

Jean Monnet Centre of Excellence

CMR Newsletter 2019 - Oct.

In this Newsletter you can find an overview of: awards, recently published books, short descriptions of PhD research projects, upcoming events, prizes and nominations since the previous Newsletter (2017).

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People

**New Chair: Migration Law****2019**

As of 1 September 2019 Elspeth Guild has retired.
We wish her the best of luck.

We are very proud that her successor, professor of Migration Law is:

Tesseltje de Lange.

**Special Chair: Migration Law****2019**

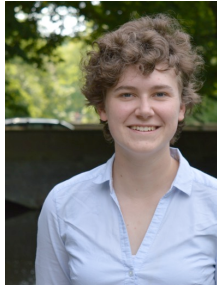
As of 1 September 2019 **Paul Minderhoud** is - also - professor by special appointment of Migration Law at Utrecht University (0,2).

**Associate Professor****2019**

As of 1 September 2019 **Karin Zwaan** is appointed associate professor (UHD) of Migration Law.

**New Assistant Professor****2019**

As of 1 September 2019 **Karen Geertsema** is appointed assistant professor (UD) of Migration Law. We are very glad to welcome her in Nijmegen.



New Promovendus

2019

As of 1 September 2019 **Kris van der Pas** is appointed as Promovendus (PhD student) with both the Centre for Migration Law, the section Int. & European law and Management sciences. Her research aims to provide a comprehensive analysis of strategic human rights litigation in the field of asylum law in Europe. Increasingly, strategic litigation is a tool in the hands of many organisations that seek to use it (along with other strategies) to enhance human rights protection and to effect social change. This research, firstly, aims to provide an extensive study of the prerequisites and the impact of strategic litigation in general based on existing literature (mainly of US origin). Secondly, an overview will be established on the practice of strategic litigation in the field of asylum law in Europe. Finally, the research will provide for an assessment of the theoretical study in the first part and the practical study of the second part. This will lead to a better understanding on the prerequisites and impact of strategic litigation in asylum in Europe, and on the prerequisites and the impact of strategic litigation in general.



Babette Janssen

New Secretary

2019

As of 1 April 2019 Babette Janssen is our new secretary.

Awards



Jean Monnet Centre of Excellence

2018

As of 1 September 2018 the Centre for Migration Law has been selected - again - as:

a Jean Monnet Centre of Excellence.

A Jean Monnet Centre of Excellence is a focal point of competence and knowledge on European Union subjects. Centres of Excellence have a project duration of three years. A Jean Monnet Centre of Excellence gathers the expertise and competences of high-level experts (including Jean Monnet Chairs and/or Jean Monnet Module coordinators) and aims at developing synergies between the various disciplines and resources in European studies, as well as at creating joint transnational activities and structural links with academic institutions in other countries. It also ensures openness to civil society.



Madeline Garlick

Max van der Stoel Human Rights Award (Doctoral thesis)

2017

The prestigious Max van der Stoel Human Rights Award 2017 for doctoral dissertations has been awarded to: Madeline Garlick, *Solidarity under Strain*

The jury was impressed by Garlick's solid work on Solidarity and fair sharing of responsibilities in law and practice for the international protection of refugees in the European Union. The author develops a very thorough analysis of the concept of solidarity and the fair sharing of responsibility as enacted in the Treaty on the Functioning of the European Union as a foundation for the EU's policies on asylum, migration and borders. She uses this analysis to investigate both the legal and the practical implications including the implementation thus far. Without denying the tensions that exist, such as collaboration in the EU on one side and national interests on the other, she gives a positive perspective on the opportunities to increase solidarity and sharing of responsibilities in order to achieve the EU goals of a common European policy. The author sees solidarity as an emerging international principle and the jury agrees that in times of globalisation this principle can provide a basis for a better protection of fundamental rights, in particular for migrants.



Sam Mosallai

Max van der Stoep Human Rights Award (Master thesis)

2017

The second prize of the Max van der Stoep Human Rights Award 2017 for Master's thesis has been awarded to: Sam Mosallai, master student with the Centre for Migration Law, for his Master Thesis:

Compatibility of Australian Asylum Policy Aimed at Unauthorized Maritime Arrivals with International Refugee and Human Rights Law.

The jury report states: The 'Australian Model' is seen as a possible example by some politicians and thus it is most relevant to investigate the question whether it is indeed an example that can be followed: does it meet the relevant legal standards. The jury highly appreciates the analysis of the Australian policy which will provide better arguments to answer the question whether it is a good example or not: the latter being the author's conclusion.

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Recently Published books



Ralph Severijns

Zoeken naar Zekerheid. Een onderzoek naar de vaststelling van feiten door hoor- en beslismedewerkers van de Immigratie- en Naturalisatiedienst in de Nederlandse asielprocedure.

