

Critical International Migration Law. (Brussels)

[View Online](#)

135 items

The Library at BSIS is completely digital so all titles are purchased as multi user ebooks where available.

MODULE TEXTBOOK

This time, I am not recommending a textbook. Instead, the reading lists provide plenty of variety and everything listed is available online via the Templeman Library, or via Moodle.

Books of Interest (An Indicative List) (16 items)

Regional approaches to the protection of asylum seekers: an international legal perspective, by Ademola Abass; Francesca Ippolito, 2014

[Book](#)

Journey into Europe: Islam, Immigration, and Identity: Islam, Immigration, and Identity, by Akbar Ahmed, 2018

[Book](#)

Research handbook on international law and migration, edited by Vincent Chetail; Celine Bauloz, 2014

[Book](#)

Migration and human rights: the United Nations Convention on Migrant Workers' Rights, by Ryszard I. Cholewinski; P. F. A. de Guchteneire; Antoine Pécoud, c2009

[Book](#)

When humans become migrants: study of the European Court of Human Rights with an Inter-American counterpoint, by Marie-Bénédicte Dembour, 2015

[Book](#)

The Oxford handbook of refugee and forced migration studies, by Elena Fiddian-Qasmiyeh; Gil Loescher; Katy Long; Nando Sigona, 2014

[Book](#)

Making of the Modern Refugee, by Peter Gatrell, 2013

[Book](#)

The ethics and the politics of asylum: liberal democracy and the response to refugees, by Matthew J. Gibney, 2004

[Book](#)

The Law of Refugee Status, by James C. Hathaway; Michelle Foster, 2014

Book

Humanity at sea: maritime migration and the foundations of international law, by Itamar Mann, 2016

Book

Climate change, forced migration, and international law, by Jane McAdam, 2012

Book

What is a refugee?, by William Maley, 2016

Book

Research Handbook on Climate Change, Migration and the Law, by Benoit Crepeau Mayer, 2017

Book

Depoliticising Migration : Global Governance and International Migration Narratives, by Antoine Pezoud, 2014

Book

The International Protection of Internally Displaced Persons, by Catherine Phuong, 2005

Book

Migration, by Michael Collyer Samers, 2017

Book

Seminar – Week 13 Film screening

While we will not have sufficient time to discuss the film following the screening, it will serve to inform some of our discussions throughout this term.

This is the first in a series of 6 documentaries which you can view through Moodle. I would recommend you view the other 5 in your own time, as they serve to illuminate many of the issues we shall be addressing in classes.

Preparation for next week's seminar – see readings listed under Week 14

SEMINAR Week 14: Thursday 24 Jan 2019 (9 items)

Seminar: The nature of international migration law

Encouraging a critical approach to the subject

The Birth of a 'Discipline': From Refugee to Forced Migration Studies - in Journal of Refugee Studies, by B. S. Chimni, 2008-12-05

Article

The Many Faces of Humanitarianism', by C. Douzinas

Webpage

General Reading

Human Mobility and the Longue Durée: The Prehistory of Global Migration Law - in AJIL Unbound, by Jacqueline Bhabha, 2017

Article

Sovereignty and Migration in the Doctrine of the Law of Nations: An Intellectual History of Hospitality from Vitoria to Vattel - in European Journal of International Law, by Vincent Chetail, 2016-11

Article

Migration - in Migration, March 2009

Chapter

Migration in the Media | University of Oxford Podcasts - Audio and Video Lectures

Article

READING FOR NEXT WEEK'S SEMINAR: Discourses on migration

SEMINAR Week 15: Thursday 31st Jan 2019 (15 items)

Seminar: Discourses on migration

Another Story: What Public Opinion Data Tell Us about Refugee and Humanitarian Policy - in Journal on Migration and Human Security, by Blitz, B., 2017

Article

Framing migration and the process of crimmigration: A systematic analysis of the media representation of unauthorized immigrants in the Netherlands - in European Journal of Criminology, by Jelmer Brouwer; Maartje van der Woude; Joanne van der Leun, 2017-01

Article

Language as a migration policy tool - Sur - International Journal on Human Rights, by Ceriani Cernadas

