



# Protect

## The Right to International Protection

Deliverable 9.7 Final Conference Report

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Public

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University of Surrey



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#### PROTECT CONSORTIUM

The PROTECT Consortium publishes original research on international refugee protection. The Consortium is composed of:

University of Bergen, University of Catania, Ghent University, Giessen University, Ljubljana University, Lund University, Open University (London), Queen Mary University (London), University of Surrey, University of Stuttgart, Toronto Metropolitan University (Toronto), University of Witwatersrand (Johannesburg).

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## **Deliverable 9.7 Final Conference Report**

### **SAFEGUARDING INTERNATIONAL PROTECTION**

#### **Brussels, 6-9 March 2023**

Simon Usherwood (Open University)  
Alia Middleton (University of Surrey)  
Carmen Caruso (University of Surrey)

The final conference of PROTECT was held at the nhow Brussels Bloom hotel, Brussels, on 6-9 March 2023. The conference was timed to coincide with the completion of the main research activity of the Consortium, with a location that was optimal for both drawing into an international audience and connecting with those working in and around European Union policy-making.

The final conference preparations started in September 2021, following the successful conclusion and debrief of the midterm project conference (see Deliverables 9.6 and 9.8): Work Package (WP9) and the Surrey/OU conference team consulted with the PROTECT partners on how to get the best format for the final conference and to secure external speakers. In line with the Grant Agreement (GA), a policy forum and an academic forum have been included in the program: the relative reports are available in Deliverable D9.9, as foreseen in the GA. In addition, the conference was designed to enable the PROTECT partners to present final research findings and to maximize interaction with external speakers, audience members and other interested bodies.

Invitations were sent out to potential keynote speakers, policy forum and academic forum presenters, and the PROTECT work package leaders as well as to affiliated researchers in the autumn of 2022, with the programme being finalised and publicised from the end of that year.

We used a variety of channels to share information about the final conference, including the European Union's Cordis and EU-events services; posts/videos in social media like LinkedIn, Twitter, Facebook, and YouTube; the PROTECT website, e-mail lists and social media channels of large international migration research networks, and our consortium partners' own means of information sharing. Two press releases were produced, to publicise the event and to connect to findings on the website. The conference-information-sharing effort also aimed to create an awareness of the existence of PROTECT, its research findings, and its online information channels. We invited stakeholders that were defined as the main target groups in our dissemination, exploitation, and communication plans.

The conference covered three full days, each day having a different focus (attitudes, policy and law) to stress the added value of the project's work to both academic and non-academic

audiences. Each day included a mix of keynote speakers, roundtable discussions and space for networking for delegates, in order to create a constructive environment for reinforcing and developing connections between all involved. One-page [policy briefings](#) for each work package were made available to delegates, to provide a highly-accessible summary of key actions for practitioners and links to the underlying research.

The programme as finalised and publicised prior to the event taking place had some unanticipated changes. Cathryn Costello (Oxford University/Hertie School) was not able to deliver the first keynote on the final day, due to family ill-health: she was able to provide a recording of her comments, which is available on the PROTECT website alongside other keynotes. Sergio Carrera (Centre for European Policy Studies and coordinator of sister project ) was not able to take part in the final roundtable, due to ill-health: he was replaced by Theofanis Exadaktylos (Surrey).

All PROTECT partner universities were present at the conference on all days. The European Commission, UNHCR and ECRE were represented at high levels as speakers on the policy forum. Natasha Bertaud (Deputy Head of Cabinet of Commission Vice-President Margaritis Schinas), Madeline Garlick (UNHCR) and Catherine Woollard (ECRE) all provided keynotes, as well as Alexander Aleinkoff (New School for Social Research). Gillian Triggs (UNHCR) provided a pre-recorded welcome and comment to the conference. In addition, Jeroen Jans from the European Union Asylum Agency participated as a roundtable speaker.

We received 120 total registration requests, including by project members (the list of the attendees is attached).

In order to enhance discussion and improve reach, we encouraged the participants and the audience to use the Twitter hashtag #ProtectFinalConference. The keynotes were recorded and made available on the [PROTECT YouTube channel](#) after the conference.