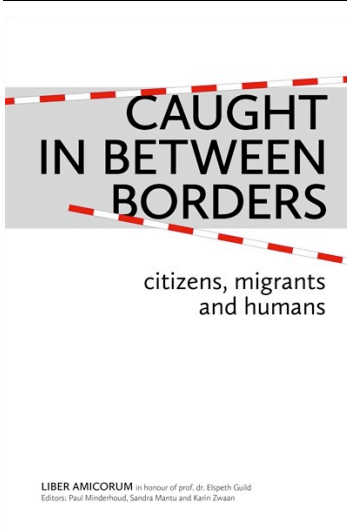
Dissertatie

9 oktober 2019

Wolters Kluwer

Het asielrecht is een rechtsgebied dat bij uitstek wordt gekenmerkt door onzekerheid over de feiten. Hoe gaan de medewerkers van de Immigratie- en Naturalisatiedienst om met onzekerheden bij het vaststellen van feiten in een asielprocedure? De publicatie geeft een helder inzicht in deze besluitvormingspraktijk.

Dissertatie



Paul Minderhoud, Sandra Mantu & Karin Zwaan (eds.)

Caught In Between Borders: Citizens, Migrants and Humans.

Liber Amicorum in honour of prof. dr. Elspeth Guild

2019

Wolf Legal Publishers

The title reflects the fact that the same individual can be a citizen, a migrant or a human being within the same borders and that this categorization can change just like that. This title captures not only the academic fascination of professor Elspeth Guild for borders but also, to a certain extent, the life of Elspeth herself.

The book contains 33 scientific contributions by (former) colleagues, PhD students and friends of Elspeth Guild, all of whom have had a special connection with the Centre for Migration Law (CMR).

The contributions are divided into five categories: borders, citizens, migrants, asylum and the global compact on migration.

They reflect the versatility of the work and interest of professor Elspeth Guild, who was professor of European Migration Law from 2001-2019 at the Faculty of Law of the Radboud University Nijmegen, the Netherlands.



Tineke Strik & Ashley Terlouw

Territorialiteit en vluchtelingenrecht. Verantwoordelijkheid nemen, afschuiven of delen?

Pre-advies in: De Grenzen voorbij. De actualiteit van territorialiteit en jurisdictie, Handelingen Nederlandse Juristen-Vereniging 2019/149

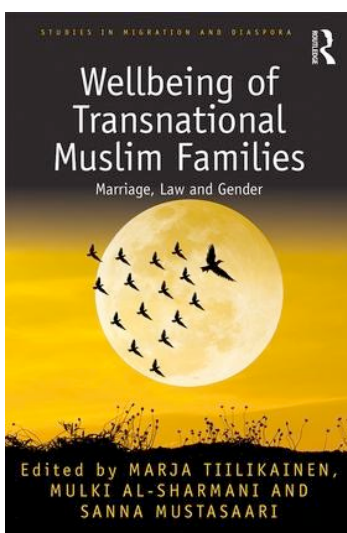
2019

Wolters Kluwer

ISBN: 9789013154214

Maken ontwikkelingen als globalisering en digitalisering een herwaardering van de nationale staat als primaire bron van regelgeving noodzakelijk?

De kernvraag die de auteurs in dit preadvies willen beantwoorden, is of er een gezamenlijke verantwoordelijkheid van staten bestaat of zou moeten bestaan voor het vluchtelingenvraagstuk.



Iris Sportel, Betty de Hart & Friso Kulk

Transnational Families Navigating the Law: Marriage, Divorce and Wellbeing.

Bookchapter

2019

Routledge

ISBN: 9781138293670

This book examines the needs, aspirations, strategies, and challenges of transnational Muslim migrants in Europe with regard to family practices such as marriage, divorce, and parenting. Critically re-conceptualizing 'wellbeing' and unpacking its multiple dimensions in the context of Muslim families, it investigates how migrants make sense of and draw on different norms, laws, and regimes of knowledge as they navigate different aspects of family relations and life in a transnational social space. With attention to issues such as registration of marriage, civil versus religious marriage, spousal roles and rights, polygamy, parenting, child wellbeing, and everyday security, the authors offer national and comparative case studies of Muslim families from different parts of the world, covering different family bonds and relations, within both extended and nuclear families.



Stefan Kok, Lienneke Slingenberg & Karin Zwaan (red.)

Rechtspraak Vreemdelingenrecht 1950-2019. Landmark Cases on Asylum and Immigration Law

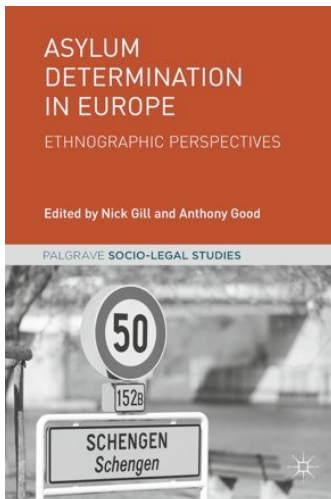
2019

Nijmegen (NL): Ars Aequi Libri

ISBN: 9789492766342

De belangrijkste Engels- en Nederlandstalige uitspraken op het gebied van vreemdelingenrecht van 1950 tm 2019 speciaal geselecteerd en geannoteerd voor gebruik in het onderwijs.

