MAPS Conference hosted by **Queen Mary Immigration Law Programme**

11 December 2020

Conflicting Responses to Refugees and Migrants in Covid-19 Europe
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Vulnerability, Hostility and the Prospects of the New Pact on Migration and Asylum

2020 has been characterised by immense global upheaval due to the Covid-19 pandemic, which has shed light on the barriers faced by forced migrants in accessing their rights. This conference will engage in a critical appraisal of the law's response to the challenges faced by those searching safe haven in the current context. It will interrogate the law's conflicting role in creating vulnerability and hostility, while also being a source of protection. This tension will be unpacked in three thematic panels and one expert roundtable, problematizing the unique position of forced migrants in times of emergency and considering the risks and opportunities of the *New Pact on Migration and Asylum* of the European Commission.

The conference is convened by Violeta Moreno-Lax and Niovi Vavoula (QMUL, Immigration Law Programme) as part of the MAPS Jean Monnet Network.

Programme

9.00-9.15 Arrival and Welcome

9.15-10.30 Panel 1: Vulnerability in refugee and migration law – examining a contested concept

This panel will grapple with the elusive meaning of "vulnerability" as applied in the migration context. It will interrogate the real-life consequences of being deemed (not) vulnerable, examining the extent to which migration and asylum law are implicated in exacerbating, if not generating, vulnerability.

1) **Lourdes Peroni** (Sheffield Hallam): *Women and Article 3 ECHR Protection against Refoulement: Weaving Individual and Societal Vulnerabilities*

2) **Maja Grundler** (QMUL, MAPS Team): *Vulnerability to Re-Trafficking, Vulnerability to Irregular Re-Migration: Giving Vulnerability a Context-specific Meaning in Refugee Law*

3) **Ben Hudson** (Exeter): *Vulnerability at the ECtHR: A Route to / A Root of Exclusion?*

4) **Malak Benslama** (QMUL, MAPS Team): *Defining and Representing Refugee Women as "Vulnerable": A Disempowering Discourse?*

Chair: Maja Savić-Bojanić, Sarajevo School of Science and Technology (MAPS Network)

Discussants: Francesca Ippolito (Cagliari) and **Moritz Baumgärtel** (Utrecht)

10.30-10.45 Break

10.45-12.00 Panel 2: The unravelling of legal protections through hostile responses to irregular migrants and asylum seekers

States have sought to deter irregular migrants and asylum seekers by pursuing exclusionary measures that prevent access to protection. This panel will examine the role of law in creating hostility, while assessing the extent to which law may also provide a means to resist and unravel these policies.

1) **Andrew Pitt** (QMUL, MAPS Team): *Bordering Asylum in Times of Covid-19 and Brexit: Lessons from the UK's Detained Fast Track*

2) **Ayesha Riaz** (QMUL, MAPS Team): *The Unstable Nature of Legal Aid vis-a-vis Asylum Seekers/Irregular Migrants in the UK*

3) **Janna Wessels** (VU Amsterdam): *Human Rights Challenges to European Migration Policy: Border Procedures and the Right to Liberty and Freedom of Movement*

4) **Olga Koshevaliska** and **Elena Maksimova** (Goce Delchev-STIP): *North Macedonia's Policy Responses in Migration and Asylum in the Era of COVID-19*

Chair: Ana Nikodinovska Krstevska, University Goce Delchev-STIP (MAPS Network)

Discussants: Sheona York (Kent) and **Lilian Tsourdi** (Maastricht)

12.00-13.00 Lunch break

13.00-14.15 Panel 3: The impact of the clash of legal regimes on the protection of forced migrants

This panel will assess how conflicts, clashes and encounters of legal regimes affect the provision of international protection, looking at different interpretive methodologies and accounts of regime interaction to determine how normative overlaps bolster or undermine access to rights.

1) **Deborah Casalin** (Antwerp): *International Humanitarian and Human Rights Law Norms on Displacement: Potential Implications for the Protection of Displaced Persons*

2) **Marta Minetti** (QMUL, MAPS Team): *The Consequences of Penal Populism in the Criminalisation of Migration: The Italian Prosecution of NGOs and the Incompatibilities with International Legal Principles*

3) **Sara Palacios Arapiles** (Nottingham): *The Eritrean Military/National Service: Divergences in Asylum Decision-making among European Countries.*

4) **Nicolette Busuttil** (QMUL, MAPS Team): *The UN Disability Rights Convention & EU Fundamental Rights: What Role for the CRPD in the Protection of Migrants & Refugees?*

Chair: Kiara Neri, University Jean Moulin Lyon 3 (MAPS Network)

Discussants: Maria Gavouneli (Athens) and **Vincent Chétail** (GIIDS, Geneva)

14.15-14.30 Break

14.30-15.30 Roundtable: Migration, vulnerability and hostility in times of Covid-19: What can the law do? What are the prospects of the New Pact on Migration and Asylum?

This closing roundtable will bring together the themes from the three thematic panels and take a broader look at the role that law plays and can play in addressing the issues facing forced migrants in Covid-19 times and beyond, particularly in light of the *New Pact on Migration and Asylum*.

Moderators: **Violeta Moreno-Lax** and **Niovi Vavoula**, QMUL (MAPS Network)

Panellists

1. **Elspeth Guild**, QMUL / Nijmegen
2. **Giuseppe Cataldi**, University of Naples "L'Orientale" (MAPS General Coordinator)
3. **Madeline Garlick**, UNHCR
4. **Tineke Strik**, European Parliament
5. **Valsamis Mitsilegas**, QMUL

Proposed Questions

o What has the impact of the Covid-19 pandemic been on migration and asylum law and policy?
o Have conceptualisations of "vulnerability" advanced refugees and migrants' rights?
o Have deterrence measures further entrenched hostility towards refugees and migrants?
o Are legal regimes properly applied or rather instrumentalised to minimise protection obligations?
o In this context, what role do you expect the EU New Pact on Migration and Asylum will play?

15.30-15.45 Conclusions: **Violeta Moreno-Lax** and **Niovi Vavoula**, QMUL (MAPS Network)

** This online conference is free but registration is obligatory using our Eventbrite page **