

ACADEMIC NETWORK FOR LEGAL STUDIES ON IMMIGRATION AND ASYLUM IN EUROPE

AN ODYSSEUS NETWORK FINANCED BY THE EUROPEAN COMMISSION



PRESENTATION & Report of activities 2001

HOW TO CONTACT THE NETWORK

<http://www.ulb.ac.be/assoc/odysseus>

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BELGIUM

PRESENTATION

The academic network for legal studies on immigration and asylum in Europe is financed by the Odysseus programme of the European Commission. This network, which was launched at the beginning of 1999, was initiated by Professor Philippe De Bruycker, lecturer and researcher at the Institute of European Studies of the Université Libre de Bruxelles. The network brings together specialists on Aliens Law from Universities of each Member State of the European Union. Its mission is, on the one hand, to carry out legal research and to offer expert opinions, either on its own initiative or on request; on the other hand, to exchange and diffuse as widely as possible information in the field of Immigration and Asylum Law in Europe. The national laws of each Member State of the European Union, as well as Community Law, (in particular the legislative developments which have followed the new provisions introduced by the Treaty of Amsterdam) are taken into consideration. Our work includes research reports as well as seminars and conferences, the results of which are published. An Internet site presenting the network and providing information on the rights of foreigners in Europe has been set up at the following address: <http://www.ulb.ac.be/assoc/odysseus>. Rather than multiplying new initiatives, the network focuses on giving a European dimension to existing activities by bringing together different persons and institutions active in the area of Immigration and Asylum Law in the EU Member States and by carrying out a comparative study of available information. This work will result in an evaluation of the state of Immigration and Asylum Law in Europe as a whole.

COMPOSITION

At present, the network is made up of academics from the different Member States of the European Union who are considered in their country as well-known specialists on Aliens Law. In addition to the co-ordinator, Daphné BOUTEILLET-PAQUET and the founder Philippe de BRUYCKER (Université Libre de Bruxelles, Belgium), it brings together Jean-Yves CARLIER (Catholic University of Louvain, Belgium), Kay HAILBRONNER (University of Konstanz, Germany), Cristina GORTÁZAR (University Pontificia Comillas of Madrid, Spain), Elspeth GUILD (United-Kingdom), François JULIEN-LAFERRIERE (University of Paris-Sud, France), Henri LABAYLE (University of Bayonne, France), Dean SPIELMANN and François MOYSE (Luxembourg), Bruno NASCIBENE (University of Milan, Italy), John HANDOLL (Ireland), Örjan EDSTRÖM (University of Umea, Sweden), Rudolf FEIK and Ulrike BRANDL (University of Salzburg, Austria), Jens VEDSTED HANSEN (University of Aarhus, Denmark), Achilles SKORDAS (University of Athens, Greece), Thomas SPIJKERBOER (University of Amsterdam), Kees GROENENDIJK (University of Nijmegen, the Netherlands), Constanca DIAS URBANO DE SOUSA (University of Lisbon, Portugal), Martin SCHEININ and Eeva NYKANEN (University of Abo, Finland).

The Network maintains close relations with the Directorate-General «Justice and Home Affairs» (DG JHA) of the European Commission and the United Nations High Commissioner for Refugees (UNHCR). It also collaborates with the European Migration Information Network (E.M.I.N.) which is another network financed by the Odysseus programme of the European Commission. Created at the initiative of Professor John Salt of the University College of London, this network is specialised in the area of statistics on asylum and immigration in Europe and intends to provide useful data in this area in order to assist the work of policy-makers and researchers.

ACTIVITIES

COMPARATIVE LEGAL STUDIES

In 1999, the network undertook its first study, which covers regularisation of Illegal Immigrants in the European Union.

The eight States, which were the subject of national reports based on a uniform analytical grid to ensure comparability of the results, include: Germany, Belgium, Spain, France, Greece, Italy, the Netherlands and the United Kingdom. The results of this work were presented during European conference on 30 June 2000, held at the Université Libre de Bruxelles and were published in 2000 in a book entitled: "The regularisation of illegal immigrants in the European Union" (the book costs 3200 FB and can be ordered from Bruylant Publishing, 67, rue de la Régence, 1000 Bruxelles, Tel: 0032 (0) 2 512 98 45, Fax: 0032 (0) 2 511 72 02, email: lib.bruylant@pophost.eunet.be).

The new comparative study carried on during the year 2001 focuses on :« The Protection of Displaced Persons Complimentary to the Refugee Status in the Member States of the European Union ». This research was co-ordinated by Daphné Bouteillet-Paquet, Doctor of Law from the University of Paris I, within the framework of a contract financed by the programme «Research in Brussels of the Region of Brussels-Capital». This research was done in close co-operation with the DG JHA of the European Commission, which presented, on the 12th of September 2001, a proposal for a directive on minimum standards for the qualification and status of third county nationals and stateless persons as refugees or as persons who otherwise need international protection [COM (2001) 510 final].