Article

Uncertainty, Threat, and the Role of the Media in Promoting the Dehumanization of Immigrants and Refugees - in Journal of Social Issues, by Victoria M. Esses; Stelian Medianu; Andrea S. Lawson, 2013-09

Article

Making people illegal: what globalization means for migration and law, by Catherine Dauvergne, 2008

[Book](#) | Chapter II

The politics of insecurity: fear, migration, and asylum in the EU, by Jef Huysmans; Dawsonera, 2006

[Book](#) | Chapter 4 (Securitizing Migration)

Introduction: The Criminalization of Migration and European (Dis)Integration - in European Journal of Migration and Law, by Luisa Marin

[Article](#)

Criminalising Irregular Migration: The Failure of the Deterrence Model and the Need for a Human Rights-Based Framework - in Journal of Immigration, Asylum and Nationality Law, by Bethany Hastie

[Article](#)

Qui Bono? Winners and Losers of Securitising Migration - in Griffith Law Review, by Georgios Karyotis; Dimitris Skleparis, 2013-01

[Article](#)

Immigration Control in an Era of Globalization: Deflecting Foreigners, Weakening Citizens, and Strengthening the State - in Indiana Journal of Global Legal Studies, by Mitsilegas, 2012

[Article](#)

Migration Emergencies - in Hastings Law Journal, by Ramji-Nogales, J., 2017

[Article](#)

Less Enforcement, More Compliance: Rethinking Unauthorized Migration. - in UCLA Law Review, by Ryo, Emily1, 2015

[Article](#)

The Oxford handbook of refugee and forced migration studies, by Elena Fiddian-Qasmiyeh; Gil Loescher; Katy Long; Nando Sigona, 2014

[Book](#) | Scheel and Squire: Forced migrants as 'illegal' migrants

Policy Discourses on Irregular Migration in the EU - 'Number Games' and 'Political Games' - in European Journal of Migration and Law, by Bastian A. Vollmer, 2011-01-01

[Article](#)

READING FOR NEXT WEEK'S SEMINAR: State sovereignty, borders and freedom of movement

SEMINAR Week 16: Thursday 7 Feb 2019 (12 items)

Seminar: State Sovereignty, Borders and Freedom of Movement

'Crimmigrant' bodies and bona fide travelers: Surveillance, citizenship and global governance - in Theoretical Criminology, by Katja Franko Aas, 2011-08

[Article](#)

Beyond the Walls of Paper. Undocumented Migrants, the Border and Human Rights - in European Journal of Migration and Law, by Anna Błuś, 2013-01-01

Article

The Impact of Externalization of Migration Controls on the Rights of Asylum Seekers and Other Migrants - in Journal on Migration and Human Security, by Bill Frelick; Ian M. Kysel; Jennifer Podkul, 2016-12

Article

Access to asylum: international refugee law and the globalisation of migration control, by Thomas Gammeltoft-Hansen, 2011

Book | Chapter 4 (from 115-126)

Territoriality, Democracy, and Borders: A Retrospective on the "Refugee Crisis", by K. Ferdinand Garditz

Article

The Oxford handbook of refugee and forced migration studies, by Elena Fiddian-Qasmiyeh; Gil Loescher; Katy Long; Nando Sigona, 2014

Book | Hansen R, 'State Controls: : Borders, Refugees and Citizenship'

The Shifting and Multiple Border and International Law - in Oxford Journal of Legal Studies, by A. Kesby, 2005-10-28

Article

Human Rights, Free Movement, and the Right to Leave in International Law - in International Journal of Refugee Law, by C. Harvey; R. P. Barnidge, 2007-03-16

Article

Cutting off the flow: Extraterritorial controls to prevent migration, by E. Taylor-Nicholson

Document

'Stop the boats'! Externalising the Borders of Australia and Imaginary Pathologies of Contagion - in Journal of Immigration, Asylum and Nationality Law, by Claudia Tazreiter

Article

The Principle of Non-Refoulement And the De-Territorialization of Border Control at Sea - in Leiden Journal of International Law, by SELINE TREVISANUT, 2014-09

Article

PTO

Documents

UN Charter – Article 2

READING FOR NEXT WEEK'S SEMINAR Asylum & refugees

Week 17: Thursday 14th Feb 2019 (12 items)