On **Day 1** (6 March), the midterm conference was opened by Simon Usherwood (OU), leader of the organising committee, under the theme of ‘international protection as a social value’. **Gillian Triggs** (Assistant Secretary General of the United Nations and Assistant High Commissioner of Protection at UNHCR) provided a pre-recorded welcome and comments. While being unable to attend in person, she commended PROTECT’s work and its constructive contributions to policy and academic debates during its operation. She noted that international protection has rarely been as salient as at present, with 104m refugees currently documented by UNHCR. She emphasised the need to ensure that effective protection is available to all such people, and highlighted the potential of the Global Compacts on Refugees (GCR) and for Migration (GCM) as vehicles for improving policy and on-the-ground action.

**Hakan G. Sicakkan** (PROTECT coordinator, University of Bergen) followed with an overview of PROTECT’s work and its main findings. The project has sought to identify the range and nature of international protection tools in use, including norms, governance and discourse: this has brought together work from a wide range of academic disciplines, such as political science, international relations, history, legal studies, anthropology, sociology, media

studies, and computational social science. The protection tools have then been tested for their resilience against number of core challenges, notably crisis situations, cleavages in attitudes, citizens' tolerance and their performance in practice.

This work has led to a central finding of PROTECT that international protection is 'lost in migration', in the sense that the particular nature, status and needs of refugees are subsumed into wider policy on migration and border control. This is seen in the conflation of the categories of 'migrant', 'refugee', 'protection seekers' and 'immigration' in laws, policies, processes, media framings and public understandings. Given the obligations of the 1951 Convention and the intention of the GCR/M, states and international organisations such as the EU should be making clear efforts to separate international protection from migration, border security, development and external policy, if they are to deliver an effective system. Equally important, such separation should go hand in hand with focus on new categories of people who need international protection. Wider involvement of civil society would also strengthen the relevance and impact of human rights and limit the cherry-picking approach taken to the GCM by states to date.

**Natasha Bertaud** (European Commission) offered a keynote response, focused on how the EU is attempting to create a new architecture of asylum, while also having to attend to numerous short-term pressures. She noted the central importance of language in this policy domain and the work of the Commission to avoid the normative implications of such terms as 'frontline states', 'illegal migration' and 'burden-sharing', in line with PROTECT findings. The 2020 New Pact on Migration and Asylum represented an attempt to provide a comprehensive approach, unlike previous initiatives: the elements of the external dimension, border management and asylum policy and solidarity are fundamentally interlinked and reinforcing. While there has been much progress in advancing the various proposals into law by the end of the current European Parliament term in May 2024, there remains much firefighting to be done. Belarus' instrumentalization of migrants had highlighted the need for international cooperation and the value of a 'team Europe' approach, while management of Ukrainian refugees demonstrated both the unanticipated value of the Temporary Protection Directive and its limitations. She concluded by noting the Commission wants a better system of protection, not a perfect one, and the New Pact provides this.

**Catherine Woollard** (European Council on Refugees and Exiles) focused in her keynote on the interplay of law and politics in protection systems, noting that much hangs on political deals rather than the technical quality of any proposals. She argued that there needs to be a move in Europe from perpetual reforms to processes to effective implementation, especially given the move towards more 'malign' approaches such as the Instrumentalisation Directive, which allows states to too easily derogate from asylum rights. She noted the value of PROTECT's analysis of the historical move of asylum into ministries of the interior, and stressed that non-respect of asylum law in the EU was especially problematic at a time with Rule of Law is more generally under threat. While the New Pact has pulled various external policies in to address asylum and migration, the Ukrainian case has shown that a different approach is possible. Here, the focus was on making law happen, not circumventing it, with access at the border, automatic access to protection status and an encouragement of secondary movement. As much as Ukraine

might present some particular characteristics, it is not a unique case and shows the value of current legal arrangements: this is also seen in efforts to change those arrangements, which put the judiciary in a key position to defend rights. While the EU talks about a better system, it has to be asked for whom is it better?

On **Day 2** (7 March) the theme moved to protection as a policy imperative.

