



ITALIAN SOCIETY OF INTERNATIONAL LAW  
AND EUROPEAN UNION LAW  
XXII ANNUAL CONFERENCE

## Migration and International Law: Beyond the Emergency?

8-9 June 2017  
University of Trento

### CALL FOR PAPERS

The *Italian Society of International Law and European Union Law* is issuing a Call for Papers for its XXII Annual Conference on ‘Migration and International Law: Beyond the Emergency?’ that will be held at the University of Trento on 8-9 June 2017. The Conference consists of three plenary sessions and two rounds of parallel sessions, the latter being open to participation through this Call. The Call is addressed to both Italian and foreign scholars and welcomes submissions focussing on the public international law, private international law and EU law aspects of migration.

Aware of the importance of the law as a fundamental tool to manage mass migration and acknowledging, at the same time, the legal, sociological, historical, economic and demographic dimensions of migration, the opening session of the Conference will set the scene for a broad understanding of the phenomenon in its complexity. This multi-disciplinary opening session will pave the way to the different arguments that will be developed throughout the other sessions. In the very same spirit of dialogue, submissions that can combine legal aspects with insights from other disciplines are particularly welcome.

States and international institutions take too often an ‘emergency approach’ when dealing with migration policies. The law, in this context, is certainly an essential tool. Yet, at times it proves to be mainly a rhetorical argument of little practical use. It is thus crucial that legal scholarship deeply understands the complexity of the phenomenon at issue in view of (possibly) advancing solutions and/or new ways to look at it. This aim of ‘searching for solutions’ informs the other two plenary sessions. One is dedicated to a comparison between migration policies through case studies in order to look at how States (or groups of States, as in the case of the EU) manage mass migration. The other session invites to rethink the nature and usefulness of the distinction between refugees, on the one hand, and economic migrants, on the other.



These plenary meetings are coupled with two rounds of parallel sessions that are open to the participation of scholars in international law, private international law and EU law. Contributions are particularly welcome in the following thematic areas:

- The **main solutions** elaborated by legal scholars as well as policymakers to deal with the phenomenon of migration. Topics include, for example:
  - proposals to reform the European asylum system;
  - the conditionality of EU development aid and trade agreements;
  - the creation of a European “market” for refugee/migrant admission quotas;
  - agreements between States in order to handle migration flows;
  - adoption of new legal instruments (e.g., the Global Migration Compact).
  
- The **role of international institutions** (e.g., EU, WHO, ILO, IOM) and their agencies (e.g., Frontex, UNHCR) in managing migration. Topics include, for example:
  - initiatives and programmes with regard to migrants/refugees, including those only indirectly related to them such as initiatives on the protection of health and the environment, the protection of workers, the rights of minorities, and international cooperation and sustainable development programmes;
  - prosecution of crimes related to immigration;
  - the role of international courts in developing the rights of migrants and the obligations of States.
  
- The **responsibility of States** (both origin and host States) and of **international organisations** in managing migration. Topics include, for example:
  - violations of international law, particularly, for acts conducted jointly with, or by means of, other entities and actors;
  - the consequences of unlawful or even lawful acts on the obligations of States and international organisations to accept refugees (e.g., the role of States in conflicts that bring about refugee flows or the role of States in the deterioration of the environment as a cause of migration);
  - the obligations of States of origin towards host States (e.g., compensation for costs incurred in managing migration flows);
  - the principle of solidarity and the principle of shared/common responsibilities in hosting migrants and refugees;
  - use of the state of necessity and emergency clauses contained in human rights treaties as a justification for non-compliance with international obligations.



- The **routes of migrants** (both forced and voluntary ones) from the State of origin towards the host State, including in relation to the role of non-State actors. Topics include, for example:
  - rescue at sea;
  - human trafficking and human smuggling;
  - the fight against smugglers, terrorists, and foreign fighters;
  - problems associated with the extra-territoriality of States' action.
  
- The **condition of migrants** in the Country of arrival. Topics include, for example:
  - the acquisition of citizenship and residence permits;
  - 'differentiated statuses' granted to foreigners holding a long-term residence permit;
  - identification practices and administrative detention;
  - the discrimination of migrants, with specific regard to the so-called 'multiple discrimination';
  - civil, political, economic, social and cultural rights of migrants, especially the most vulnerable ones (e.g., underaged, women, disabled, and sexual minorities);
  - criminalisation of migrants and criminal sanctions;
  - conflicts between the rights of the migrants and those of host population: the social need and the legal obligation to balance different interests.
  
- The **relationships of migrants** with those remaining in the Countries of origin as well as with the host society. Topics include, for example:
  - marriage;
  - family reunification;
  - polygamy and public order;
  - unaccompanied minors.

We welcome abstracts of no more than 600 words to be submitted in PDF or WORD format to the following e-mail address: [convegnosidi2017@gmail.com](mailto:convegnosidi2017@gmail.com). The deadline for submission is **15 April 2017**. A short curriculum vitae (50-150 words approx.) should be attached to the abstract.

Italian, English and French will be the working languages for both drafting the paper and presenting at the Conference. In this regard, panellists are expected to speak no more than 20 minutes each. All applicants will be notified via e-mail by the end of April 2017 of the results of the selection process. Successful applicants should send the text of their speech by **31 May 2017**.



While in principle travel and accommodation expenses will not be reimbursed to panellists, requests coming from young scholars will be considered.

The papers presented at the Conference will be collected in a volume, edited by the Conference organisers and published in the book series devoted to the proceedings of the *Italian Society of International Law and European Union Law Annual Conferences*. To this effect, contributors are expected to submit their final paper (6000-8000 words max.) by **31 July 2017**. Editing criteria will be communicated to contributors together with the decision of acceptance to the Conference.