



Protect

The Right to International Protection

Deliverable 9.8 2 International dissemination events I
(Academic Forum and Policy Forum)

Dissemination level: Public

Lead Beneficiary: The Open University

Co-lead Beneficiary: Ryerson University



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D9.8: 2 International dissemination events I Academic Forum and Policy Forums

Day 2 (August 27th) of the midterm conference gathered policymakers involved in the governance of international protection for a policy forum and top scholars in the field for an academic forum. The videos of Day 2 talks can be accessed [here](#). The paper abstracts and speakers' bios are available [here](#).

The plenary policy forum took place from 9:00 a.m.-10:15 a.m. and was moderated by Prof. Elspeth Guild (PROTECT, QMUL).

The first speaker was **Madeline Garlick (Chief of Section, Protection Policy, UNHCR)** who structured her presentation around six areas of priority for international cooperation. First, maximizing the potential of the Global Compacts; Second, engaging more with the GCR tools, including responsibility-sharing platforms, early warning, and preparedness for arrivals, policymaking, and advocacy; Third, enhancing supervision and compliance to hold states to account for their commitments to the Global Compact on Refugees, for instance, in terms of statelessness determination procedures or access to the labor market; Fourth, continue the development of binding instruments, judicial engagement, and advocacy; Fifth, improving coherence and interaction between the two Compacts. This could be achieved through mobilization of the champion countries and existing networks; Finally, addressing today's crises, notably the situation in Afghanistan. These priority actions would also help constructively address onwards movements and lay the foundation for more solutions.

In her presentation, **Catherine Woollard (Secretary-General, ECRE)** outlined three priorities for international refugee protection. First, legal priorities in the governance of international protection: recent reforms of the CEAS and agreements with third countries, such as the EU-Turkey Deal, do not address the flows but undermine protection while defending the status quo. Second, operational and practical priorities: the need to address implementation gaps, for example in access to protection and for authoritative guidance on the implementation of international law. Third, the political priority should be to tackle the complicity of the center. Nativism and ideological nationalism pose a threat to the universality of human rights. Mainstream parties, technocrats go along with this agenda. Catherine Woollard discussed how the PROTECT preliminary findings address some of these priorities. For instance, WP2 speaks to legal reform and the usefulness of the GCM. It defends the position to not open up the Refugee Convention but to refresh the debate as the GCR serves as a framework that reinforces the Refugee Convention. Similarly, the WP3 findings on recognition rates, refugee status determination procedures, and the dominant role of the Interior Ministries in decision-making will usefully inform future recommendations on institutions.

Prof. François Crépeau (Faculty of Law, McGill University (VULNER)) touched on the role of the GCM to facilitate human mobility as a long-term strategic choice. He offered an overview of the current global context, including the pull factors for migration and the responsibility of states and national labor markets in constructing migrants' precarity. Prof. Crépeau explained that the prohibitionist system entrenches migrants' exploitation through denials of rights. He further noted that electoral democracy does not represent migrants, so that mainstream political parties endorse anti-migrant policies and politics. The Global Compacts were negotiated and adopted by States and involved a broad range of stakeholders. The central recommendation of the CGM is to facilitate mobility, including pathways for regular migration,

family reunification, decent work conditions, emergency preparedness, having a firewall to exercise rights without interference from law enforcement. Prof. Crépeau pointed out that the idea of empowering migrants appears for the first time in an instrument negotiated by States and that there is a need to conceptualize the Global Compacts in terms of their long-term influence, like the Universal Declaration of Human Rights.

