

challenges to Human Rights and the Rule of Law

# controlling migration in Europe

May 29-30, 2008

Centre de Cultura Contemporània de Barcelona (CCCB)

c/ Montalegre, 5 Barcelona



Organized by

Challenge Project • Observatory of the Penal System and Human Rights, University of Barcelona (OPSHR)  
Centre for European Policy Studies (CEPS) • European Association for Research on Transformation (EART)  
Utrecht University • Centre de Cultura Contemporània de Barcelona (CCCB)

Scientific and Administrative Coordination (OPSHR)

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# controlling migration in Europe

## Program

and debates

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### [THEMATIC SESSION 1]

## Securitization of migration policies in the EU

Contemporary European migration policies are deeply influenced by the requirements of market and security. They focus simultaneously on the promotion and facilitation of regular, temporary migration related to the needs of the European labour market, as well as on the fight against 'illegal' immigration. The EU has strengthened its external borders in order to face security demands. New regulations and agencies have been introduced to control migration and restrict the possibilities to migrate from certain countries. As a result, actual border control takes place far away from the geographical boundaries of the EU Member States. Where then can we draw the boundaries of their sovereignty?

[16 30-18 00] Panel 1  
[17 30 Discussion]

## European borders legal, institutional and strategic controlling mechanisms

- FRONTEX view on illegal immigration • Gil ARIAS FERNÁNDEZ (Frontex Deputy Executive Director)
  - European Parliament's view on the EU System on Border Control and Frontex • Ignasi GUARDANS (European Parliament)
  - The abolition of Internal Border Checks in an Enlarged Schengen Area: Freedom of movement or a scatters web of security checks? • Anaïs FAURE ATGER (CEPS)
- [Chair]: Héctor SILVEIRA (OPSHR)

[18 00-18 30] Break

[18 30-20 00] Panel 2  
[19 30 Discussion]

## Migration policies and Human Rights

- Borders of Migration in the liminal spaces of the EU-African borderlands • Joris SCHAPENDONK (Nijmegen Centre for Border Research)
  - Externalization of immigration control and human rights. The making off of 'illegals' • Jean Eric MALABRE (GISTI- Groupe d'information et de soutien des immigrés)
  - Placing human rights in the centre of Spanish immigration policy: challenges • Itziar RUIZ-GIMÉNEZ ARRIETA (President of the Spanish section of International Amnesty)
- [Chair]: Galina CORNELISE (University of Utrecht)

May 29

## Welcome and Presentation

[16.00]

• Josep RAMONEDA (CCCB) •

• Roberto BERGALLI •

(President of the International Scientific Committee of the Observatory of Criminal System and Human Rights OPSHR)

• Sergio CARRERA •

(CEPS Head of Section & Research Fellow)

May 30

### [THEMATIC SESSION 2]

## Denied citizenship

The consequences of the tightening of border control regime affect millions of people, namely the large social segment of undocumented migrants living and working in the EU without any or hardly any legal entitlements. They are estimated to form an invisible 'nation' of eight million people, who are not considered as a part of the community but that functionally represent an indispensable part of European social and economic development.

[10 00-11 30] Panel 1

[11 00 Discussion]

## Otherness

- Premises of Otherness: Sacer, Alter, Utilis • Michalis LIANOS (University of Rouen)
  - Political implications of sonorous discourses on 'immigration' in Spain • Enrique SANTAMARÍA (Autonomous University of Barcelona)
  - Trends in the criminalization of shadow migrants: What are reliable indicators? • Peter LOCK (EART)
- [Chair]: Alejandra MANAVELLA (OPSHR)

[11 30-12 00] Break

## Changes of migration patterns

[12 00-13 30] Panel 2 in response to the securitization of the EU-border regime  
[13 00 Discussion]

- Changes of migration patterns in response to the securitization of the EU-border regime: The cases of Central and Eastern Europe and the Mediterranean • Ingrid OSWALD (Humbolt University Berlin)
  - Hanging in between. Factors influencing the acculturation orientation of migrants with special reference to Germany • Adelheid IKEN (University of Applied Sciences Hamburg)
  - Migration patterns in the successor states of the Soviet Union and their impact on European migration systems • Viktor VORONKOV (Centre for Independent Social Research in Saint Petersburg -CISR)
- [Chair]: Peter LOCK (EART)

[16 00-18 45]  
[18.00 Discussion]

### [THEMATIC SESSION 3]

## Migration confinement the complicity and collapse of the Rule of Law

The confinement of migrant people is a key instrument for migration management in all EU Member States. Its existence ensures both the prevention of irregular entry and the physical or juridical expulsion of 'irregular' immigrants. The practice of immigration detention as it is developing in contemporary Europe seems to be in direct contradiction with some of the basic values upon which historically modern European democracies have been built. Their implementation thus challenges concepts such as constitutionalism, human rights or democracy itself. It is arguable that the existence of 'no-rights zones' such as the immigration prison supposes the acceptance and complicity of the Rule of Law. As such, immigration detention raises questions with regard to the very notion of fundamental rights of those that cross the border of the nation state without its permission.

- The EU Detention Machine • Federico RAHOLA (University of Genoa)
  - Immigration Detention: an Agenda for Research • Galina CORNELISE (University of Utrecht)
  - Immigration Detention and the Rule of Law • Daniel WILSHER (City University London)
  - The «Rule of Law» as a Form of Government: Internment of Illegal Immigrants in the European Union and in France. • Nicolas Fischer (École des Hautes Etudes en Sciences Sociales, Paris)
- [Chair]: Cristina FERNÁNDEZ (OPSHR)

[18 45-19 00] Break  
[19.00-20.30]

## Closing conference

Migration policies, Rule of Law and citizenship  
Javier DE LUCAS (University of Valencia)



Simultaneous interpretation Spanish / English