Bevat uitspraken op de volgende gebieden: Asiel, Gezinshereniging, Arbeid en Studie, Vrijheidsbeneming en Uitzetting, Associatieovereenkomst, Langdurig Ingezetenen, Sociale Rechten, Varia.



Karin Zwaan & Sarah Craig

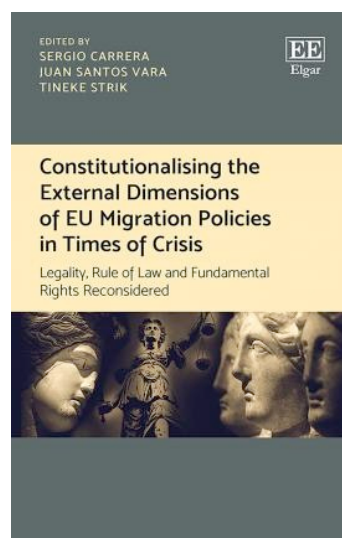
Bookchapter: Legal overview on Asylum Determination in Europe
2019

Palgrave Macmillan

ISBN: 978-3-319-94749-5

Drawing on new research material from ten European countries, *Asylum Determination in Europe: Ethnographic Perspectives* brings together a range of detailed accounts of the legal and bureaucratic processes by which asylum claims are decided. The book includes a legal overview of European asylum determination procedures, followed by sections on the diverse actors involved, the means by which they communicate, and the ways in which they make life and death decisions on a daily basis. It offers a contextually rich account that moves beyond doctrinal law to uncover the gaps and variances between formal policy and legislation, and law as actually practiced.

The contributors employ a variety of disciplinary perspectives – legal, sociological, anthropological, geographical and linguistic. Through this lens, the book captures the confusion, improvisation, inconsistency, complexity and emotional turmoil inherent to the process of claiming asylum in Europe.



Sergio Carrera, Juan Santos Vera & Tineke Strik (eds.)

Constitutionalising the External Dimensions of Eu Migration Policies in Times of Crisis

Legality, Rule of Law and Fundamental Rights Reconsidered

2019

Edward Elgar

This discerning book examines EU migration and asylum policies in times of crisis by assessing old and new patterns of cooperation in EU migration management policies in the scope of third-country cooperation. The case studies explored reveal that there has been a clear tendency and strategy to move away from or go outside the decision making rules and institutional principles enshrined in the Lisbon Treaty to advance third country cooperation on migration management. It explores the implications of and effects of the adoption of extra-Treaty instruments and patterns of cooperation in the light of EU rule of law and fundamental rights principles and standards. The book, examines the ways in which 'the politics of migration crisis' and their patterns of cooperation and legal/policy outcomes evidenced since 2015 affect and might even undermine EU's legitimacy in these policy areas.

Constitutionalising the External Dimensions of EU Migration Policies in Times of Crisis will be a key resource for academics and students focussing on EU Law and migration more specifically. Timely and engaging, it will also appeal to policy-makers, legal practitioners and international organisation representatives alike.



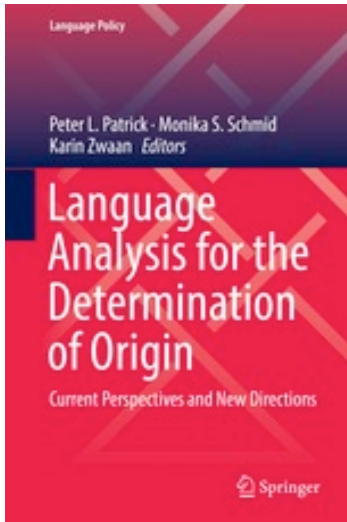
Anoesha Gehring

Pensioners on the move. A socio-legal study on retirement migration from the Netherlands to Spain and Turkey

Dissertation

11 februari 2019

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.



Karin Zwaan, Peter Patrick & Monika Schmid (eds.)

Language Analysis for the Determination of Origin Europe

Current Perspectives and New Directions

2019

Springer

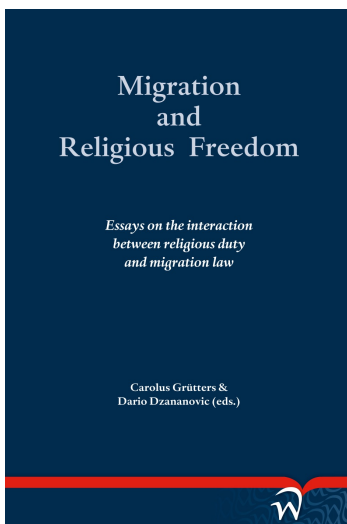
ISBN: 978-3-319-79003-9

This book reports on current practices and use of Language Analysis for the Determination of Origin (LADO). Readers will find chapters on how it is done, where it is used, how it is used, and learn about recent developments on the use of LADO reports in judicial practice, and current controversies in the field.

LADO is a highly controversial topic, and a relatively new branch of forensic linguistics that is used by most European and some non-European governments.