Seminar: Asylum and Refugees

The Geopolitics of Refugee Studies: A View from the South - in Journal of Refugee Studies, by B. S. CHIMNI, 1998-01-01

Article

The Impact of Externalization of Migration Controls on the Rights of Asylum Seekers and Other Migrants - in Journal on Migration and Human Security, by Bill Frelick; Ian M. Kysel; Jennifer Podkul, 2016-12

Article

The End of the Deterrence Paradigm? Future Directions for Global Refugee Policy - in Journal on Migration and Human Security, by Thomas Gammeltoft-Hansen; Nikolas F. Tan, 2017-03

Article

Displaced: A Proposal for an International Agreement to Protect Refugees, Migrants, and States. - in Berkeley Journal of International Law, by Goldenziel, Jill I.1, 2017

Article

The United States Government Program of Intercepting and Forcibly Returning Haitian Boat People to Haiti: Policy Implications and Prospects - in New York Law School Journal of Human Rights, by Helton, A. C., 1993

Article

UNCONVENTIONAL REFUGEES - in American University Law Review, by Keyes, Elizabeth, 2017

Article

The USA and the Caribbean Interdiction Program - in International Journal of Refugee Law, by Stephen H. Legomsky, 2006-09-01

Article

Externalized Borders and the Invisible Refugee - in Columbia Human Rights Law Review, by Nessel, L. A., 2009

Article

Drowning not Waving: Boat People and Humanitarianism at Sea - in Journal of Refugee Studies, by M. Pugh, 2004-03-01

Article

Paradigm Shift or Business as Usual? An Historical Reappraisal of the "Shift" to Securitisation of Refugee Protection - in Refugee Survey Quarterly, by N. Saunders, 2014-09-01

Article

When Stopping the Smuggler Means Repelling the Refugee: International Human Rights Law and the European Union's Operation To Combat Smuggling in Libya's Territorial Sea. - in Yale Law Journal, by STRAUCH, PAUL1, 2017

Article

Documents

The Refugee Convention 1951 and 1967 Protocol

Global Compact for Refugees, adopted by GA Res on 17 December 2018

https://www.unhcr.org/gcr/GCR_English.pdf

Hirsi Jamaa v Italy, Judgment of Grand Chamber of ECtHR

Security Council Resolutions, 2240 (2015), 2312 (2016), 2380 (2017) and 2437 (2018)

READING FOR SEMINAR WEEK 19: Internal displacement

SEMINAR WEEK 18: Thursday 21st Feb 2019 (1 items)

READING WEEK – NO CLASSES

Reading:

Please use this time to catch up on any reading you may have missed. Or maybe catch up on the documentary I showed in week 1 – watch the remaining 5 episodes. (see Moodle for week 1).

Week 19: 28th Feb 2019 (12 items)

Seminar: Internal Displacement

From Theory to Practice: National and Regional Application of the Guiding Principles - in International Journal of Refugee Law, by S. Carr, 2009-01-20

Article

Research handbook on international law and migration, edited by Vincent Chetail; Celine Bauloz, 2014

Book

| Cohen, Protection of internally displaced persons: National and international responsibilities

Forced Displacement In Africa: Dimensions, Difficulties, And Policy Directions - in Refugee Survey Quarterly, by J. Crisp, 2010-09-01

Article

Protecting internally displaced persons: The value of the Kampala Convention as a regional example - in International Review of the Red Cross, by Adama Dieng, 2017-04

Article

Forced Migration Studies: Could We Agree Just to 'Date'? - in Journal of Refugee Studies, by J. C. Hathaway, 2007-09-01

Article

Translating the Kampala Convention into practice: A stocktaking exercise - in International Review of the Red Cross, 2017-04

Article

The Oxford handbook of refugee and forced migration studies, by Elena Fiddian-Qasmiyeh; Gil Loescher; Katy Long; Nando Sigona, 2014

Book | Kalin W, Internal Displacement

Managing Forced Displacement by Law in Africa: The Role of the New African Union IDPs Convention. - in Vanderbilt Journal of Transnational Law, 2011

Article | 1-85 (from page 53)

