



Course title	EU Asylum and Migration Law
Course Code	LAW408.2
Category (core/elective)	Elective
Level	LLM
Duration (semesters)	1
Semester when taught (autumn/spring)	Autumn
ECTS	7.5
Prerequisites	None
Responsible	Professor Vassilis Hatzopoulos

Course objectives

The so called Area of Freedom, Security and Justice (AFSJ) corresponds to a relatively fresh set of competences given to the EU by the Maastricht, and then reshuffled by the Amsterdam Treaty. And yet, after the Lisbon Treaty, it occupies a predominant role among the EU's core objectives, not least by being listed in the TEU before the very completion of the EU Internal Market! Even today, after the full 'communautarization' of this field of law and the abolition of the so called EU 'pillars', the 'Area' covers several policy fields with different substantive content and diverse institutional setups. One main policy area corresponds to the ongoing completion of the EU Immigration, Asylum and Visas policies and the development of the 'Schengen Acquis'. Another policy area covers police and judicial cooperation in the field of criminal justice. Border control, an objective of acute emergency under the current conjecture, arises as an area in between the two.

Cooperation in the field of civil law is no less important.

From an institutional viewpoint, each of these policy areas corresponds to a different competence-share between the EU and its Member States, to a differing degree of cooperation and to diverse institutional arrangements, ranging from core classic EU Method, the Open Method of Coordination, special comitology arrangements, the active involvement of EU agencies, and the application of traditional private international law.

The objective of the Course is to familiarize students with all these policy areas and corresponding institutional and regulatory arrangements. By the same token, students will be able to appreciate, in practice, the differing degrees of European integration and the various means put to work for that purpose. Last but not least a human rights and an external relations perspective will be offered to students.

Course Description

The Course starts with a brief history of the AFSJ and its basic institutional arrangements and characteristics. The special institutional features of this area of EU competence, relating in particular to the mechanisms of variable integration put in place (non-Schengen countries, opt-ins/outs etc) as well as the role of special committees and agencies are being discussed. Turning to the substantive rules, the common rules on immigration of third country nationals (TCNs) and asylum seekers are being presented, together with border controls, the SIS, police and judicial cooperation for criminal matters. Taking some distance from the very rules, the Course examines the external dimension of the abovementioned policies, as well as their human rights dimension. Lastly, judicial cooperation in the area of civil law is discussed.

Course Outline

The Course is organized on the basis of 13 lectures, as follows

1. The creation of the AFSJ – Third Pillar – Schengen – Communitarization
2. The institutional setup of the AFSJ – decision making procedures – committees – Agencies
3. Special arrangements: opt ins and opt outs – EEA Countries and the Swiss Confederation – Other countries with special ties
4. Visa and Immigration Policies
5. Asylum Policy
6. Illegal immigration – regularizations – Racism and Xenophobia in the EU
7. Schengen – SIS – Border controls - Police cooperation – Europol
8. Judicial cooperation in criminal matters – Eurojust – European Arrest Warrant
9. External dimension: from readmission agreements to the European Neighborhood policy
10. The AFSJ as a menace for fundamental rights – Protection at the EU, regional and global level
11. Cooperation in civil matters
12. From Private International Law to EU civil law?
13. Bringing it all together – future challenges

Educational Outcomes

Students are expected to acquire a clear idea both of the institutional dynamics of the AFSJ and of its substantive rules. By the same token, they will come to realise the difficulties, both political and material, of dealing with the continuous flows of immigrants and asylum seekers, both within and outside the EU. Hence, they are going to familiarise themselves with the main problems of any (not only the EU) immigration and asylum policy and be able to discuss about racism, xenophobia and human rights violations of EU and third country nationals. Further, they are going to get an understanding of the ways in which national police and judicial authorities cooperate among them, operate in transnational networks and coordinate their efforts under the auspices of EU agencies and bodies. These are necessary not only to counter illegal immigration, but also to tackle criminality and terrorism. Last but not least, students are going to get an idea about the ongoing efforts in the area of civil law.

Students having followed this course will be employable by any international organisation, public service, NGO or private body dealing with immigration and asylum issues or having a counter-terrorism agenda. They are going to be able to work with police and border control services. And, of course, this is an increasingly

	important area of litigation, both before national and increasingly, after the coming into force of the EU Charter of Fundamental rights, european courts.
Basic Textbook(s)	<ul style="list-style-type: none"> - Hailbronner, K (ed) <i>European Immigration and Asylum Law: A Commentary</i> (Oxford: Hart Publishing, 2010) - Peers, S, <i>EU Justice and Home Affairs Law</i> (Oxford: OUP, 2011).
Basic Bibliography	<ul style="list-style-type: none"> - Baldacini, A, Guild, E and Tonner, H (eds) <i>Whose Freedom, Security and Justice: EU Immigration and Asylum Law and Policy</i> (Oxford: hart Publishing, 2007). - Guild, E, Carrera, S and Eggenschwiller, A, <i>The Area of Freedom, Security and Justice ten years on: Successes and future challenges under the Stockholm Programme</i> (Brussels: CEP, 2010), available at http://www.ceps.be/book/area-freedom-security-and-justice-ten-years-successes-and-future-challenges-under-stockholm-pro - Guild, E. and Geyer, F (eds), <i>Security vs Justice: Police and Judicial Cooperation in the EU</i> (Aldershot: Ashgate, 2008). - Holzacker, R and Luif, P (eds), <i>Freedom, Security and Justice in the EU</i> (Wien/New York: Springer, 2014). - Monar, J (ed) <i>The Institutional Dimension of the EU's Area of Freedom, Security and Justice</i> (Brussels: PIE Peter Lang, 2010). - Rogers, Walkler, N (ed), <i>Europe's Area of Freedom, Security and Justice</i> (Oxford: OUP, 2004). - Wolf, S, Goudappel, F, and de Zwaan, J (eds), <i>Freedom, Security and Justice after Lisbon and Stockholm</i> (Cambridge: TCM Asser Press, 2011).
Additional Bibliography	<ul style="list-style-type: none"> - Bendel, P, Ette, A, Parkes, R and Haasse, M (eds) <i>The Europeanisation of Control: Venues and Outcomes of EU Justice and Home Affairs Cooperation</i> (Münster: Verlag Lit, 2011) - Bohem, F <i>Information Sharing and Data Protection in the Area of Freedom, Security and Justice</i> (Wien/New York: Springer, 2012). - Geddes, A., <i>The Politics of Migration and Immigration in Europe</i>, (London: Sage Publications, 2003). - Menz, G and Caviedes, A (eds) <i>Labour Migration in Europe</i> (London: Palgrave Macmillan: 2010)
Teaching Methodology	Lectures: 13 lectures x 2 hours = 26 hours Tutorials: 7 tutorials x 2 hours = 14 hours Total: = 36 hours
Evaluation	Final Exam 70 = % Course Participation 30 = % Total 100 = %
Language	English

Location	Athens, Plaka
General note	While the 'Course Objectives' and 'Educational Outcomes' above remain immutable, the 'Course Content' and 'Course Outline' may be altered in order to accommodate student's needs and individual professor's approaches. Bibliography and reading materials may vary accordingly.