When asylum seekers cannot submit documentary proof of their origin, their language can be analysed in order to assess whether their linguistic profile is in accordance with their stated origin.

This book is based on the series of meetings of the Language and Asylum Research Group held between 2010 and 2012 and convened by the editors, and offers a state-of-the-art perspective from researchers, practitioners, policymakers and stakeholders working on or with LADO.



Carolus Grütters & Dario Džananovic (eds.)

Migration and Religious Freedom

Essays on the interaction between religious duty and migration law

2018

Wolf Legal Publishers

ISBN: 9789462404656

On 9 and 10 February 2017, experts from various backgrounds joined in a seminar organized by the Centre for Migration Law, Jean Monnet Centre of Excellence at Radboud University, Nijmegen in the Netherlands. The seminar focused on issues culminating at the intersection of migration, law and religion.

We aimed to identify the arguments that drive the discussion in situations presenting a conflict of state law and religious norms in the context of migration. Or, in biblical terms, is there an inherent conflict between Romans 13 (submission to governing authorities) and Matthew 25 (love the stranger), and if so, how is this conflict addressed?

In this book, we have included the key contributions to the seminar, thematically organized around four topics: (1) Religious Social Thought; (2) Application of religious freedom; (3) Comparative analysis of religious freedom laws; and (4) Practitioners' views.



Wouter van der Spek, Evelien Flikweert & Ashley Terlouw

Detentie van Asielzoekers

Een onderzoek naar de toepassing van artikel 59b Vw

2018

Wolf Legal Publishers

ISBN: 9789462404779

Als een vreemdeling, in bewaring of tijdens ophouding, een asielaanvraag indient 'louter om uitzetting te verijdelen', kan hij in bewaring worden gesteld op grond van artikel 59b Vw.

In dit boek wordt verslag gedaan van een onderzoek naar de wijze waarop de Nederlandse overheid deze bepaling toepast bij eerste aanvragers en hoe het systeem van rechtsbescherming functioneert.



Karin Zwaan, Ashley Terlouw, Tineke Strik & Helen Oosterom-Staples, Pieter Krop, Tesseltje de Lange, Betty de Hart, Carolus Grütters en Roel Fernhout (red.)

Nederlands Migratierecht

Tweede geheel herziene druk

2018

This textbook - in Dutch - presents the Dutch rules for aliens concerning access to, admittance to and stay in and departure from The Netherlands.



Ashley Terlouw, Leny de Groot-van Leeuwen, Roel Schutgens & Raymond Schlössels (red.)

Het verhaal van de rechter. Over de plaats van de rechter in de literatuur, samenleving en rechtszaal

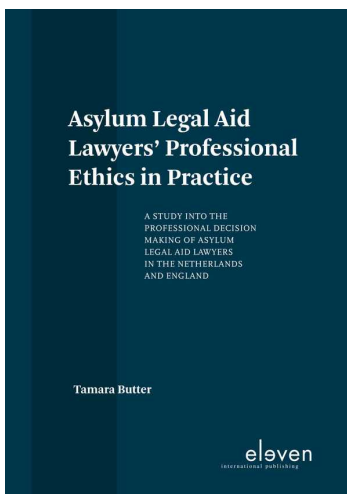
Liber amicorum voor Hans den Tonkelaar

2018

Wolter Kluwer

ISBN: 9789013147872

Welk beeld leeft er rondom de rechter? Hoe beweegt de rechter door het maatschappelijke speelveld? En wat is de absolute kerntaak van de rechtspraak? Deze uitgave buigt zich over deze veelal onderbelichte vragen. Uitgebracht ter gelegenheid van het afscheid van Hans den Tonkelaar als rechter en bijzonder hoogleraar rechtspraak.



Tamara Butter

Legal Aid in Asylum Procedures

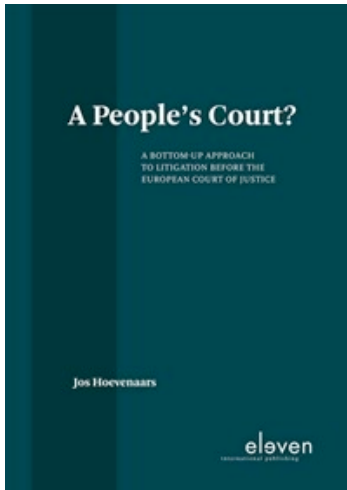
Dissertation

19 januari 2018

Eleven

ISBN: 9789462368163

This research studies the provision of legal aid in practice in asylum procedures in three EU Member States, i.e. the Netherlands, the United Kingdom and France. It examines whether and to what extent the differences and similarities concerning the operations of legal aid providers in these countries can be explained by the legal and financial contexts and whether this result is problematic in view of the common EU norms on legal aid in asylum procedures.