The Concept of Internal Displacement and the Case for Internally Displaced Persons as a Category of Concern - in Refugee Survey Quarterly, by E. Mooney, 2005-01-01

Article

The Contested Origins of Internal Displacement - in International Journal of Refugee Law, by Phil Orchard, 2016-06

Article

Guiding Principles on Internal Displacement: Expression of Lex Lata or De Lega Ferenda - Status in International Law and Implication on the Law on International Peace and Security - in Arizona Journal of International and Comparative Law, by Temprosa, F., 2018

Article

Relevant documents

Guiding Principles on Internal Displacement (1998)

Pact on Security, Stability and Development in the Great Lakes Region (2006)

Convention for the Protection and Assistance of Internally Displaced Persons in Africa ('Kampala Convention') (2009)

READING FOR NEXT WEEK: Environmental Displacement

SEMINAR Week 20: Thursday 7th March 2019 (12 items)

Seminar: Environmental Displacement

UNHCR - Environmental refugees: myth or reality?, Richard Black

Document

Managing Climate Insecurity by Ensuring Continuous Capital Accumulation: 'Climate Refugees' and 'Climate Migrants' - in New Political Economy, by Romain Felli, 2013-06

Article

The Legally Disruptive Nature of Climate Change - in The Modern Law Review, by Elizabeth Fisher; Eloise Scotford; Emily Barritt, 2017-03

Article | (concerns climate change more generally, rather than migration)

Rethinking Climate refugees and climate conflict: rhetoric, reality and the politics of police discourse, by Hartmann

Article

The Environmental Causes and Consequences of Migration: A Search for the Meaning of Environmental Refugees - in Georgetown International Environmental Law Review, by Keane, D., 2004

Article

Climate Change, Natural Disasters and Displacement: A Multi-Track Approach to Filling the Protection Gaps', by V. Kolmannskog; L. Trebbi

Article

Swimming against the Tide: Why a Climate Change Displacement Treaty is Not the Answer - in International Journal of Refugee Law, by McAdam, J., 2011

Article

Building International Approaches to Climate Change, Disasters, and Displacement - in Windsor Yearbook of Access to Justice, by McAdam, J., 2016

Article

Research Handbook on Climate Change, Migration and the Law, 2017

Book

| McInerney-Lankford, S, Climate change, human rights and migration: a legal analysis of challenges and opportunities

Protecting People Displaced by Weather-Related Disasters and Climate Change: Experience from the Field - in Vermont Journal of Environmental Law, by Thomas, A., 2014

Article

What's at Stake in Securitising Climate Change? Towards a Differentiated Approach,, by Von Lucke; Wellmann; Diez

Article

Documents

Nansen Initiative: Agenda for the Protection of Cross-Border Displaced Persons in the Context of Disasters and Climate Change:

<https://nanseninitiative.org/wp-content/uploads/2015/02/PROTECTION-AGENDA-VOLUME-1.pdf>

Convention for the Protection and Assistance of Internally Displaced Persons in Africa ('Kampala Convention') (2009)

Podcast: Professor W Kalin 2015:

<http://www.rsc.ox.ac.uk/news/2018we-do-not-want-to-become-refugees2019-human-mobility-in-the-age-of-climate-change-annual-harrell-bond-lecture-2015>

SEMINAR Week 21: Thursday 14th March 2019 (13 items)Seminar: International Labour Migration

Reimagining International Law for Global Migration: Migration as Decolonization? - in *AJIL Unbound*, by E. Tendayi Achiume, 2017

The Economics of International Labor Migration and the Case for Global Distributive Justice in Liberal Political Theory. - in *Cornell International Law Journal*, by Chang, Howard F.1, 2008

Punitive inclusion: The political economy of irregular migration in the margins of Europe - in *European Journal of Criminology*, by Leonidas K. Cheliotis, 2017-01

Migration, Governance and Human Rights: Contemporary Dilemmas in the Era of Globalization - in *Refugee Survey Quarterly*, by R. Cholewinski; P. Taran, 2009-01-01

The ideology of temporary labour migration in the post-global era - in *Citizenship Studies*, by Catherine Dauvergne; Sarah Marsden, 2014-02-17

