

## Course Outline

<b>Course number</b>	RBE329					
<b>Course title</b>	EU Migration & Asylum Law					
<b>Credit points</b>	3 ECTS					
<b>Total hours</b>	80					
<b>Contact hours</b>	32					
<b>Independent studies</b>	48					
<b>Course level</b>	Bachelor					
<b>Prerequisites</b>	None					
<b>Category</b>	Mandatory		Restricted elective	X	Free elective	

### COURSE RESPONSIBLE

<i>Name</i>	<i>Academic degree</i>	<i>Academic position</i>
Francesco Luigi Gatta	Ph.D.	Visiting Lecturer

### COURSE TEACHERS

<i>Name</i>	<i>Academic degree</i>	<i>Academic position</i>
Francesco Luigi Gatta	Ph.D.	Visiting Lecturer

### COURSE ABSTRACT

This course offers a general introduction to European migration and asylum law. It aims to give a basic knowledge of the main features and challenges of contemporary migration governance, with a special focus on the European legal-institutional framework.

The course covers the principles governing the management of the migratory phenomenon, highlighting its complexity and the multiplicity of interacting and often competing dynamics. It traces the foundations of the international cooperation on migration-related matters, from the first, initial experiences following the World War II, to today's mechanisms of multilateral collaboration put in place to manage large movements of migrants and asylum seekers.

The course explores different legal and institutional frameworks, involving different international organisations, such as the United Nations, the Council of Europe and, most notably, the European Union. Following an overview of the most relevant legal tools governing migration management and migrants' fundamental rights at the various levels, the course focuses on the multiplicity of actors and players involved on the international scene in the process of migration and asylum governance. This includes UN bodies and agencies, such as the UNHCR and IOM, as well as ad hoc figures activated within the Council of Europe, like the Special Representative on Migration and Refugees or the Commissioner for Human Rights. A special focus will be put on the European Union and its administrative and institutional apparatus developed for dealing

with migration and asylum-related challenges: most notably the Agency Frontex, created in 2004 and in charge of managing an integrated and coordinated system of border controls, and EASO (European Asylum Support Office), established in 2010 and recently transformed into the European Asylum Agency.

Having framed the relevant legal and institutional tools relating to migration management, the course will devote particular attention to the recent challenges posed by the migratory pressure in the European Union. The so-called 2015 refugee crisis will be analysed in depth, focusing on its causes and effects, as well as on the reactions and responses put in place by the EU Member States and by the European Institutions. The course will also address the more recent crises provoked by the strategies of “weaponization” of migrants, including those enacted by Belarus, Turkey and Morocco.

Finally, the course will discuss the relevant and recent migration-related case law of the two European courts: the EU Court of Justice and the European Court of human rights. It will highlight the role played by those jurisdictions in shaping the protection of migrants’ fundamental rights on the one hand, and in imposing obligations on States in terms of migration management on the other.

The course is designed to be interactive: theoretical issues will be confronted with practical cases (i.e. case-law) in order to allow the students to understand and verify how relevant international and EU legal principles are actually implemented and understood by the States. Particular attention will be devoted to the recent and current challenges faced by the EU and its Member States (e.g. the 2015 refugee crisis, the impact of the COVID-19 emergency on migration and mobility rights, the controversial reform of the so-called Dublin system, and so on).

## **GRADING CRITERIA**

<b><i>Criteria</i></b>	<b><i>Weighting</i></b>
Intermediate written exam – Test (in-class exam) – mandatory	30%
Final written exam (home assignment - essay) – mandatory	70%

The final grade for the course is made of two components. The first one, associated to an intermediate Test, to be done while the course progresses. This will consist of a written test, with questions with multiple choices and weights 30% of the final grade. The second one is the most significant part of the exam, weighting 70% of the total, and will be taken at the end of the course, in the form of a home assignment (essay), to be written within a certain deadline.

## **COURSE REQUIREMENTS**

No attendance requirement. But attendance is highly encouraged.

## COURSE PLAN – MAIN SUBJECTS

<b>No.</b>	<b><i>Main subjects</i></b>
1	Migration and asylum governance in Europe: foundations, historical background and current challenges
2	Relevant international legal framework: overview of the main tools and actors operating within the United Nations, the Council of Europe and the European Union
3	The Schengen and Dublin normative frameworks: overview
4	The Common European Asylum System: origin, evolution, main features and relevant legal instruments
5	The institutional framework relating to migration and asylum: EU institutions, agencies and specialized bodies, in particular: Frontex/EBCG and EASO/EAA
6	The 2015 “refugee crisis” and the response put in place by the European Union
7	Relevant migration-related case-law of the EU Court of Justice and of the European Court of Human Rights
8	Current challenges and unsolved issues of migration management in Europe (e.g. post-2015 refugee crisis, search and rescue activities in the Mediterranean Sea, COVID-19 Pandemic, reform of the Dublin system, instrumentalization of migrants by third countries)