During the **Q&A session**, François Crépeau answered a question about the challenges of emergency preparedness for migration flows, by emphasizing that long-term planning is feasible to create positive outcomes, while quick mobilization of resources is something organizations like UNHCR excel in, and migration policies need to be planned instead of being reactive so that the needs should be discussed within them. Madeline Garlick responded to the same question by highlighting UNHCR's work in response to risks associated with disasters and climate change, to create resilience and adaptability. She pointed to discussions around planned relocations in Pacific islands and said that planned preparedness needs to be ensured and arrivals can be managed to counter anti-migrant political discourse. In response to another question, Madeline Garlick noted that the GCR calls for an enhancement of states' capacity to achieve durable solutions for refugees: there should be more efforts to create better conditions for local integration and to support the nascent asylum regime in the Global South. However, these efforts should not be done with a containment objective. A question addressed to Catherine Woollard read: 'Are we going to face another exodus, what will happen to Afghan refugees?'. Catherine Woollard said that the EU's response to the Afghan situation was mixed. A self-serving approach was adopted by interior ministers with the use of language that creates fear in the public to justify already planned restrictive measures, whereas a more sensitive approach was visible from those responsible for external affairs and international relations who recommended supporting evacuation and establishing human security for the Afghan people. Woollard noted that this dichotomic approach has been outlined by the WP3 findings concerning the institutional architecture of refugee systems.

The policy forum was followed by **the plenary academic forum** which took place at 10:30 a.m.-11:45 a.m. and was moderated by Prof. Idil Atak (PROTECT).

Prof. Sergio Carrera (Senior Research Fellow and Head of Home Affairs Unit, CEPS (ASILE)) centered his presentation on the EU Pact on Migration and offered criticism of how the Pact prioritizes law enforcement over asylum, and of its focus on returns and expulsions. Prof. Carrera contended that the Pact is an attempt to reverse the Europeanization of migration and asylum and to reinject inter-governmentalism into these policy areas. As such, the Pact further blurs the lines between the distinct areas of asylum, migration, and border management. The presentation expanded on illegal pushbacks, arbitrary detention, and criminalization of migrants, including asylum seekers. Prof. Carrera noted that the asymmetric interstate solidary and business-like way of dealing with asylum undermines refugee and human rights law.

Prof. Anna Triandafyllidou (CERC, Ryerson University) referred to the preliminary findings of PROTECT and remarked how they exposed the changing nature of migration, including the perception of asylum seekers in the last decades. She pointed to lessons learned from the COVID-19 pandemic for essential migrant workers and asylum seekers. She noted that the field of migration research area has become more multidisciplinary and complex and the Global Compacts help pluralize approaches and constructive solutions in the face of growing inequalities between states. Prof. Triandafyllidou questioned the language of safe and orderly migration as it can be harmful to refugees, the risk assessment for humanitarian migration, and the distinction

between destination and transit countries. She said that it is important to privilege the regional and local solutions and stakeholders from different backgrounds.

Prof. Jennifer Hyndman (York University) questioned the separation of migrants and refugees in the two Global Compacts and said that the GCR is more about improving the status quo. She noted the importance of the regularization for people on the move and to better harness the existing local practices to enhance the self-authorized security for refugees. Prof. Hyndman praised the WP2 work in this respect. She remarked that the GCR is too Convention-centric, leaves many refugees out of the Convention protection, and could be viewed as a form of legal orientalism. She emphasized the importance of the principle of non-regression especially in situations like the Rohingyas in Bangladesh or Syrian refugees in Turkey. She referred to the efforts such as the Kolkata Declaration which acknowledges that the GCR does not apply in South Asia, calls upon stakeholders to harness local good practices and to center the debates on involving refugees and other displaced persons.

In the **Q&A period**, a question was addressed to Prof. Sergio Carrera as to the external dimension of the EU's asylum and migration policy. He commented that the ASILE project looks into agreements with third countries, like the EU-Turkey Deal, and takes a critical stance to border closures that result from these agreements, democratic accountability, the conditions for asylum seekers. Prof. Carrera also mentioned that the Global Compacts differentiate between migrants and refugees and that with the complexity of humanitarian protection, policies co-construct crises and irregularity. Prof. Hakan Sicakkan clarified PROTECT's approach to the EU's relocation policy and what it means in terms of the notion of solidarity. In response to another question, Prof. Jennifer Hyndman expanded on the GCR's identification of promising practices such as education and community sponsorship. She also elaborated on the customary law practices and the importance of inter-organizational synergies as illustrated in the Kolkata Declaration which refers to the cooperation with the African Union.

