The Challenge of Migration to Legal Systems

Tuesday 29 June - Thursday 1 July 2004

ACADEMIC DIRECTORS
Professor Werner Menski, School of Oriental and African Studies
Dr Prakash Shah, Queen Mary, University of London

PROGRAMME

DAY 1: TUESDAY 29 JUNE 2004

9.30 Registration

10.00 Welcome

Ian Macdonald QC

10.30 Panel 1: The diasporic challenge to legal systems

A threat to the integrity of the established order?
Dr Roger Ballard, University of Manchester

The migration and settlement of Muslims: The challenges for European legal systems
Professor Dr Mathias Rohe, Friedrich-Alexander-Universität, Erlangen-Nürnberg

Rethinking legal theory in the light of South-North migration
Professor Werner Menski, Professor of South Asian Laws, School of Oriental and African Studies

11.45 Break

This workshop has been accredited with five Law Society (ref: mm/ials) CPD hours per day and five General Council of the Bar CPD hours per day.
Panel 2: State control: reassertion or limits?

EU labour migration: Untangling the web of supra state norms, state initiatives, company demands and individuals' agency
Professor Elspeth Guild, University of Nijmegen; Kingsley Napley Solicitors

Review and revenge
Professor Rick Rawlings, London School of Economics and Political Science

Detention of non-nationals pursuant to immigration control: Human rights and constitutional law perspectives
Dan Wilsher, City University

13.15 Lunch

14.15 Panel 3: Modes and consequences of EU law-making

Towards a just European Welfare State? EU 'measures' and 'Minimum Standards' in Title IV (particularly Art. 61-63): and States' use (and abuse) of welfare restrictions and limitations on appeal and review opportunities
Keith Puttick, Staffordshire University

Recent legislative and judicial development of EU Citizenship
Helen Toner, Queen's College Oxford

A 'Common' EU Legal Framework on Immigration and Asylum? Lessons from Parliamentary Scrutiny in the House of Lords
Dr Valsamis Mitsilegas

15.30 Break

15.45 Panel 4: Managing labour recruitment and immigration

EU law and policy on irregular migration and the admission of third-country nationals for employment: The need for convergence
Dr Ryszard Cholewinski, Centre for European Law and Integration, Faculty of Law, University of Leicester

Miracle on ice: The emergence of a functional international employment system in professional ice hockey
Lois Landis Kurowski, School of Business, Indiana University Kokomo

The significance of constitutional guarantees of fundamental rights for the regulation of labour migration
Esther Weizsaecker, Humboldt University Berlin

17.15 Reception

End of Day 1
DAY 2: WEDNESDAY 30 JUNE 2004

10.00  **Panel 5: The future(s) of the EU asylum system**

*New ways of providing refugee protection in the context of migration control strategies?*
  Dr Catherine Phuong, University of Newcastle

*Asylum seekers in the new Europe: What future?*
  Dallal Stevens, University of Warwick

10.50  Break

11.05  **Panel 6: National security and civil liberties implications**

*Asylum, national security and human rights*
  Professor Colin Harvey, Human Rights Research Unit, University of Leeds

*‘Don’t bother knocking’: Australia’s response to asylum seekers*
  Ernst Willheim, Law Program, Research School of Social Sciences, Australian National University

12.15  **Panel 10: Securing rights for family members? (advance paper)**

*Mediation, Conciliation and Arbitration in an Immigrant Community: A Study of the Shia Imami Ismaili Muslims*

12.40  Lunch

13.45  **Panel 7: Scrutiny of administrative decisions**

*Asylum appeals: The challenge of asylum to the British legal system*
  Dr Robert Thomas, School of Law, University of Manchester

*The roles and performances that justify the asylum determination procedure*
  Aleksandra Popovic, Faculty of Law, Lund University

*The single tier appeal proposals*
  Chantal Bostock and Sarah Young, Legal and Research Unit, Immigration Appellate Authority

15.00  Break
15.15 PARALLEL SESSIONS

Panel 8: Problems of process in asylum

The impact of EU and UK asylum procedures: An erosion of rights?
Sarah Craig and Maria Fletcher, University of Glasgow

The communicative barriers of the asylum account
Roxana Rycroft

Panel 9: Nationality, citizenship and minorities

Freedom of movement and the right to a nationality v. ethnic minorities: The case of ex article 19 of the Greek Nationality Code
Dr Nicholas Sitaropoulos, PhD, LLM

Deportation of Irish born children: Constitutional and refugee law issues
Ciara Smyth and Donncha O'Connell, Faculty of Law, National University of Ireland, Galway

The Celtic cubs: The controversy over birthright citizenship in Ireland
Dr Bernard Ryan, University of Kent

Changing polities and electoral rights: the case of EU accession and Lithuania
Melanie Smith and Professor Jo Shaw, University of Manchester

17.00 End of Day

DAY 3 THURSDAY 1 JULY 2004

10.00 Panel 10: Securing rights for family members?

Family members of refugees and others needing protection in EC law
Professor Steve Peers, University of Essex

Transnational mothering, Dutch migration policy and the European Court of Human Rights
Dr S K van Walsum, Vrije Universiteit, Amsterdam, Netherlands

UK ethnic minority international marriages and the immigration rules
Helena Wray, Middlesex University

11.15 Break
Panel 11: Accession, enlargement and establishing the external frontier

Immigration policy of the European Union: The challenges posed by a fifth enlargement
Dr Philippa Bellizzi, EU Directorate, Ministry of Foreign Affairs, Malta

An unhappy migration triangle? – Spain, Morocco and Gibraltar
Nathalia Berkowitz and Maria Delgado

Challenge of migration to the Turkish legal system: Impact of the EU membership process on the development of the Turkish immigration law regime
Dr Bulent Çiçekli, Faculty of Security Sciences, Police Academy, Ankara

12.45 Lunch

Panel 12: Implementing control

A critique of the current entry clearance system with special focus on visitors and students without a right of appeal
Fiona Lindsley, solicitor and visa ‘monitor’

Arriving before you depart: separating law, fact and fiction in the development and operation of juxtaposed control zones
Dr Gbenga Oduntan, Canterbury Christ Church University College

Equality at the European Union’s borders?
Cathryn Costello

15.15 Break

Panel 13: Returning refugees and creation of new forms of displacement

The dilemma of forced return: Balancing the integrity of the asylum process with human rights and development
Catherine Kenny, Irish Centre for Human Rights, Galway

Property law aspects of refugee and IDP returns: Case studies of Georgia and Kosovo
Anneke Rachel Smit, School of Law, University of Reading

Selling the New Europe: displacement effects of changing property regimes
Caroline Sawyer, Oxford Brookes University

17.00 End of Day 3 and Workshop