

The Politics of Refugee Protection in Europe: Past, Present, and Future Prospects

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MA-Seminar (3/6/9 ECTS)
Time: Tuesdays 14:15 – 15:45 hrs
Location: Seminar room GD 312

SUMMARY

Questions related to asylum and refugee protection feature prominently on the agenda of various European governments, and have given rise to vigorous civil society activism. The domestic interpretation of international legal requirements poses of eminently political questions. This seminar aims at engaging with the underlying politics of refugee protection. This entails an investigation of the origins of relevant institutional structures, an analysis of current discourses and practices in different European countries, and a critical engagement with prevailing categorization schemes.

Over the course of the seminar, we will discuss the shift in academic research from refugees to forced migration, the evolving international legal framework for the protection of forced migrants, the various legal status arrangements offered by European governments, and the development of common protection standards at the European level. Students will be asked to independently carry out diachronic and cross-country comparisons in order to gain an understanding of the commonalities and differences between national provisions of protection. Based on the results of these case studies, we will engage with various future scenarios for a common European protection framework.

The seminar will be held in English. For participation, English language proficiency at level C1 is required.

REQUIREMENTS

Attendance

I expect that all students regularly attend the class, actively participate in class discussions, and take initiative in proposing current refugee-related events for discussion. Please inform me in case you cannot attend a session. **In case you miss more than two sessions, you need to provide a doctor's certificate. Please note that the final block seminar counts as four sessions!**

Assignments

Each student has to contribute two short reflection papers. A reflection paper consists of a brief two-page summary of your thoughts on the core reading for any of the classes. For these brief thought pieces, neither research beyond the assigned readings nor references to other readings are expected. However, in this context as well as in general class discussion I particularly value critical engagement with the readings! Reflection papers have to be handed in before the class to which they refer (i.e., please send them to me via email the night before the class takes place at the very latest).

In addition, each student is expected to hold an oral presentation of 10-15 minutes that counts as 60% of your final grade if you . The oral presentation should link in with the topic discussed in the respective week's class. It can be based on supplementary reading that I provide, but should also refer to some independent research beyond these readings. I expect presenters to prepare handouts summarizing their key points for the entire class. Powerpoint presentation are not mandatory, but encouraged. Presentations should be concluded by raising at least two open questions for further discussion.

In addition to this, students wishing to obtain 6 or 9 ECTS credits have to submit a research paper of 12-15 pages (6 credits) or 22-25 pages (9 credits) by 31 March 2015. The paper may engage with any of the topics discussed in class but must engage with a clear research question that should be cleared with me before the start of the writing process. Research papers can be written in English or German.

The different assignments outlined above will all contribute towards your final grade. For students wishing to obtain 3 ECTS credits, each reflection paper counts as 20% of the final grade, and the oral presentation counts as 60%. For students wishing to obtain 6 or 9 ECTS credits, each reflection paper counts as 10% of your final grade, the oral presentation counts as 30%, and the final research paper counts as 50%.

Extensions for submitting the research papers can only be granted for medical reasons and have to be applied for before the original deadline.

COURSE SCHEDULE AND READINGS

October 14 Introduction

Core reading

Brown, Chris (2010). "The Only Thinkable Figure? Ethical and Normative Approaches to Refugees in International Relations", pp. 151-168 in Betts and Gil Loescher eds. *Refugees in International Relations* (Oxford: Oxford University Press).

October 21 Labels and categories: From refugees to forced migrants

Core readings

Chimni, B. S. (2009). "The Birth of a 'Discipline': From Refugee to Forced Migration Studies", *Journal of Refugee Studies* 22(1), pp. 11-29.

Zetter, R. (2007). "More Labels, Fewer Refugees: Remaking the Refugee Label in an Era of Globalization" *Journal of Refugee Studies* 20(2), pp. 172-192.

Supplementary readings

Zetter, R. (1991). "Labelling Refugees: Forming and Transforming a Bureaucratic Identity" *Journal of Refugee Studies* 4(1), pp. 39-62.

Bakewell, O. (2008). "Research Beyond the Categories: The Importance of Policy Irrelevant Research into Forced Migration" *Journal of Refugee Studies* 21(4), pp. 432-453.

Polzer, T. (2008). "Invisible Integration: How Bureaucratic, Academic and Social Categories Obscure Integrated Refugees" *Journal of Refugee Studies* 21(4), pp. 476-497.

Polzer, T. and L. Hammond (2008). "Invisible Displacement" *Journal of Refugee Studies* 21(4), pp. 417-431.

Haddad, E. (2004). "Who is (not) a Refugee?" *EUI Working Paper* No. 2004/06. Florence: European University Institute.