The conference was concluded with **four thematic panels** where PROTECT researchers and others presented papers targeting institutional, discursive, legal, and regional aspects of refugee protection.

The Conference ended at 1:00 pm. **The concluding remarks by Prof. Sicakkan and Prof. Atak** thanked all the participants for attending the conference and their committed engagement with the project. Prof. Sicakkan thanked Mari Lund Eide, Communications Coordinator who is leaving PROTECT to take up another position, for her contributions to the project and the conference.

The plenary academic and policy forums highlighted a number of critiques directed at the role and impact of the Compacts in the migration and asylum regimes which was followed by an engaging discussion. The speakers also made reference to the preliminary findings of PROTECT researchers and highlighted the importance of such research, especially with regard to work packages 2, 3, 4, 5, 6, and 7. The preliminary findings of work packages 2 and 4 were praised and of particular interest to the academic forum speakers who remarked the importance of local solutions and stakeholders as well as human rights centred approaches that focus on asylum rather than enforcement. As such, the contributions of PROTECT to academic and policy debates and fora are already significant and noteworthy.

The presentations of the plenary policy forum were comprehensive and touched upon many of the themes under investigation by the PROTECT team through the different work packages. As

such, it provided an opportunity to disseminate knowledge on the Compacts and related priorities from the perspective of policy makers as well as consolidate the objectives of the PROTECT research and its contributions to policy debates. Building on the priority areas and issues identified by the three speakers, PROTECT researchers have already conducted significant research in several countries to further investigate legal reforms and procedures in light of the Compacts and the role of diverse stakeholders in the international protection regime. Many of the preliminary findings were addressed in further detail throughout the concurrent panels allowing the PROTECT team to better disseminate and share our findings that will be helpful to policymakers and inform recommendations in the near future.

Protect Midterm Conference The Right to International Protection: A Pendulum Between Globalization and Nativization?

Ryerson University, Toronto
26-27 August 2021

Thursday, 26 August

9:00 a.m.- 12:30 p.m. (Eastern Daylight Time)

9:00 a.m.-9:10 a.m. Welcome and introductory remarks: Mohamed Lachemi, President and Vice Chancellor, Ryerson University

9:10 a.m.- 9:30 a.m. Hakan G. Sicakkan, PROTECT Principal Investigator, University of Bergen, A Cleavage Theory Approach to Advancing the International Refugee Protection

9:30 a.m.-11:00 a.m. PROTECT Plenary Session

Chair: Dario Mazzola, University of Bergen

- Elspeth Guild, Queen Mary University of London and Jürgen Bast, University of Giessen (PROTECT Work Package (WP) 2)
- Frank Caestecker, Ghent University and Francesca Longo, University of Catania (WP3)
Q&A
- Jo Veary, University of the Witwatersrand and Christine M. Jacobsen, University of Bergen (WP4)
- Simon Usherwood, Open University (WP5)
Q&A
- Pierre Van Wolleghem and Cornelius Cappelen, University of Bergen (WP6)
- Anamaria Dutceac Segesten, Lund University and Boris Mance, University of Ljubljana (WP7)

Q&A

11:00-11:30 Break

11:30 a.m.-12:30 p.m. Keynote address: James C. Hathaway, James E. and Sarah A. Degan Professor of Law, University of Michigan Law School

12:30 p.m. End of discussions

Friday, 27 August

9:00 a.m.- 12:45 p.m. (Eastern Daylight Time)