Jos Hoevenaars

A People's Court? A Bottom-up approach to litigation before the European Court of Justice

Dissertation

19 maart 2018

Eleven

ISBN: 9789462368293

This research focuses on the role of individual litigation before the Court of Justice of the European Union, uncovering the (im)possibilities of the empowerment of citizens through EU law. By focusing specifically on the practicalities of 'Eurolitigation' through the preliminary reference procedure this study aims to open the 'black box' of Eurolitigation and to give a critical examination of the possibilities of citizen empowerment through EU law.



Nora Dörrenbächer

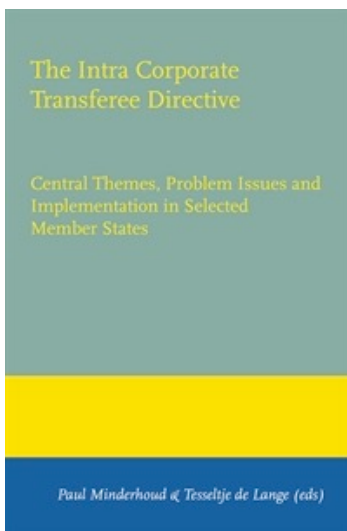
Europe at the frontline of Migration Law: Legal discretion, bureaucratic context and individual attitudes

Dissertation - cum laude

11 April 2018

Dörrenbächer's dissertation deals with a largely unexplored aspect in migration law: the use and support of EU law by street-level bureaucrats in the everyday practices and decisions on the visa or residence permits of individual migrants. The research focuses on the Netherlands and Germany, using both quantitative and qualitative research methods. The dissertation develops and tests a multidisciplinary theoretical framework, using insights from political science, legal studies, public administration, and social psychology.

The dissertation comes to the following conclusion: if the law is ambiguous, it appears that EU law will support the migration caseworkers in clarifying the situation to various degrees. Discretion and individuals' personal motivations are two reasons for the variation in leaning on EU law.



Paul Minderhoud & Tesseltje de Lange (eds.)

The Intra Corporate Transferee Directive

Central Themes, Problem Issues and Implementation in Selected Member States

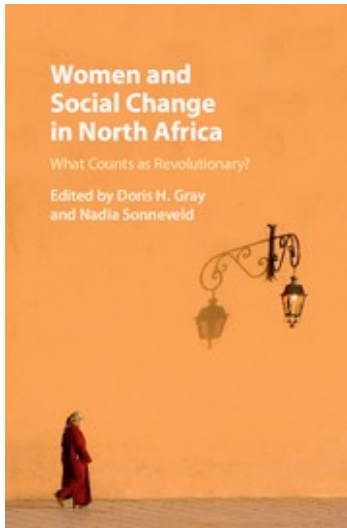
2018

Wolf Legal Publishers

ISBN: 9789462404786

This so called ICT Directive regulates the temporary secondment of managers, specialists or trainee employees who are transferred from a company outside the EU to an entity of the same undertaking or group of undertakings inside the EU, while staying on their home country employment contract, and who reside outside the EU at the time of application. This book highlights the central themes, problem issues and implementation in selected Member States of this ICT Directive.

The contributions to this book are based on lectures presented at the seminar. These contributions deal with the negotiations and transposition of the Directive, the role employment and social security rights play in the ICT Directive, a comparison with the EU Russia Agreement of 1997 as well as a business perspective and a migrants' rights perspective. And it discusses the implementation in The Netherlands, Germany, Spain and Sweden.



Nadia Sonneveld & Doris Gray (eds.)
Women and Social Change in North Africa

What counts as Revolutionary

2017

Cambridge University Press

ISBN: 9781108303415

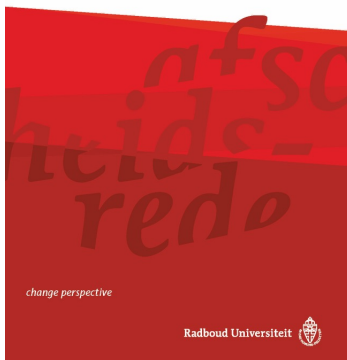
Women's voices are brought to the fore in this comprehensive analysis of women and social change in North Africa. Focusing on grass-roots perspectives, readers will gain a rare glimpse into how both the intentional and unintentional actions of men and women contribute to societal transformation. Most chapters are based on extensive field work that illuminates the real-life experiences, advocacy, and agency of women in the region. The book considers frequently less studied issues including migration, legal changes, oral and written law, Islamic feminism, and grass-roots activism. It also looks at the effectiveness of shelters for abused women and the changes that occurred in the wake of the 2011 Arab uprisings, as well as challenging conventional notions of feminist agency by examining Salafi women's life choices. Recommended for students and scholars, as well as international development professionals with an interest in the MENA region.