October 28 The legal basis of refugee protection

Core readings

The 1951 Geneva Convention Relating to the Status of Refugees and Its 1967 Protocol

International Parliamentary Union (2005). **Chapter 1** ("The Legal Framework of the International Refugee Protection System") in *Refugee Protection: A Guide to International Refugee Law*, pp. 8-20.

Lambert, Hélène (2005). "The European Convention on Human Rights and the protection of refugees: limits and opportunities" *Refugee Survey Quarterly* 24(2).

Supplementary readings

The 1998 UN Guiding Principles on Internal Displacement

Mooney, E. (2005). "The concept of internal displacement and the case for internally displaced persons as a category of concern" *Refugee Survey Quarterly* 24(3), pp. 9-26.

Carr, S. (2009). "From Theory to Practice: National and Regional Application of the Guiding Principles" *International Journal of Refugee Law* 21(1), pp. 34-47.

November 4 The institutional foundations of refugee protection

Core readings

Karatani, R. (2005). "How History Separated Refugee and Migrant Regimes: In Search of Their Institutional Origins" *International Journal of Refugee Law* 17(3), pp. 517-541.

Betts, A. (2010). "The Refugee Regime Complex" *Refugee Survey Quarterly* 29(1), pp. 12-37.

Supplementary readings

Chimni, B. S. (2004). "From Resettlement to Involuntary Repatriation: Towards a Critical History of Durable Solutions to Refugee Problems" *Refugee Survey Quarterly* 23(3), pp. 55-73.

Loescher, Gil (2001). "The UNHCR and world politics: state interests vs. institutional autonomy" *International Migration Review* 35(1), pp. 33-56.

Loescher, Gil, Alexander Betts, and James Milner (2008). *The United Nations High Commissioner for Refugees (UNHCR): the politics and practice of refugee protection into the 21st century*, Routledge.

November 11 Current EU protection standards: Achievements and shortcomings

Core readings

Ippolito, Francesca, and Samantha Velluti (2011). "The recast process of the EU asylum system: a balancing act between efficiency and fairness" *Refugee Survey Quarterly* 30(3), pp. 24-62.

Supplementary readings

Ucarer, E. M. (2006). "Burden-Shirking, Burden-Shifting, and Burden-Sharing in the Emergent European Asylum Regime" *International Politics* 43(2), pp. 219-240.

Thielemann, Eiko (2008). "The Future of the Common European Asylum System" Swedish Institute for European Policy Studies (SIEPS).

Sachverständigenrat deutscher Stiftungen für Migration und Integration (2013). "Europäische Flüchtlingspolitik: Wege zu einer fairen Lastenteilung. *Policy Brief*.

Rapoport, Hillel, and Jesús Fernández-Huertas Moraga (2014). "Tradable refugee-admission quotas: a policy proposal to reform the EU asylum policy" *EUI Working Papers RSCAS* 2014/101.

November 18 Border regimes and mechanisms of exclusion

Core readings

Hyndman, J. and A. Mountz (2008). "Another Brick in the Wall? Neo-Refoulement and the Externalization of Asylum by Australia and Europe" *Government and Opposition* 43(2), pp. 249-269.

Gammeltoft-Hansen, T. (2008). "The Refugee, the Sovereign and the Sea: EU Interdiction Policies in the Mediterranean" *DIIS Working Paper* no 2008/6.

Supplementary readings

Léonard, S. (2010). "EU border security and migration into the European Union: FRONTEX and securitisation through practices" *European Security* 19(2), pp. 231-254.

Neal, A. W. (2009). "Securitization and Risk at the EU Border: The Origins of FRONTEX" *Journal of Common Market Studies* 47(2), pp. 333-356.

Klepp, S. (2010). "Contested Asylum System: The European Union between Refugee Protection and Border Control in the Mediterranean Sea" *European Journal of Migration & Law* 12(1), pp. 1-21.

November 25 Reading week

No class!

HOMEWORK: Use this week to start thinking about your final essay topics. A good starting point for this may be to go through the course syllabus and either read up on the supplementary readings of sessions that you found particularly interesting, or to read ahead on upcoming topics that stir your interest. Send me an email stating your topic and a concrete research question by the end of the week (Sunday, 30 November). Please note that this does not need to be your final topic and/or research question – it is mainly meant to get you started with the (sometimes lengthy and difficult) process of coming up with a feasible research question for your final paper. I will provide individual feedback within two weeks of receiving your emails!

December 2 Case study 1: The Bosnian refugee crisis

Core readings

Bagshaw, Simon (1997). "Benchmarks or Deutschmarks: Determining the Criteria for the Repatriation of Refugees to Bosnia and Herzegovina" *International Journal of Refugee Law* 9 (4), pp. 566-592.

Koser, K., M. Walsh, et al. (1998). "Temporary Protection and the Assisted Return of Refugees from the European Union" *International Journal of Refugee Law* 10(3), pp. 444-461.