9:00 a.m.-10:15 a.m. Plenary Policy Forum

Chair: Elspeth Guild, Queen Mary University of London

- François Crépeau, Professor, Faculty of Law, McGill University (VULNER)
- Madeline Garlick, Chief of Section, Protection Policy, UNHCR
- Catherine Woollard, Secretary General, ECRE

Q&A

10:15 a.m.-10:30 a.m. Break

10:30 a.m.-11:45 a.m. Plenary Academic Forum

Chair: Idil Atak, Ryerson University

- Sergio Carrera, Senior Research Fellow and Head of Home Affairs Unit, CEPS (ASILE)
- Anna Triandafyllidou, Professor, CERC, Ryerson University
- Jennifer Hyndman, Professor and Associate Vice-President Research, York University

11:45 a.m.-12:00 a.m. Break

12:00 p.m.-1:00 p.m. Concurrent Panel Sessions

Panel A - Understanding the impact of national refugee status determination systems on international protection

Chair: Frank Caestecker, Ghent University

- Eva Ecker, Ghent University: The influence of the institutional architecture on the outcome of international protection determination: The cases Belgium and the Netherlands
- Pierre-Georges VanWollegheem, University of Bergen: Explaining variation in refugee recognition rates: The role of refugee status determination architectures
- Craig Damian Smith, CERC, Ryerson University: Power politics and the Refugee Compact in Central America: Host states, containment, and the absence of international resettlement

Panel B - Assessing the role of the Global Compacts for Refugees and Migration in Europe: Discourses and Synergies

Chair: Mari Lund Eide, University of Bergen

- Elspeth Guild, Kathryn Allinson and Nicolette Busuttil, Queen Mary University of London: An Analysis of the gaps and synergies between the Common European Asylum System and the UN Global Compacts for Refugees and Migration
- Dario Mazzola, University of Bergen: Seizing the Compacts: The clash of political and normative discourses over the Global Compacts on Migration and Refugees

- Sara Schmitt & Raphael Heiberger, University of Stuttgart: Media and migration. How international protection is covered in public discourse

Panel C - Migrants' Vulnerabilities and the Global Compacts for Refugees and Migration

Chair: Simon Usherwood, Open University

- Danilo Di Mauro, Iole Fontana, Daniela Irrera, University of Catania: Managing new forms of vulnerability: The contribution of Italian civil society organizations in the migrants' protection policies
- Janna Wessels, Vrije Universiteit Amsterdam: Planned destitution: Socio-economic deprivation and as a policy tool to control migration
- Jona Zyfi, University of Toronto: The impact of the GRC and GMC on assessing vulnerability: Preliminary findings of fieldwork in Canada

Panel D - The global refugee regime and international protection in Africa: Out of step and out of time?

Chair: Jo Vearey, Director of African Centre for Migration and Society (ACMS), University of the Witwatersrand

- Kudakwashe Vanyoro, ACMS, University of the Witwatersrand: 'Now That Mugabe is Gone You Are Free' - Temporalised Governance of Vulnerability, Migration and Im/mobilities at the Zimbabwe-South Africa Border
- Noah Ssempijja, MA Refugee Protection and Migration Studies Student, University of London: Integrating Services for Host Communities and Refugees: Pathway to Local Integration for Refugees?
- Nicholas Maple, ACMS, University of the Witwatersrand: International Protection in South(ern) Africa: UNHCR and Regime Shifting in the Urban Space