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Other Publications

Interrogating Europe's Borders: Reflections from an Academic Career

FAREWELL SPEECH BY PROF. ELSPETH GUILD



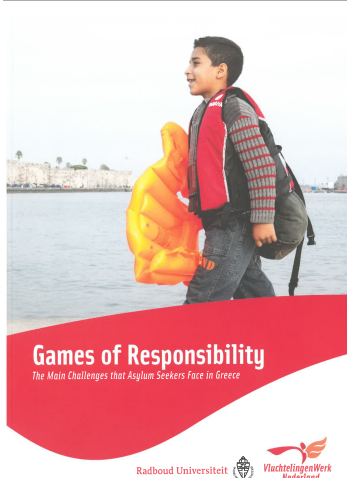
Elsbeth Guild

Interrogating Europe's Borders: Reflections from an Academic Career

2019

<www.ru.nl/law/cmr>

Farewell speech delivered by Prof. Elspeth Guild, Professor of European Migration Law at Radboud University's Faculty of Law, on Friday 6 September 2019



Giotta Theodoropoulou, Karin Zwaan & Ashley Terlouw

Games of Responsibility

The main challenges that asylum seekers face in Greece

2019

Vluchtelingenwerk Nederland

The aim of this research was to identify the main challenges that asylum seekers currently face in Greece, to provide suggestions for solutions and to indicate who is responsible for the implementation of these solutions.



Carolus Grütters, Kees Groenendijk & Helen Oosterom-Staples (eds.)

Overview of CJEU

<cmr.jur.ru.nl/cjeu>

An overview of judgments and pending cases of the CJEU on:

- (1) Regular Migration
- (2) Asylum of Third-Country Nationals
- (3) Borders and Visas
- (4) Irregular Migration
- (5) EEC-Turkey Association Agreement and
- (6) Free Movement



Carolus Grütters (ed.)

NEMIS: Newsletter on European Migration Issues

<cmr.jur.ru.nl/nemis>

NEMIS is a newsletter designed for judges who need to keep up to date with EU developments in migration and borders law.

This newsletter contains all European legislation and jurisprudence on:

- (1) Regular migration of third country nationals,
- (2) Borders and visas
- (3) Irregular migration and
- (4) External Treaties



Carolus Grütters (ed.)

NEAIS: Newsletter on European Asylum Issues

<cmr.jur.ru.nl/neaais>

NEAIS is a Newsletter on European Asylum Issues. This newsletter is designed for judges who need to keep up to date with European developments in the area of asylum. This newsletter contains European legislation and jurisprudence on four central themes regarding asylum:

- (1) qualification for protection
- (2) procedural safeguards
- (3) responsibility sharing and
- (4) reception conditions of asylum seekers.



Carolus Grütters, Sandra Mantu, Paul Minderhoud & Helen Oostrom-Staples (eds.)

NEFIS: Newsletter on European Free Movement Issues

<cmr.jur.ru.nl/nefis>

NEFIS aims to offer judges who need to keep up to date with EU developments easily accessible, up-to-date information on the latest developments in the fields of EU citizenship and free movement of persons.

NEFIS covers legislation and case law concerning EU citizens and their family members and is organized around the following specific issues:

- (1) exit and entry
- (2) residence
- (3) equal treatment
- (4) loss of rights
- (5) family members, and
- (6) procedural rights and miscellaneous.

It is primarily concerned with Articles 20, 21 & 45 TFEU, Regulation 492/2011 and Directive 2004/38 and the case law generated by these provisions.

NIJMEGEN
SOCIOLOGY OF LAW WORKING
PAPERS SERIES



2019/02
**Inwonende buitenlandse
zorgverleners**
Opkomst en betekenis van een nieuw type zorgarran-
gement in de Nederlandse ouderenzorg

Anita Böcker &
Maria Bruquetas Callejo

SteR  Radboud Universiteit Nijmegen

Anita Böcker & Maria Bruquetas

Inwonende buitenlandse zorgverleners. Opkomst en betekenis van een nieuw type zorgarrangement in de Nederlandse ouderenzorg, rapport, Nijmegen Sociology of Law Working Papers Series, no 2019/02

Publicatie in het kader van het ESTRANCA project

2019

Nijmegen: Radboud University



Carolus Grütters, Elspeth Guild, Paul Minderhoud, Rickey van Oers & Tineke Strik

Brexid and Migration

2018

European Parliament

At the request of the European Parliament, the Centre for Migration Law has done research on the future relationship between the UK and the EU following the UK's withdrawal from the EU in the field of migration (excluding asylum), including future movement of EU citizens and UK nationals between the EU and UK. It also investigates the role of the Court of Justice of the EU.

The report was commissioned by the EP's Policy Department for Citizens' Rights and Constitutional Affairs, at the request of the European Parliament Committee on Civil Liberties, Justice and Home Affairs (LIBE Committee).