The results of this research were presented at a conference held at the ULB on November 16-17 2001. This Conference was organised in co-operation with the Professor Kay Haibronner, University of Konstanz, Germany, with the financial support of the US German Marshall Fund. The proceedings of the Conference will be published by Bruylant in May 2002, under the title: "Subsidiary Protection of Refugees in the European Union: complementing the Geneva Convention?".

In 2002, the Network will start a new comparative study of the immigration policy and the rights of third country nationals in the fifteen EU Member States.

EUROPEAN CONGRESS FOR LAWYERS SPECIALISED IN THE AREA OF IMMIGRATION AND ASYLUM

In order to make its activities known to a wider audience, the network has decided to organise a regular European Congress with a view of bringing together lawyers specialised in Immigration and Asylum Law in Europe, to exchange ideas and information. The first Congress was held in Brussels the 1st and the 2nd of December 2000 on the topic: « *Which immigration policy for the European Union? An assessment of Maastricht and the prospects offered by Amsterdam* » (check the detailed agenda on our website). The objective was to prospectively evaluate the potential offered by the new legal bases for immigration of the Treaty of Amsterdam. This evaluation took into consideration the assessment of the provisions adopted within the framework of the third pillar of Maastricht. The Conference's proceedings will be published at the beginning of 2002 and will shortly be announced on the network's website. The second Congress will be organised in 2002 on the subject of "Asylum Policy of the European Union: Assessment and Prospects".

INTERNET FORUM OF RESEARCH ON ALIENS LAW

In order to allow European academics specialised in the fields of Immigration and of Asylum to publicise their work and to explore the potential benefits of collaboration at a European level, pages entitled « European Forum of Research on Foreigners' Rights » have been opened on the network's Internet site. These are intended for research centres, researchers (in particular those having carried out or currently writing a doctoral thesis, including those seeking employment as researchers), authors of specialised publications and directors of teaching programmes specialised in Immigration and Asylum Law in Europe. All those concerned can add to the pages that interest them.

TEACHING PROGRAMME

The Network has extended its activities to teaching : it organised a Summer School on European Union Law and Policy in the Field of Immigration and Asylum which was held at the Université Libre de Bruxelles from the 2nd to the 13th of July 2001. The aim of the Summer School was to provide its participants with an extensive understanding of the immigration and asylum policy of the European Union. After one week of a common programme presenting the institutional and material framework, the participants could choose between different options (immigration or asylum; each offered in English and French) in order to gain specialized knowledge on specific topics. The classes were conducted by academics of the fifteen member States of the European Union, in collaboration with officials from the European institutions (in particular the Unit Immigration and Asylum of the Directorate General Justice and Home Affairs of the European Commission) and the United Nations High Commissioner for Refugees.

In addition to theory, the participants could attend practical seminars on different topics such as the harmonisation of short term visas, the interpretation of article 1 A of the Geneva Convention or the implementation of the Dublin Convention. The European Summer School was a great success : more than 100 participants (students or law practioners) from all over the European Union and the candidate countries took part in this event. A second edition will take place during the summer of 2002.

The vast majority of the participants having shown an interest for a yearly teaching programme, the network currently investigates the possibility of creating a specialised teaching and research programme by way if long distance courses employing new technologies.

OPERATIONAL MATTERS

A CORE COORDINATION TEAM

The Network does not aim at becoming a new institution, but wishes to remain a core team collaborating with correspondents in the Member States of the European Community. The co-ordination team is composed of Nicole Bosmans, the administrative secretary, Daphné Bouteillet-Paquet, Doctor of Law from the Université Paris I, and Claudia Pisanello, Graduate of Law from the University of Bologna, Italy, and the University of Bourgogne, France. The co-ordination team is based at the Université Libre de Bruxelles. The working languages of the Network are French and English.

NEW TECHNOLOGY AS A MEANS OF EXCH@NGE

Owing to financial and geographical constraints, the members of the Network meet only twice or three times a year in Brussels. They do however maintain regular contact using electronic mail. The co-ordination team keeps the members of the Network regularly informed of their progress, requests information on national legislation and incorporates their remarks in the research reports. Anyone who is interested can register on our mailing list via the "contact" page on our Website to be regularly informed about the network's activities by e-mail.

[HTTP://WWW.ULB.AC.BE/ASSOC/ODYSSEUS](http://www.ulb.ac.be/assoc/odysseus)

The construction of an Internet site intended to make the activities of the Network known was undertaken from the very beginning. At the request of the European Commission, its development has become part of the priorities of the Network. Claudia Pisanello manages the site. It presents the activities of the Network; it includes a presentation of each of its members, the pages « European Research Forum on Foreigners' rights » as well as a page which allows the reader to enter into contact via e-mail with the team of co-ordination. Information web pages on the national legislation of the Member States in the fields of Immigration and Asylum law that progressively opened during the last months of 2001. The establishment of links with the Europa site of the European Commission as well as the web-sites of universities and research centres of the members of the Network ensures the promotion of the site.