1:00 p.m. Concluding remarks: Hakan G. Sicakkan and Idil Atak

PROTECT MIDTERM CONFERENCE LIST OF REGISTRANTS

NAME (FIRST AND LAST):	INSTITUTION OR ORGANIZATION:
Mari Lund Eide	University of Bergen
Pierre Van Wolleghem	UiB
Frank Caestecker	University of Ghent
Hanne Iglebæk Christensen	UiB
Nik Tan	Danish Institute for Human Rights
Georgia Dimitriou	Durham University
Riccardo Viviani	UNHCR
Marry-Anne Karlsen	PROTECT / University of Bergen
Violeta Peláez Ramos	Universidad de Granada
Ivona Truscan	UNHCR
Seda Yazgan Hadzibulic	Neiu
Zvezda Vankova	Lund University
Angelica Shilova	-
Agelina Sora	Greek ombudsman
Shreya Bose	International Committee of The Red Cross
Irawati Handayani	Faculty of Law University of Padjadjaran Indonesia
Anna Trylińska	Anna Trylińska Immigration Lawyer Poland
Clara Zavala Folache	Hijra Legal Clinic
Shivani Gupta	Jadavpur University
Larissa	Uni Bayreuth
Rosal	Various
Emily Paffett	Centre for Trust, Peace and Social Relations, Coventry Univeristy.
Kudakwashe Vanyoro	ACMS
Rodolfo Ribeiro	Iheid
Dominika Pszczółkowska	Centre of Migration Research, University of Warsaw
Patrick Wall	UNHCR
Caleb Benadum	UNHCR
Meltem Ineli Ciger	Suleyman Demirel University
Inês Carreirinho	Portuguese Refugee Council
Diallo Mamadou	S/C UNHCR Sénégal Dakar
Munitu Bimwala Manasse	Jean Avenue Investment CC
Erika Kalantzou	Free lance lawyer working in the refugee field since 1990
Virginia Metsini	Danish Refugee Council
Orestis Piperoglou	Danish Refugee Council
Luke Hamilton	UNHCR
Marcela Ortiz	UMICH
Maéva Despaux	University Pompeu Fabra (Barcelona)

PROTECT MIDTERM CONFERENCE LIST OF REGISTRANTS

Bettina Scholdan	Federal Agency for Reception and Support Services (Austria)
Mandisa Makhathini	University of Zululand
Christina Balta	DRC Greece
Younous Arbaoui	VU University Amsterdam & Migration Law Clinci Morocco
Sophia Soares	University of Bristol
Natallia Karkanitsa	Belarusian State University
Kristiina Albi	Office of the Chancellor of Justice
Lisa Unterlerchner	Sciences Po
Shingirai Nyakabawu	University of the Western Cape
Mikaela Wang	UNHCR
Maria Ulvesæter	Global Research Programme on Inequality (GRIP)
Alena Koslerova	University in Bergen
Jonas Püschmann	MPIL
Karin Geuijen	Utrecht University, dept. Governance, The Netherlands
Ana B. Martínez G.	University of Navarra
Adele Del Guercio	Università degli Studi di Napoli L'Orientale
Chrysanthi Tatsi	UNHCR
Michela Venturi	Aalborg University
Vanesa Rodríguez Felten	Pontifical University Saint Thomas of Aquinas
Alexandra Bogos	Border Violence Monitoring Network
Silvia Rosenbaum	IOM
kama petruczenko	refugee council
Daphne Panayotatos	Refugees International
Hilary Evans Cameron	X (Ryerson) University
Mehari Fisseha	University of Zaragoza
Jessica Nash	United Nations
Liliana Jubilit	Universidade Católica de Santos
Tanya Tierney	Aalborg University
Bariş Can Sever	METU
Rahul Balasundaram	N/A
Katarzyna Strąk	Institute of Law Studies of Polish Academy of Sciences
Tashryn (first) Mohd Shahrin (last)	Greenpeace Southeast Asia
Thomas Spijkerboer	Vrije Universiteit Amsterdam
Ane Martinez	FENIX
Gustavo de la Orden Bosch	Institute of Human Rights Pedro Arrupe, University of Deusto
Maria Osullivan	Monash
Lilian	Foreign, Commonwealth and Development Office
Keelin Barry	Irish Centre for Human Rights, NUIG