Karin Zwaan

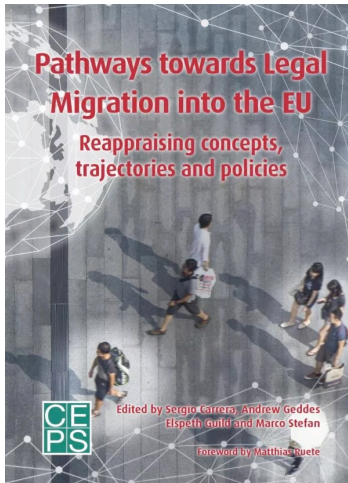
Veilig Land van Herkomst

2018

Vluchtelingenwerk Nederland

In november 2015 stelde de staatssecretaris van Veiligheid en Justitie een lijst met veilige landen van herkomst vast. Vanaf maart 2016 worden vrijwel alle asielaanvragen van mensen afkomstig uit een zogenaamd veilig land versneld afgewezen. VluchtelingenWerk Nederland wilde weten of de manier waarop dit concept van veilige landen wordt toegepast, voldoende recht doet aan de positie van asielzoekers uit 'veilige' landen die mogelijk wél recht hebben op bescherming en heeft het Centrum voor Migratierecht gevraagd hier onderzoek naar te doen.

Karin Zwaan (CMR) concludeert dat de Nederlandse toepassing van het concept 'veilig land van herkomst' op een paar aspecten op gespannen voet staat met het internationaal – , Europees – én nationaal recht.



Elspeth Guild, Sergio Carrera, Andrew Geddes & Marco Stefan

Pathways towards Legal Migration into the EU

Reappraising concepts, trajectories and policies

2017

CEPS

Over the past 15 years, the 'Europeanisation' of policies dealing with the conditions of entry and residence of third-country nationals has led to the development of a common EU acquis. Yet questions related to policy consistency, legal certainty and fair and non-discriminatory treatment in working and living standards still characterise the EU's legal framework for cross-border mobility. This book critically explores the extent to which EU legal migration policies and their underlying working notions match the transnational mobility of individuals today. It addresses the main challenges of economic migration policies, both within the EU and in the context of EU cooperation with third countries. Special consideration is given to the compatibility of EU policies with international labour standards along with the fundamental rights and approach to fairness laid down in the EU Treaties. The contributions to this book showcase the various uses and potential of social science and humanities research in assessing, informing and shaping EU migration policies. Leading scholars and experts have brought together the latest knowledge available to reappraise the added value of the EU in this area. Their reflections and findings point to the need to develop a revised set of EU policy priorities in implementing a new generation of legal pathways for migration.

Current PhD Research



Kris van der Pas

Strategic Litigation in Asylum Cases

Supervision: Ashley Terlouw, Henri de Waele & Ellen Mastenbroek

2019 - 2023

The research aims to provide a comprehensive analysis of strategic human rights litigation in the field of asylum law in Europe. Increasingly, strategic litigation is a tool in the hands of many organisations that seek to use it (along with other strategies) to enhance human rights protection and to effect social change. This research, firstly, aims to provide an extensive study of the prerequisites and the impact of strategic litigation in general based on existing literature (mainly of US origin). Secondly, an overview will be established on the practice of strategic litigation in the field of asylum law in Europe. Finally, the research will provide for an assessment of the theoretical study in the first part and the practical study of the second part. This will lead to a better understanding on the prerequisites and impact of strategic litigation in asylum in Europe, and on the prerequisites and the impact of strategic litigation in general.



Norma Fötsch

Country of origin information in the asylum procedure

Supervision: Ashley Terlouw & Karin Zwaan

2018 - 2023

This research focusses on the access to and the use of country of origin information in asylum procedures. In this context EU law related to country of origin information like the Procedure Directive will be analysed. Furthermore, practices of Immigration Services, EU organizations and non- governmental organization of several European countries will be compared.



Dragos Ciulinaru

The Migrant Roma in Europe. A Case Study of Cultural Relativism of Universal Human Rights.

Supervision: Ashley Terlouw & Karin Zwaan

2018 - 2022

The research approaches the mobility of some of European Union's most deprived citizens: the Eastern Europeans that live on the streets of Western European cities; with primary focus on those of Roma descent. The research questions the suitability of the receiving countries' response strategies, with the Union's universal rights principles. The features of this mobility, and the states' and the EU actions towards it, such as eviction, displacement, and expulsions, are documented with example from several countries, and across a period of more than ten years. Particular attention is given as well to the discourses equating a more generic 'migration problem' in the European Union with the representations of the Roma and the mobilization of centuries old discourses about this ethnic group in the current EU migration context.



Ellen Nissen

Immigration Judges and Children's Rights

Supervision: Ashley Terlouw & Tineke Strik

2014 - 2020

Children's rights have in recent year increasingly permeated the European legal order. Especially in the context of family migration this development has had a significant impact. As a consequence, national courts are faced with the task of reconciling the rights and interests of the child with the right of the State to control its borders. The present research investigates how courts conduct this task by examining the role and meaning of children's rights in judicial immigration decisions by Dutch and German courts.