**Madeline Garlick** (UNHCR) focused her keynote intervention on the work of the Global Compact on Refugees, ahead of the December 2023 meeting of the Global Refugee Forum, where further progress in pledges is expected. The GCR's multistakeholder approach has been invaluable, especially in giving voice to refugees themselves: this isn't to let states off the hook, but rather to amplify the voices of others. She noted a number of areas where PROTECT might contribute to the advancement of GCR activity: responsibility-sharing, where various initiatives exist in Europe, but there is space for more; immediate support for hosts, such as child education, health provision, jobs and services; solutions for long-term (+5 years) situations, including more legally-binding action of voluntary returns, resettlement to third countries, community sponsorship and labour migration; access to territory and non-refoulement, where Europe needs to do more, while also refraining for harmful practice like the Instrumentalisation Directive and externalisation. She commended the PROTECT handbook on navigating the Common European Asylum System (CEAS) in light of the GCR/M as an invaluable resource in information and training. She concluded by recognising that the GCR/M will not solve problems by themselves, but that they offer useful tools and likened the UNHCR to ambulance drivers, providing emergency help, in partnership with others.

On **Day 3** (8 March) the daily theme was protection as a legal right.

In her pre-recorded intervention, **Cathryn Costello** (Oxford/Hertie School) spoke of the legal challenges in the international protection regime. She noted three main points of under-development in the concept: access, through a right to flee; wider legal adaptation to protection; and the content of protection itself to ensure secure residency. She highlights the various challenges around Refugee Status Determination (RSD) in both the global North (very variable levels of discretion and 'institutional insulation' from political forces) and the global South (*prima facie* group access), which produce harms of process and of outcomes. While group approaches might address some points, they also contain risks in concentrating power (problematic if politicised) and focusing more on exclusion. Discriminatory practices in any system also need to be attended to, not least in institutional design and practice.

**Alexander Aleinikoff** (New School) offered a bold vision of a new paradigm of protection in the final keynote talk. Working from the observation that even if the current protection system worked exactly as planned it would still have various shortcomings (e.g. internally-displaced persons, displacements due to climate change or civil wars), he suggested that the GCM opens the door to an approach based on non-displacement. The GCM's focus on root causes of movement comes without qualification; even if the language is unintentional, it points up the current gaps. The new paradigm would treat forced migration as a fact, recognising that it is not an easy choice and that it comes with many harms for those in flight. Where the refugee paradigm is grounded on non-refoulement, the new approach would stress non-displacement, together with its concomitant extension of a right to flee. This would also mean a move from

the current attribution of remedy from hosting states to those who cause displacement: the example of climate change points to duties to avert, address and minimise effects and the emerging practice in this field could also be applied to the refugee system. He concluded by noting that paradigm shifts are gradually, then sudden, so the work of PROTECT in helping practitioners to understand better the challenges is part of a bigger process.

Discussion and debate around all of these keynotes and the roundtables (see Deliverable 9.9) was focused on the interplay of the various dimensions involved. The need to create a system with legal robustness, political and popular buy-in that also properly met the needs of refugees and other protection-seeking individuals was widely recognised as both urgent and challenging. Sicakkan's opening observation about the conflation of refugees and asylum with migration and border control was repeatedly returned to as a touchstone of the difficulties involved: while civil society might be able to provide some way to improve the quality of public and political debate, states and international organisations such as the EU remain the dominant actors in the system. Similarly, as much as the GCR/M provide widely welcomed language on moral obligations and inclusive practices, they were seen very much as desiderata rather than effective tools of policy, primarily because of their non-binding status. Bertaud's metaphor of firefighting was mentioned by several debating at the conference as a reflection of a system where the pressing need to deliver urgent and basic support to large numbers of those in need make it very difficult to step back and create a more equitable and resilient system. While delegates appreciated Bertaud's comments about the value of being very careful with language and framing, there was considerable concern about the potential of certain elements of the New Pact to undermine existing Convention rights and about the extent to which EU member states are willing to get proper effect to any legal regime.

The conference reached a large and diverse group of international stakeholders including academics, students, policymakers, and practitioners. Many participants identified themselves as affiliated with an academic institution and were predominately located in Europe (i.e. England, Norway, Belgium, France, Germany, Sweden, Denmark, Ireland, the Netherlands, Italy, Slovenia) Further, a number of attendees were affiliated to institutions in Canada and South Africa.