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Ruvi Ziegler	University of Reading
Sharalyn Jordan	Simon Fraser University
Melissa Casagrande	UFPR
Lidia Kuzemska	Lancaster University
Charlotte Louise Brown	LSE
Michela Venturi	Aalborg University
Dallal Stevens	University of Warwick
Christy Sommers	Where There Be Dragons
Heléne Hedberg	Malmö University
Mauro Pérez Bravo	Universidad Nacional Autónoma de México
Camilo Perez-Bustillo	Witness at the Border/Int'l Tribunal of Conscience of Peoples in Movement
Olga Djurovic	Asylum Protection Center
Francia Malvar	Lawyer
Aybike acikel	WALD
Alan Desmond	Leicester Law School
Georges Flora Ngoumou Mveng Mveng	Institut des Relations internationales du Cameroun
Andrej Frelin	Lund University
Melitini Duri	Legal Counsel of the State (Greece)
Oseni Azeez Oluwagbenga	Youth Empowerment for Peace and Security
Syn Amanuel	Selamta Immigration Services
Leni Linthout	Ghent University
María González	Universidade da Coruña
Dario Mazzola	Department of Comparative Politics University of Bergen
Anna Purkey	St. Paul's University College, University of Waterloo
Silviana Cocan	University of Montreal
Irmak Kurtulmus	Ryerson University
Oladapo Opasina	Ryerson University
Samia Teclé	University of Toronto
Corey Robinson	York University
DESIRE BIRUKUNDI	CFGT
Alizee Zapparoli-Bodson	WUSC
Kathie Friedman	University of WA
Oumoul Koulsoumi Oumarou	Ministry of justice
Maria Fernandez	CARE
Manal Stulgaitis	UNHCR
Jinan Bastaki	United Arab Emirates University
Francis Tom F. Temprosa	Commission on Human Rights Philippines
Orcun Ulusoy	Vrije Universiteit Amsterdam

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Tania kaiser	SOAS University of London
Ayar Ata	Isbu
Tearney McDermott	Ryerson University
Ranu Basu	York University
Sasha Baglay	Ontario Tech
France Houle	University of Montreal
Samantha DeBoer	Ryerson University
Ndeye Dieynaba ndiaye	UQAM
oumoul koulsoumi oumarou	ministry of justice
Ilene Hyman	University of Toronto
Nicholas R. Micinski	University of Maine
Prakash Adhikari	Central Michigan University
Lynn Weaver	Cowichan Intercultural Society
Zaid Hydari	Refugee Solidarity Network/Fordham University School of Law
Parisa Azari	University of Ottawa
Andrea Pacheco Pacifico	Paraiba State University, Brazil
Miriam Cullen	University of Copenhagen
Karen Culcasi	West Virginia University
Caroline Stampone Oliveira	None
Madhusmita Jena	Madhusmita Jena
Aryan Karimi	UBC
Yasmina Benslimane	Undp
Karen Young	Ryerson University
Elena Dingu-Kyrklund	KCI / Stockholm University
Bernard	University of Auckland
Giordano Arnóbio	State University of Paraíba - Brazil
Liza	Borneo University Tarakan, Indonesia
Etienne Piguet	Geography - University of Neuchâtel (Switzerland)
Iman Ahmed	Peel Public Health, COVID-19 Mass Immunization Program
Robert Sata	CEU
Camille Lefebvre	Laval University
Christa Kuntzelman	Northwestern University
Mehrunnisa Ali	Ryerson University
Ben Lewis	OHCHR
solène bourezma	OHCHR
Annie Wagana	Judiciary
Francis Tom F. Temprosa	Commission on Human Rights Philippines