Supplementary readings

Phuong, C. (2000). "‘Freely to Return’: Reversing Ethnic Cleansing in Bosnia-Herzegovina" *Journal of Refugee Studies* 13(2), pp. 165-183.

Franz, Barbara (2010). "Returnees, remittances, and reconstruction: International politics and local consequences in Bosnia" *Whitehead Journal of Diplomacy and International Relations* 11, pp. 49-62.

Harvey, Joanna (2006). "Return Dynamics in Bosnia and Croatia: A Comparative Analysis" *International Migration* 44(3), pp. 89-144.

Bradley, Megan (2008). "Back to basics: The conditions of just refugee returns" *Journal of Refugee Studies* 21(3), pp. 285-304.

December 9 Case study 2: The Syrian refugee crisis

Core readings

Orchard and Miller (2014). "Protection in Europe for refugees from Syria", *Refugee Studies Centre Forced Migration Policy Briefing* 10, pp. 6-63 and p. 77

Supplementary readings

Zetter and Ruaudel (2014). "Development and protection challenges of the Syrian refugee crisis" *Forced Migration Review* 47, pp. 6-10.

Other articles in *Forced Migration Review* 47 (Special Issue on the Syria crisis, displacement and protection) that may be of interest – available at <http://www.fmreview.org/syria>

➔ Overview of UNHCR activities in Turkey:
<http://data.unhcr.org/syrianrefugees/country.php?id=224>

December 16 Case study 3: Refugee agency and empowerment

Core readings

Ellermann, Antje. "Undocumented migrants and resistance in the liberal state." *Politics & Society* 38.3 (2010): 408-429.

Ruedin and Meyer (2014). "Politicization from below? The deportation issue in public discourse in Austria, Switzerland, and Germany".

Supplementary readings

Tyler and Marciniak (2013). "Immigrant protest: an introduction" *Citizenship Studies* 17(2), pp. 143-156.

Castañeda (2013). "Medical aid as protest: acts of citizenship for unauthorized im/migrants and refugees" *Citizenship Studies* 17(2), pp. 227-240.

Conlon and Gill (2013). "Gagging orders: asylum seekers and paradoxes of freedom and protest in liberal society" *Citizenship Studies* 17(2), pp. 241-259.

Hintjens, Helen, Richa Kumar, and Ahmed Pouri (2011). "Pro-asylum Advocacy in the EU: Challenging the State of Exception" *Transnational Migration and Human Security*. (Springer: Berlin), pp. 209-223.

McGregor, JoAnn (2011). "Contestations and consequences of deportability: hunger strikes and the political agency of non-citizens" *Citizenship Studies* 15(5), pp. 597-611.

McNevin, Anne (2006). "Political Belonging in a Neoliberal Era: The Struggle of the Sans-Papiers" *Citizenship Studies* 10(2), pp. 135-151.

Rigby and Schlembach (2013). "Impossible protest: noborders in Calais" *Citizenship Studies* 17(2), pp. 157-172.

Rosenberger, Sieglinde, and Jakob Winkler (2014). "Com/passionate Protests: Fighting the Deportation of Asylum Seekers" *Mobilization: An International Quarterly* 19(2), pp. 165-184.

January 6 Camps: Spaces of exception or spheres of social and political life?

Core readings

Andrijasevic, Rutvica (2010). „From exception to excess: Detention and deportations across the Mediterranean space" in Nicholas de Genova and Nathalie Peutz eds. *The Deportation Regime: Sovereignty, Space, and the Freedom of Movement*. Duke University Press, pp. 147-165.

Rygiel, Kim. "Politicizing camps: forging transgressive citizenships in and through transit." *Citizenship Studies* 16.5-6 (2012): 807-825.

Supplementary readings

Sigona, Nando (2014). "Campzenship: reimagining the camp as a social and political space" *Citizenship Studies* online preview.

Bosworth, Mary, and Sarah Turnbull (2014). "Immigration Detention, Punishment, and the Criminalization of Migration" in S. Pickering and J. Hamm eds. *The Routledge Handbook on Crime and International Migration*.

➔ Overview of global detention schemes and practices at
<http://www.globaldetentionproject.org/>

Ek, Richard (2006). "Giorgio Agamben and the spatialities of the camp: an introduction" *Geografiska Annaler: Series B, Human Geography* 88(4), pp. 363-386.

Grbac, Peter (2013). "Civitas, polis, and urbs. Reimagining the refugee camp as the city" Refugee Studies Centre *Working Paper series* No. 96.

January 10 Full day block seminar

We will use the day for a role play on EU refugee policy (“SimEUPol: Asylum and refugee policy”). Over the course of the day, you will be able to apply the knowledge gained during the seminar, and get an insight into the modes of interaction and discussion between members of the European Parliament, the European Commission, and the Council of the European Union.