



ESIL Interest Group on Migration and Refugee Law

Report on the activities of the ESIL Interest Group on Migration and Refugee Law

(1 February 2021 – 30 August 2022)

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1. Introduction

The Interest Group on Migration and Refugee Law (IG MigRefLaw) is one of the 20 interest groups of the European Society of International Law (ESIL/SEDI). The Interest Group focuses on the law and policy of States and international organisations with regard to people who seek entry to their communities. The movement of people across borders is a defining reality of our time. The IG MigRefLaw aims to provide a forum for discussion on the (international) legal principles and processes governing the movement of people as well as their reception in host communities. By doing so, the group hopes to build a shared knowledge base among ESIL members interested in international migration and refugee law.

The IG MigRefLaw has been in existence for more than seven years now and following the call for candidates in April 2022, the Co-ordinating Committee of the Interest Group welcomes two new co-conveners: Sara Palacios-Arapiles (University of Nottingham), and Chiara Scissa (Sant'Anna School of Advanced Studies). Alongside the new co-conveners, the previously appointed conveners Tom Syring (Human Rights Research League), and Daniela Vitiello (University of Tuscia), have been re-elected for another mandate.

The Co-ordinating Committee is warmly grateful to Kristof Gombeer and Tamas Molnar for their precious contribution to this IG activities in the past six years and for the precious support they are providing to the IG activities during this transitional phase.

The IG currently counts 275 members from all over Europe and beyond. Our IG membership is highly diverse: both young PhD students and more experienced/senior academics, alongside with practitioners, judges and staff from international organisations and EU bodies follow the IG and contribute to its newsletter, blogs and various other activities.

In 2020, the outbreak of COVID-19 has deeply impacted the IG activities and challenged the IG capacity to be dynamic in a changing world. All planned meetings have been postponed and the elections for the Coordinating Committee's renewal in January 2020 had no candidates.

The Coordinating Committee made all possible efforts to keep the IG network alive while projecting a restyling of this Interest Group on Migration and Refugee Law, departing from its mission and concept. The idea is to make the IG a functional exchange platform for its members, capable of boosting the visibility and audience of both individual and network-based initiatives.

With a view to making the IG an attraction pole for research spill-over while enhancing its visibility and audience, four key areas of intervention have been identified. First, a more active posting activity on social media and sharing platforms, including revitalising our twitter account (https://twitter.com/ig_migreflaw). Second, and linked to the first point, some changes on the IG webpage are needed (<https://migreflaw.wordpress.com/>) to make it catchier and more user-friendly. Third, we will work to unleash new synergies with

national and European research groups and networks dealing with migration and refugee law. Fourth, we have invited all members to have their say on the governance of the IG.

We believe this will make a difference.

The IG MigRefLaw Coordinating Committee,

Sara Palacios-Arapiles, Chiara Scissa, Tom Syring, Daniela Vitiello

2. Activities of the Interest Group (2021-2022)

17th ESIL ANNUAL CONFERENCE – UTRECHT

The ESIL IG on Migration and Refugee Law (MigRefLaw), in partnership with the [Human Rights Research League](#) and the Italian Forum on Migration, Borders and Asylum (IFA Forum), hosted a Pre-Conference Workshop on '[In/Ex-clusivity of International Migration and Refugee Law: The Rights Holders' Perspective](#)' on 31 August 2022 in Utrecht, as a side event of the ESIL Annual Conference on the "In/Ex-clusivity of International Law".

Divided into two panels, the first one discussed dichotomic approaches to migration, refugee and citizen issues, while the second focused on asylum and migration rights within and beyond borders. Presentations addressed the ESIL Conference's topic, looking particularly at the main triggers for inclusion and exclusion in the legal framework governing (forced and voluntary) human mobility.

Inspired by the high level of the papers presented and the thought-provoking debate they generated, the ESIL IG MigRefLaw is aiming for a Symposium, to be hosted on a renowned blog, which will collect contributions from the speakers willing to participate.