In addition, the final conference included a considerable number of practitioners and participants representing civil society, non-governmental as well as intergovernmental organizations operating internationally, in Europe and beyond. These included: journalists and practising immigration and refugee lawyers and representatives from legal clinics in Europe; several representatives from the United Nations High Commissioner for Refugees, Red Cross Norway, Nansen; civil society representatives from groups such as *Círculos de Hospitalidade* (Brazil), Boat Refugee Foundation, *Care4Calais*, *Transnational Corridors*, *A Drop in the Ocean*, the Association of users of *PADA* in Marseille, *Road of Hope*, *European Council for Refugees and Exiles*, *Migrants Organise*; thinktanks such as the *Swedish Institute for European Policy Studies*, *Kiel Institute for the World Economy*; *Norwegian Centre against Racism*, *Friedrich-Ebert-Stiftung*, *Bavarian Research Alliance* and *Migration Policy Institute Europe*.

The conference also attracted a number of policymakers and governmental representatives including from the European Commission, European Parliament, Brussels municipality, Flanders government and the Canadian government.

The rest of this report includes the programme of the event, as delivered, and the list of registrants.



# **Protect Final Conference**

## **Safeguarding the Right to International Protection**

### **Programme, as run**

**nhow Brussels Bloom hotel, Brussels**

**6-9 March 2023**

#### **Monday, 6 March: International Protection as a Social Value**

##### **0900-1700 Central European Time**

0900-0910: Welcome by Simon Usherwood, The Open University, Conference Coordinator

0910-0920: Pre-recorded welcome and comment by Gillian Triggs, Assistant High Commissioner for Protection, UNHCR, and Assistant Secretary-General, UN.

0920-0945: Hakan Sicakkan, PROTECT Principal Investigator, University of Bergen: “Lost in Migration: Which policies are needed to safeguard the international protection system?”

0945-1030: Natasha Bertaud, Deputy Head of the Cabinet of European Commission Vice-President Margaritis Schinas: “Firefighters and architects: Meeting daily challenges whilst renewing the EU’s asylum framework”

1030-1100: Break

1100-1200: Catherine Woollard, Director of the European Council of Refugees and Exiles (ECRE): “Law versus politics: Europe’s role in protection of the global protection system”

1200-1315: Lunch

1315-1445: Roundtable: Do citizens support international protection?

Moderator: Cornelius Cappelen, University of Bergen

- Pierre Val Wolleghem, University of Bergen
- Tobias Heidland, Kiel Institute for the World Economy
- Violeta Wagner, International Centre for Migration Policy Development

1445-1530: Break

1530-1700: Roundtable: International protection as a topic in traditional and social media

Moderator: Sara Hanke, University of Stuttgart

- Anamaria Dutceac-Segesten Lund University

- Boris Mance, University of Ljubljana
- David Ongenaert, Erasmus Rotterdam University
- Deniz Duru, Lund University

**Tuesday, 7 March: International Protection as a policy imperative**

**0900-1700 Central European Time**

0900-1030: Roundtable: How effective is policy?

Moderator: Frank Caestecker, University of Ghent

- Francesca Longo, University of Catania
- Jereon Jans, Head of Asylum Processes Sector, EUAA
- Nick Gill, University of Exeter
- Pierre Van Wollegham, University of Bergen

1030-1100: Break

1100-1230: Roundtable: Protection at the border zones

Moderator: Christine Jacobsen, University of Bergen

- Alieu Jalloh, Association of PADA Users
- Idil Atak, Toronto Metropolitan University
- Luc LeBoeuf, Max Planck Institute for Social Anthropology
- Marry-Anne Karlsen, University of Bergen

1230-1345: Lunch

1345-1445: Madeline Garlick, Chief of Protection Policy and Legal Advice Section, UNHCR:  
“Committing to international protection: Expectations of the Global Forum on Refugees”

1445-1530: Break

1530-1700: Roundtable: Civil society as a motor of protection

Moderator: Stefania Panebianco, University of Catania

- Brain Dikoff, Migrant Organise
- Charlotte Khan, Care4Calais
- Jean-Baptiste Metz, A Drop In The Ocean
- Simon Usherwood, The Open University