Precarious Migrant Status and Precarious Employment: The Paradox of International Rights for Migrant Workers - in *Comparative Labor Law & Policy Journal*, by Fudge, J., 2012

PEOPLE ARE NOT BANANAS: HOW IMMIGRATION DIFFERS FROM TRADE. - in *Northwestern University Law Review*, by Gordon, Jennifer1, 2010

THE ENDURING VULNERABILITY OF MIGRANT DOMESTIC WORKERS IN EUROPE - in *International and Comparative Law Quarterly*, by Clíodhna Murphy, 2013-7

International Migration: Trends: Challenges, and the Need for Cooperation within an International Human Rights Framework - in *ILSA Journal of International & Comparative Law*, by Nanda, V. P., 2011

Research handbook on international law and migration, edited by Vincent Chetail; Celine Bauloz, 2014 | Nessel, Human dignity or state sovereignty? The roadblocks to full realisation of the UN Migrant Workers Convention

The Ethics of Immigration Labor Policy, by M. Ruhs; H.J. Chang

Globalisation, International Labour Migration and the Rights of Migrant Workers - in *Third World Quarterly*, by Piyasiri Wickramasekara, 2008-10

Documents

ILO Migration for Employment Convention 97 (1949)

ILO Migrant Workers (Supplementary Provisions) Convention 143 (1975)

ILO Domestic Workers Convention 189 (2011)

International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (1990)

READING FOR WEEK 23: Human Trafficking and Smuggling

SEMINAR Week 22: Thursday 21st March 2019 (1 items)

This is the week of the trip to Geneva with another class.

No classes – Students can book a time to see me during normal class times, for essay consultations

SEMINAR Week 23: Thursday 28th March 2019 (12 items)

Seminar: □ Human Trafficking and Smuggling

Smuggling and Trafficking in Human Beings: The Phenomenon, the Markets That Drive It and the Organisations That Promote It' - in European Journal on Criminal Policy and Research, by Alexis A. Aronowitz, 2001

[Article](#) | (read pp 163-178 – the rest is a bit dated)

Traffic in Human Beings: At the Intersection of Criminal Justice, Human Rights, Asylum/Migration and Labor - in Denver Journal of International Law and Policy, by Edwards, A., 2007

[Article](#)

The Human Rights Quagmire of Human Trafficking - in Virginia Journal of International Law, by Hathaway, J. C., 2008

[Article](#)

Human Rights and Human Trafficking: Quagmire or Firm Ground - A Response to James Hathaway - in Virginia Journal of International Law, by Gallagher, A. T., 2009

[Article](#)

New slavery, old binaries: human trafficking and the borders of 'freedom', by O'Connell Davidson

[Article](#)

Same, but Different: Assessing the Interaction of the Migrant Workers' Rights and Anti-Trafficking Regimes under International Law - in New York University Journal of International Law and Politics, by Huckerby, JayneDuke U, 2015

[Article](#)

The Legal Nature of Trafficking in Human Beings - in Intercultural Human Rights Law Review, by Piotrowicz, R., 2009

Article

Human Trafficking and the Emergence of the Non-Punishment Principle - in Human Rights Law Review, by Ryszard Wilson Piotrowicz; Liliana Sorrentino, 2016-12

Article

ECONOMIC MIGRATION GONE WRONG: TRAFFICKING IN PERSONS THROUGH THE LENS OF GENDER, LABOR, AND GLOBALIZATION. - in Indiana International & Comparative Law Review, by Raigrodski, Dana1, 2015

Article

Emerging from the shadows or pushed into the dark? The relation between the combat against trafficking in human beings and migration control - in International Journal of Law, Crime and Justice, by Joanne van der Leun; Anet van Schijndel, 2016-03

Article

When Stopping the Smuggler Means Repelling the Refugee: International Human Rights Law and the European Union's Operation To Combat Smuggling in Libya's Territorial Sea. - in Yale Law Journal, by STRAUCH, PAUL1, 2017

Article

Documents/Cases/Resources:

Protocol to Prevent, Suppress and Punish Trafficking in Persons Especially Women and Children (Trafficking Protocol) (2000)

Protocol against Smuggling of Migrants by Land, Sea and Air (Smuggling Protocol) (2000)

Statute of the International Criminal Court, (1998) Art 7

Council of Europe Convention on Action against Trafficking in Human Beings

Rantsev v Cyprus and Russia (2010) European Court of Human Rights

Prosecutor v Kunarac, Case No. IT-96-23&23/I, Judgment, 541-542 (Feb. 22, 2001) (International Criminal Tribunal for Former Yugoslavia).