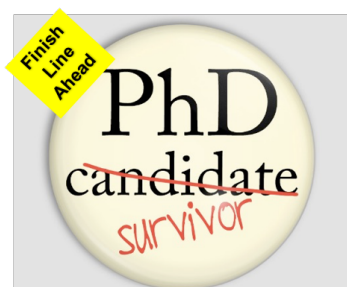
Amélie Poméon

Externalisation of Migration Control

Supervision: Ashley Terlouw, Henri de Waele, Anna van der Vleuten & Tineke Strik

2016 - 2020

This research, which is part of the larger Borders and Sovereignty Project, focuses on the European Union's and its Member States' cooperation with third countries, especially Morocco and Turkey, on the prevention of irregular migration and the return of irregular migrants. In this context, the legal position of those migrants in the EU and the countries they are returned to will be examined. Furthermore, it will be analysed where the responsibility for safeguarding the migrants' rights, especially their fundamental and human rights, lies.



Mary Dickson

Extraterritorial processing of asylum claims

Supervision: Ashley Terlouw, Henri de Waele & Karin Zwaan

2016 - 2020

This research looks at the legal implications surrounding extraterritorial processing of asylum seekers in third countries. It will primarily attempt to discover whether the current proposals to start processing asylum seekers outside of the EU is legally permissible and then also to consider what obligations the EU will have to observe when implementing the policy.



Dario Džananović

State Law and Religious Obligation

Supervision: Elspeth Guild, Paul Minderhoud & Carolus Grütters

2016 - 2020

The core of this research lies on the intersection of migration, law, and religion. At an abstract "big picture" level, the research aims to determine "who wins" when different sets of norms conflict on one stage. More specifically, this research project seeks to determine whether and to what extent people can avail themselves of religious freedom laws to obtain exemptions to restrictive migration laws that effectively criminalize the free exercise of religion and religious obligations.



Giota Theodoropoulou

The EU cooperation with third countries on migration and the rights of refugees.

Supervision: Ashley Terlouw & Karin Zwaan

2016 - 2020

The EU has invested in a comprehensive cooperation with third countries, in an effort to reduce the arrivals of migrants. This cooperation has taken many legal and political forms, aiming to tackle border crossing, increase returns and at the same time provide technical and financial assistance to third countries in order to deal with the root causes of migration and help refugees. This research examines whether such initiatives guarantee the rights of refugees who do not make it to Europe. It focuses on the situation of refugees mainly coming from Africa and uses Ethiopia as a study-country. This study wishes to bring empirical data from the field to the on-going political dialogue regarding external migration.

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Upcoming Events



Hester Kroeze

Wine and discussion Meeting

15 October 2019

Hester will give a presentation entitled:

'The Right to Family Reunification with EU Citizens in a Multi-Layered Legal Order: Some Reflections on Recent Case-Law of the European Court of Justice'



Seminar on EU Researchers and Students Directive

Dir. 2016/801

15 November 2019

On Friday 15 November 2019 a one-day seminar will be held on the EU Researchers, student, trainees, exchange students & au pairs Directive 2016/801, discussing the central themes, problem issues and implementation in selected Member States.

Representatives of the Council and the Commission will present insights on the negotiations and implementation, renowned immigration lawyers from Fragomen will present some implementation issues across the EU and there will be detailed presentations from national experts on Germany, Poland, Romania and the Netherlands.

Further info with our secretariat: cmr@jur.ru.nl



Gamze Ovacik

Wine and discussion Meeting

19 November 2019

Gamze will present her research on legality and conditions for applicability of safe country standards with international and European law and the impact of EU policies for externalization of migration control on Turkey



Gert van Rijssen
Oratie
29 November 2019
15:45 - Aula



Seminar over 10 jaar Handvest EU **6 december 2019**

Op 6 december 2019 zal de bundel Tien jaar EU-Grondrechtenhandvest in Nederland – Een impact assessment (Kluwer, Deventer) feestelijk worden gepresenteerd tijdens een symposium aan de Radboud Universiteit.

Deze bundel is een vervolg op de bundel Vijf jaar bindend EU-Grondrechtenhandvest, die in 2015 verscheen. De redactie wordt ditmaal gevoerd door Henri de Waele, Karin Zwaan en Jasper Krommendijk.

Het boek bevat bijdragen van verschillende Nijmeegse juristen verbonden aan het Onderzoekcentrum voor Staat en Recht (SteR), het Onderzoekcentrum voor Onderneming en Recht (OO&R), en een aantal externe auteurs.

Centraal staat een selectie leidende oordelen van het Hof van Justitie van de EU over het EU-Grondrechtenhandvest die in de afgelopen tien jaar zijn geweest. Ieder hoofdstuk gaat in op de doorwerking van een dergelijk oordeel in Nederland, en de gerealiseerde (of nog te verwachten) invloed op de Nederlandse rechtspraak, wetgeving en/of beleid.



Prijsuitreiking Hanneke Steenbergen Scriptieprijs

Lezing van Tineke Strik

13 december 2019

Ter gelegenheid van de 17e uitreiking van de Hanneke Steenbergen Scriptieprijs voor de beste masterscriptie op het gebied van migratierecht, organiseert de Rechtenfaculteit van de Radboud Universiteit Nijmegen in samenwerking met de Stichting Hanneke Steenbergen Scriptieprijs een lezing over Asiel en Migratie.



Tesseltje de Lange
Oratie
2 Oktober 2020
15:45 - Aula