PROTECT MIDTERM CONFERENCE LIST OF REGISTRANTS

Charissa Fawole	South African Institute for Advanced Constitutional, Public, Human Rights and International Law (SAIFAC) a centre of the University of Johannesburg
Nicole Hoellerer	University of Exeter
Emnet Gebre	Independent
Knowledge Mabhena	University of Witwatersrand
Barbara Franz	Rider University
Patrick Lee	Kings College London
Sally Abdullah	Ryerson
Robert Larruina	Vrije Universiteit Amsterdam
Zaheer Dauwer	IRCC
Aziz Rahman	Canadian Institute for Integration, Reconciliation and Transformation
Casey Pearson	SOAS University
Samira T Bavand	Norwegian Refugee Council
Evgenia Iliadou	University of Surrey
Thobeka	Witwatersrand
James C. Simeon	York University
Ruben Wissing	Ghent University, Department of European, Public and International Law
Ivan Kochovski	IOM Western Balkans
Nergis Canefe	York University
Hakan G. Sicakkan	University of Bergen
tammy T	Immigraton and Refigee Board Canada
Olusoji Ajao	The Migrant Project, Nigeria.
Stacy Brown	Refugees Forward, OKCPS, TESOL
Wilfred Chitembwe	University of Kent
Joanna (Anneke) Rummens	Ryerson University
Mvondo Gaelle	Minjustice Cameroun
Iris Simixhiu	Immigration and Refugee Board of Canada
Irmak Kurtulmus	Ryerson University &CERC
Saida Mohamed Abdi	University of Minnesota
Dawit Thomas Lambamo	University of Limpopo, South Africa
Zaheer	IRCC
Brian Gorlick	Refugee Law Initiative, University of London
Berenike Salome Jacob	University of Trento
Sandra Trebunia	University of Lincoln
Oliver Okafor	Ryerson University
Sarah Kim	Hijra Legal Clinic
Thobeka Nkomo	Witwatersrand
Eny Dorea	Federal Fluminense University

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Margareth Zanchetta	Ryerson university
Anel Hared	York Region Public Health
Liza Shahnaz	Borneo University Tarakan
Sjarif Jonathan Ismail	N/A
Elena Habersky	CMRS-AUC
Rebecca Zimmerman	Sinai Health
Jo Vearey	Wits University
Lila Garcia	CONICET (Argentina)
Viktoriya Shaban	UNHCR
Francois Crepeau	Faculty of Law, McGill University
Glen Linder	Immigration, Refugees and Citizenship Canada
Jennifer Hyndman	York University
David Leger St-Cyr	IRCC
Megan Pickup	IRCC
Dinara Khayrulina	UNHCR
James Hathaway	University of Michigan
Elsbeth	QMUL
Christine M. Jacobsen	University of Bergen
Iole Fontana	University of Catania
Francesca Longo	University of Catania
Mike Farjam	Lund University
Theofanis Exadaktylos	Department of Politics, University of Surrey
Eva Ecker	Ghent University/Protect
Simon Usherwood	Open University
Raphael Heiberger	University of Stuttgart
Alia Middleton	University of Surrey
Daniela Irrera	University of Catania
Sara Schmitt	University of Stuttgart
Carrera Nuñez Sergio	CEPS (Centre for European Policy Studies)
Idil Atak	Ryerson University
Urara Furukawa	UNHCR
Ursela Ojeda	Women's Refugee Commission
Danilo	University of Catania
Malena Carballo	European Commission
Boris	University of Ljubljana
Jan Fridthjof Bernt	University of Bergen
Lara-Zuzan Golesorkhi	University of Portland
Emellin de Oliveira	NOVA School of Law
Hiba Sha'ath	York University

PROTECT MIDTERM CONFERENCE LIST OF REGISTRANTS

Antonio de Manna	-
Anna Triandafyllidou	Ryerson University
Roda Siad	McGill University
Tom Clark	Centre for Refugee Studies, York University
Harald Bauder	X University
Miriam Mir	CEPS
Wolfgang BODE	Research Executive Agency, REA, Brussels
Ioan ZONGA	NUPSPA
Adrienn Kiss	Independent
Esra Eren	Turkish-German University
consigny coralie	HEUNI European Institute from crime prevention and control
Danijela Canji	Comenius University, Bratislava, Slovakia
Karel Arnaut	Anthropology, KU Leuven
Caroline Nalule	Refugee Studies Centre, University of Oxford
Anamaria Dutceac Segesten	Lund University
Cornelius cappelen	University of Bergen
Athina Mara	Caritas Hellas
Mara Benadusi	University of Catania
Kathryn Allinson	Bristol University
Sunniva Storm Mjelde	UiB
Sybila Galera	ESADE
Samuel Agblorti	Centre for Mixed Migration and Diaspora Studies, University of Cape Coast
Benjamin Ngaru	East African Centre for Forced Migration and Displacement
Berit Aasen	OsloMet
Dominica Henriques	Goldsmiths University of London
Yulin Xiao	East China Normal University
Marta Gorczynska	University of Warsaw
Kailin Chen	Kosovo Specialist Chambers
Chioma Joyce Onukogu	University of Johannesburg
Marina Capriola	EASO
Zhang Meiyun	university
Tina Chen	Antr Partners
Mustafa Kanafani	Self employed
Tihao Zeng	Graduate Institute Geneva
Saba Abbas	NA
Özgenur Yiğit	Suleyman Demirel University
Jona Zyfi	University of Toronto
Melissa McLeod	Queen's University

PROTECT MIDTERM CONFERENCE LIST OF REGISTRANTS

Iole fontana	University of Catania
Ngozi Uzomah	Geography Department, University of Nigeria
Jürgen Bast	Justus Liebig University Giessen
Domiziana Corbelli	EC
Rachel Criswell	UNHCR
Catriona Jarvis	Methoria
Sharalyn Jordan	Simon Fraser University
Alonso de Ita	IOM
Pauline Endres de Oliveira	Justus Liebig University Gießen
Se	Ester papadopoulos
Marina Capriola	EASO
Sonja Hensch	Justus-Liebig-Universität
Lidiia Kuzmenko	UNHCR
Lucy Mayblin	University of Sheffield
Etbar Guliyev	DECUS Baku, partner organization of UNHCR in Azerbaijan
Radosveta Dimitrova	Stockholm University
Chizuko Sato	Institute of Developing Economies
Roberto Cortinovis	CEPS
Mabel ANG	Grandall Law Firm
Leon Züllig	Justus Liebig University, Giessen, Germany
Martyna Anna Wierzbicka	EUforHUM
Georgia TSATSANI	enfo.gr
Iuliana Mazur	UNHCR
Laura Topuett	University Bonn, Germany
Alida Rita Steigler	CMI-UIB LawTransform
Maria Ulvesæter	Global Research Programme on Inequality (GRIP)
Magdalena Fackler	Friedrich-Alexander-University Erlangen-Nürnberg
Giovanna Cavatorta	University of Catania
Khadro Abdulle	University of Toronto
nicholas maple	ACMS, Wits University
Leda Garcia da Eira	Fraternity - International Humanitarian Missions (FIHM)
Chaden	R=P
Tissianie Cardoso Almeida	Fraternity - International Humanitarian Missions (FIHM)
Lorena Calvo-Mariscal	University of Cadiz
Noah Ssempijja	Opportunity International
Nicolette Busuttil	QMUL
Zeynep Kasli	International Institute of Social Studies
Johanna Reynolds	York University
Catherine Woollard	ECRE

PROTECT MIDTERM CONFERENCE LIST OF REGISTRANTS

Ray Jureidini	HBKU
Ray Jureidini	HBKU
Linn Biorklund Belliveau	York University
Amy Rose Pitonak	University of Montreal
Gemechu Abeshu	YU
Abdinasir Issack	UNHCR
Rabindra Chaulagain	University of Lethbridge
Patience Idemudia	University of Saskatchewan
Ozgun Topak	York University
Rabindra Chaulagain	University of Lethbridge
Sujata Arya	Symbiosis Law School, Pune
Michelle Bellino	University of Michigan School of Education