UN Global Report Trafficking in Persons (2016)

https://www.unodc.org/documents/data-and-analysis/glotip/2016_Global_Report_on_Trafficking_in_Persons.pdf

UN Office on Drugs and Crime (UNODC)

<https://www.unodc.org/unodc/en/human-trafficking/index.html?ref=menuside>

Reading for next week's seminar: Migrants and human rights

Week 24: Thursday 4th April 2019 (9 items)Seminar: Migrants and Human Rights – A focus on Undocumented Migrants

Human Rights, State Sovereignty and the Protection of Undocumented Migrants under the International Migrant Workers Convention - in *International Migration Review*, by Linda S. Bosniak, 1991-24

[Article](#)

Global Migration Governance - in *Netherlands Quarterly of Human Rights*, by François Crépeau; Idil Atak, 2016-06

[Article](#)

Making people illegal: what globalization means for migration and law, by Catherine Dauvergne, 2008

[Book](#) | Chapter two

Are Human Rights for Migrants? : Critical Reflections on the Status of Irregular Migrants in Europe and the United States, by Marie-Benedicte Kelly Dembour, 2011

[Book](#) | Grant, The recognition of migrants' rights within the UN human rights system

Borders and Duties to the Displaced: Ethical Perspectives on the Refugee Protection System - in *Journal on Migration and Human Security*, by Hollenbach, D., 2016

[Article](#)

Undocumented Migrants - in *European Journal of Political Theory*, by Monika Krause, 2008-07

[Article](#)

"The Right to Have Rights": Undocumented Migrants and State Protection. - in *Kansas Law Review*, by Ramji-Nogales, Jaya1, 2015

[Article](#)

The European Court of Human Rights: A Guardian of Minimum Standards in the Context of Immigration - in *Netherlands Quarterly of Human Rights*, by Jukka Viljanen; Heta-Elena Heiskanen, 2016-06

[Article](#)**Documents/Reports**UN, *The rights of Non-Citizens*, (Office of the High Commissioner for Human Rights, 2006)

International Covenant on Civil and Political Rights (1966)

OHCHR, *Human Rights and Human Trafficking*, 2014OCHHR, *Migration and Human Rights: Improving Human Rights Based Governance of International Migration*, 2013

Universal Declaration of Human Rights (1948)

If you are interested in the subject of enforcement, a short reading list is included

Enforcement: Detention, Deportation, Expulsion (but note – no seminar on this subject) (9 items)

Citizenship, deportation and the boundaries of belonging - in Citizenship Studies, by Bridget Anderson; Matthew J. Gibney; Emanuela Paoletti, 2011-08

Article

Comparing Immigration Detention in Britain and France: A Matter of Time? - in European Journal of Migration and Law, by Mary Bosworth

Article

Back to Basics: The Right to Liberty and Security of Person and ‘Alternatives to Detention’ of Refugees, Asylum-Seekers, Stateless Persons and Other Migrants, by A. Edwards

Document

Who must be Detained? Proportionality as a Tool for Critiquing Immigration Detention Policy - in Refugee Survey Quarterly, by M. Flynn, 2012-09-01

Article

Is Deportation a Form of Forced Migration? - in Refugee Survey Quarterly, by M. J. Gibney, 2013-06-01

Article

Research handbook on international law and migration, edited by Vincent Chetail; Celine Bauloz, 2014

Book | ch 6

The Long Route Towards a Widespread European Culture of Alternatives to Immigration Detention - in European Journal of Migration and Law, by Annalisa Mangiaracina

Article

Detention of asylum seekers in the US, UK, France, Germany, and Italy - in Criminal Justice, by Michael Welch; Liza Schuster, 2005-11

Article

Arbitrary detention of asylum seekers: a comparison of some recent practice from Italy and the UK | Daniel Wilsher and Francesca Cancellaro — Refugee Studies Centre

Webpage | Podcast: