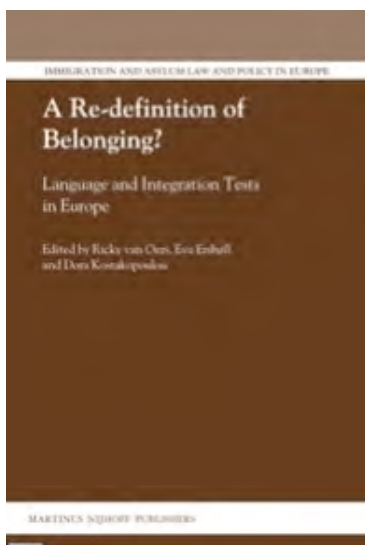
Radboud University 2011,

2nd revised and update edition

Understanding the dynamics of the illiberal practices of liberal states is increasingly important in Europe today.

This book examines the changing relationship between immigration, citizenship and integration at the European and national arenas. It studies some of the main effects and questions the comprehensiveness of the exchange and coordination of public responses to the inclusion of third country nationals in Europe, as well as their compatibility with a common European immigration policy driven by a rights-based approach and the respect of the principles of fair and equal treatment of third country nationals.

The volume reviews key national experiences of immigration and citizenship laws, the use of integration and the 'moving of ideas' between national arenas. The framing of integration in immigration and citizenship law and the ways in which policy convergence is being achieved through the EU framework on integration raises a number of conceptual dilemmas and a set of definitional premises in need of reflection and consideration



A Re-definition of Belonging? Language and Integration Tests in Europe

by **Ricky van Oers, Eva Ersbøll & Dora Kostakopoulou** (eds) (2010).

Series: Immigration and Asylum Law and Policy in Europe, nr. 20,

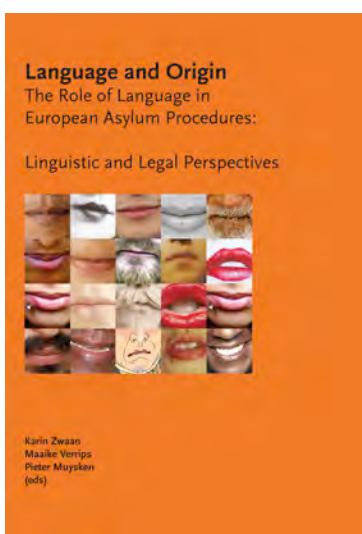
Leiden: Nijhoff.

ISSN: 1568-2749

Language and integration tests as a condition for naturalisation and various types of legal residence permits are topical issues in several European Member States. The introduction of the tests reflects a change in ideas on the relationship between legal status and integration.

Since the introduction of the tests is a rather recent development, little is known of the effects of the formalised testing schemes. Whether the tests have in fact contributed to the integration of immigrants in the host society or whether they function as a mechanism for selection and exclusion is unknown.

In this book, experts from Austria, Belgium, Denmark, France, Germany, Hungary, Latvia, the Netherlands and the United Kingdom analyse the policies concerning the integration of newcomers and/or future citizens in their countries.



Language and Origin - The Role of Language in European Asylum Procedures: Linguistic and Legal Perspectives

by **Karin Zwaan, Maaïke Verrips & Pieter Muysken** (eds.)

Nijmegen (NL): Wolf Legal Publishers 2009 <www.wolfpublishers.nl>

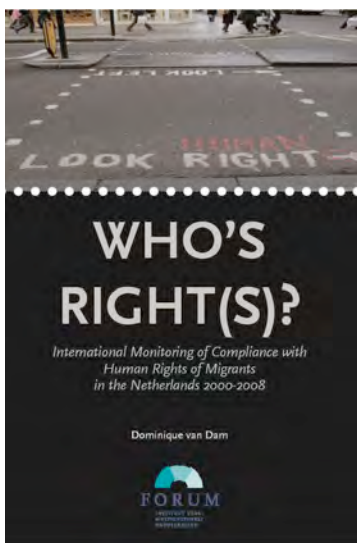
ISBN: 9789058505866

In recent years, language has been used as evidence in assessing asylum seekers' claims. Do they come from the country that they claim to originate from? Although this would seem quite simple, reliable assessments are hard to achieve. Many factors intervene: high variability, multilingualism, extended stays in refugee camps, lack of systematic knowledge about the languages, mixed ancestry. European countries have developed various techniques, but experts often disagree about these, and the validity of the results.

This book contains a series of papers presented at the ESF Exploratory Workshop Language and Origin: the role of language in European asylum procedures. The workshop took place at the Netherlands Institute for Advanced Studies (NIAS) in Wassenaar, April 22-23, 2010.

It brought together an interdisciplinary group of experts from different European countries in a constructive setting to explore the different techniques, exchange views, learn to speak each other's language and to set priorities for future research and developments.

The book presents the papers of the workshop in five parts: Part One: The practice of LADO; Part Two: LADO and the study of language; Part Three: Language and origin: Three case studies; Part Four: Language in asylum procedures: A country survey; Part Five: LADO as evidence.

**Who's Right(s)?**By **Dominique van Dam**Nijmegen (NL): Wolf Legal Publishers 2009 <www.wolfpublishers.nl>

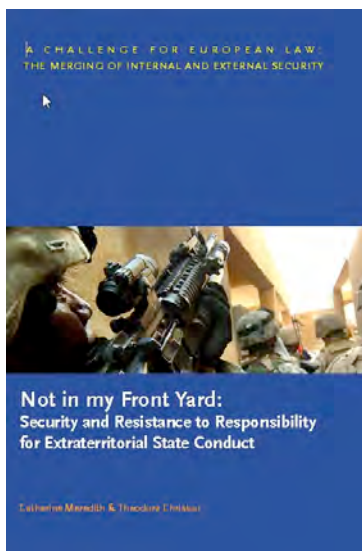
ISBN: 9789058504791

What viewpoints have international human rights organisations adopted since 2000 on a number of aspects relating to the treatment of migrants in the Netherlands? How have politicians and the press responded to these viewpoints? And have any steps been taken as a result of international criticism? Three circumstances serve to illustrate the importance of these questions. Government policy on immigrants has undergone continuous change since 2002, and successive governments have been exploring limits ever since that year.

One interesting question is how recent measures relate to international human rights treaties. We also see a remarkable consensus among all political parties. For instance, politicians in (almost) all political parties supported the most important measures proclaimed between 2000 and 2008, in spite of their differences of opinion about modalities. However, treaties on human rights make it quite clear that resolutions passed by representative bodies and enjoying wide support must also fulfil certain minimum requirements, especially with respect to protecting minorities' rights.

Dominique van Dam studied the effects of international monitoring of legislation and policy relating to migrants in the Netherlands. One of the facts that have emerged from her research is that it is not easy to view these effects separately from the impact of the behaviour of actors such as national and international human rights organisations, members of Parliament, advisory bodies, individual citizens, and specialised lawyers.

The report concludes by making recommendations to the Dutch government, the Dutch House of Representatives, and the major players in the civil society.

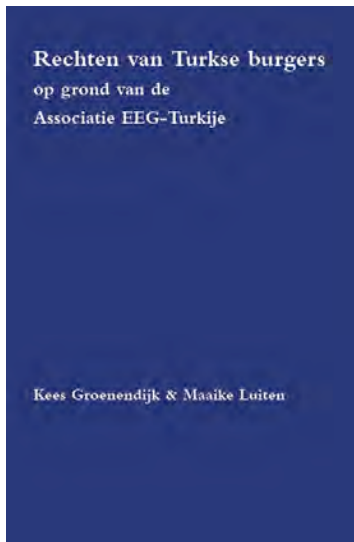
**Security and Resistance to Responsibility for Extraterritorial State Conduct**by **Catherine Meredith** and **Theodora Christou**Nijmegen (NL): Wolf Legal Publishers 2009 <www.wolfpublishers.nl>

The world has witnessed the prosecution of the so-called "war on terror", growth of state sponsored extraordinary rendition, outsourcing of torture and a number of controversial military incursions by larger states into the territory of smaller states. In many cases the state has sought to avoid legal responsibility for the action of its agents and forces by denying the concept of extra-territorial jurisdiction. Human rights organisations and observers argue that this has created a climate of impunity threatening fundamental rights and freedoms hitherto protected by the UN and regional mechanisms.

This important book examines developments in state conduct and the response of international law. It analyses the concept of jurisdiction, territory, the role of humanitarian law, and the purported reach of regional mechanisms in relation to extra-territorial conduct. It provides an up- to-date comparative assessment of the most recent case law in this area. As such, it provides both human rights practitioners and the interested observer with a valuable guide into one of the most important legal, political and ethical issue



Published in Dutch



Rechten van Turkse Burgers op grond van de Associatie EEG-Turkije
door **Kees Groenedijk** en **Maaïke Luiten**

Nijmegen (NL): Wolf Legal Publishers 2009 <www.wolfpublishers.nl>

ISBN: 9789058505378

Het recht dat in het kader van de associatie tussen de EU en Turkije tot stand kwam, is van groeiend belang voor de rechtspositie van Turkse burgers in de EU. Voor de huidige stand van het associatierecht zijn bijna vijftig arresten van het EU Hof van Justitie bepalend. Zonder die rechtspraak is de betekenis van de regels die op grond van de Associatieovereenkomst zijn afgesproken, niet goed te begrijpen.

Dit bronnenboek is bedoeld om de rechtspraak van het Hof van Justitie op het gebied van het associatierecht toegankelijker te maken. Het bevat een overzicht van de belangrijkste overwegingen van het Hof van Justitie over de relevante artikelen betreffende het verblijfsrecht en de gelijke behandeling van Turkse burgers op basis van de Associatieovereenkomst.

De associatieregels zijn van groot belang voor de rechtspraak. Turkse burgers zijn veruit de grootste groep burgers uit derde landen in Nederland en in de EU. De associatieregels blijven relevant zolang Turkije nog niet tot de EU is toegetreden. Bovendien zal de rechtspraak van het Hof van Justitie over de associatieregels ook een rol spelen bij de uitleg van de nieuwe EU richtlijnen over de rechtspositie van migranten uit landen buiten de EU.



De Praktijk van de Pardonregeling, monografie Vreemdeling en Recht

by **Carolus Grütters** (in Dutch).

Den Haag (NL): Sdu 2009 <www.sdu.nl>

ISBN: 9789012380454

Na de Tweede Kamerverkiezingen van 2006 werd tijdens de coalitieonderhandelingen een akkoord bereikt over een 'Pardonregeling'. Met deze regularisatieregeling wilde het kabinet Balkenende IV 'schoon schip maken'. De 'Regeling afwikkeling nalatenschap oude Vreemdelingenwet' beoogde in één keer de gehele voorraad van zo'n 30.000 oude asielzaken weg te werken, door aan alle nog in Nederland verblijvende vreemdelingen die onder de oude Vreemdelingenwet een asielverzoek hadden ingediend, ambtshalve een verblijfsvergunning te verlenen.

In dit boek wordt verslag gedaan van empirisch onderzoek naar de totstandkoming, inhoud en de uitvoering van de Pardonregeling, vooral in de gemeenten.

Centraal in dit onderzoek staat dat de uitvoering van een regeling waarbij zoveel verschillende partijen een rol spelen hoogstwaarschijnlijk niet in alle betrokken gemeenten op eenzelfde wijze zal worden uitgevoerd: niet met betrekking tot de afgifte van burgemeestersverklaringen en niet met betrekking tot de beoogde sluiting van de noodopvang eind 2009. Onderzocht is welke verschillen zich hebben voorgedaan, hoe die verschillen kunnen worden verklaard, en wat de gevolgen ervan zijn geweest voor het bereiken van de oorspronkelijke doelstelling.