16th ESIL ANNUAL CONFERENCE – STOCKHOLM

On 8 September 2021, the ESIL IG on Migration and Refugee Law along with the [ESIL IG on International Criminal Justice](#), and [Human Rights Research League](#) (HRRL) organized a workshop on 'The Evolution of the Principle of *Non-Refoulement* in International Law: What Role for New Types of International Law-Making?'

The workshop consisted of two full panels representing researchers (and moderators) from eight different countries, dealing with a vast variety of aspects of the principle of *non-refoulement*, from a general discussion of the evolution of the principle's positive obligations and its standing in international and regional Human Rights treaties and systems, to its relation to diplomatic assurances and its application in specific (national) refugee cases. The workshop attracted 65 scholars and practitioners from all over the globe, contributing to the many worthwhile discussions and rendering this meeting a truly international event.

In our Call for Papers, we had promised that up to five eligible authors from low-income economies would, if their abstracts were selected for presentation, receive a one-year ESIL membership (which, as per ESIL guidelines, was a requirement of participation), including an online subscription to the European Journal of International Law, sponsored by the Human Rights Research League. In line with that promise, three authors ultimately benefited from that measure – and enriched our discussions.

Following a Q&A session and the conveners' concluding remarks, all participants were invited to continue the many great discussions and potential collaboration also beyond this workshop. For further details, please see the [Final Program](#) and the initial [Call for Papers](#). A screenshot of the event is available [here](#).

2021 ESIL RESEARCH FORUM – CATANIA

On 15 April 2021, the ESIL Interest Group on Migration and Refugee Law organized a side event on ‘*Understanding solidarity under international and EU refugee law: Between a rock and a hard place?*’ within the framework of the 2021 ESIL Research Forum in Catania, Italy (‘Solidarity: The Quest for Founding Utopias of International Law’), which targets scholars at an early stage of their careers.

On the margins of this year’s Research Forum, the IG MigRefLaw collaborated with the Academy of Law and Migration ([ADiM](#)) at the University of Tuscia, Italy, to organize a webinar for early career scholars, selected through a Call for Papers, who presented on the following topics: 1) The criminalisation of solidarity towards refugees and migrants; 2) The crisis of solidarity within the Common European Asylum System; 3) European solidarity towards third transit countries; 4) Other regional approaches to burden and responsibility-sharing in the framework of asylum policies; 5) Solidarity and vulnerability in the Global Compacts on migrants and refugees.

For further details, please see the original [Call for Papers](#), and the [Final Program](#).

3. Website

In accordance with paragraphs 5, 9 and 10 of the ESIL Interest Groups Policy Guidance, each Interest Group is required to set up a website which includes information about the group’s activities, the names of the members of the Coordinating Committee (including their contact details), the Group’s past and future activities and information about how to become an ESIL member. The IG MigRefLaw has a WordPress website which includes the requisite information at <http://migreflaw.wordpress.com/>.

The website contains info regarding the IG’s activities (past and future events), the members of the Coordinating Committee and on how to become a member. In addition to our newsletters (*infra*), the website contains descriptions of new publications by IG members, blog entries written by members of the Interest Group, relevant calls for papers, and vacancies.

Since September 2018, the Interest Group also has a Twitter-account ‘ESIL MigRefLaw Group’ ([@ig_migreflaw](#)) in order to promote its activities and to share information relevant to the field of migration and refugee law. The Twitter account is managed by the members of the Coordinating Committee.

4. Newsletter

The Interest Group also prepares a quarterly Newsletter which reaches our subscribing IG members via e-mail (in future, sent out by the ESIL Secretariat) and which can also be found on our website: <https://migreflaw.wordpress.com/newsletter/>. The Newsletter updates our members on the activities of the IG and contains further info on upcoming events and conferences, calls for papers, new publications, vacancies, etc. In addition, it provides a useful e-platform to introduce new members.

5. Contacts

If you have any questions regarding the Interest Group or want to contribute to our website or events, please contact us at our group's e-mail address: migreflaw@gmail.com, or individually at:

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