**Wednesday, 8 March: International Protection as a legal right**

**0945-1700 Central European Time**

0945-1115: Roundtable: The Global Compacts and the international protection regime

Moderator: Idil Atal, Toronto Metropolitan University

- Lena Donner, Advisor of Civil Liberties, Justice & Home Affairs, Greens/EFA in the European Parliament
- Maja Grundler, Royal Holloway, University of London
- Stefan Maier, Head of Policy and Legal Support Unit, UNHCR

1115-1130: Break

1130-1300: Roundtable: The Global Compacts and global migration governance

Moderator: Jürgen Bast, University of Giessen

- Pauline Endres de Oliveira, University of Giessen
- Rachid L'Aoufir, Transnational Corridors e.V.
- Younous Arbaoui, Vrije Universiteit Amsterdam

1300-1400: Lunch

1400-1445: T. Alexander Aleinikoff, The New School for Social Research: "Protecting the unprotected: Do the Compacts provide a path?"

1445-1500: Break

1500-1630: Roundtable: How to make protection work

Moderator: Francesca Longo, University of Catania

- Alex Aleinikoff, The New School for Social Research
- Hakan Sicakkan, University of Bergen
- Maja Grundler, Royal Holloway, University of London
- Nicholas Maple, University of London
- Theofanis Exadaktylos, University of Surrey

1630-1700: Closing remarks

- Leiv Marsteintredet, University of Bergen
- Hakan Sicakkan, University of Bergen
- Simon Usherwood, The Open University

## PROTECT FINAL CONERENCE LIST OF REGISTRANTS

<b>Name</b>	<b>Institutional affiliation</b>
Francesca Fortarezza	Scuola Normale Superiore
Hakan G. Sicakkan	University of Bergen
Bruna Kadletz	Círculos de Hospitalidade (Brasil)
Stein Kuhnle	University of Bergen
Stefania Panebianco	University of Catania
Theofanis Exadaktylos	University of Surrey
Alena Koslerova	UiB
Blessing Mukuruva	African Centre for Migration and Society
Luc Leboeuf	Max Planck Institute for Social Anthropology
Jan Oskar Engene	Department of Comparative Politics, University of Bergen
Pierre Van Wolleghem	UiB
Leiv Marsteintredet	Department of Comparative Politics, University of Bergen
Boris Mance	University of Ljubljana
Simon Usherwood	The Open University
Anamaria Dutceac Segesten	Lund University
Sara Hanke	University of Stuttgart
Eva Ecker	Ghent University
Claire Linley	TMU Toronto (formerly Ryerson)
Jørgen Dysvik Bjørke	University of Bergen
Raphael Heiberger	University of Stuttgart
Alia Middleton	University of Surrey
Pauline Endres de Oliveira	Protect Team University of Gießen
Danilo Di Mauro	University of Catania
Nicholas Maple	ACMS/University of London
Idil Atak	Toronto Metropolitan University
Julie Kim	Toronto Metropolitan University
Jamal Nasir Kohistani	University of Kerala
Marry-Anne Karlsen	SKOK, University of Bergen
Janna Wessels	VU Amsterdam
Francesca Longo	University of Catania
Frank Caestecker	University of Ghent
Maja Grundler	Royal Holloway, University of London
Bernd Parusel	Swedish Institute for European Policy Studies (SIEPS)
Stefan Maier	UNHCR
Lena-Brid Donner	European Parliament
Anna Schmidt	European Commission
Tuva Schroder	Boat Refugee Foundation
Jona Zyfi (?)	University of Toronto

Deniz Duru	Lund University
Tobias Heidland	Kiel Institute for the World Economy and Kiel University
Charlotte Khan	Care4Calais
Vivian Brattsti Sørensen	The Norwegian centre against racism
Rachid L'Aoufir	Transnational Corridors
Alieu Jalloh	Association of the users of pada in Marseille
Jean-Baptiste Metz	A Drop in the Ocean
Violeta Wagner	International Centre for Migration Policy Development
Aliya GG	Vienna University
Frøydis Patursson	Senior legal advisor at Red Cross Norway
Pietro Nuotatore	Veboode Consult
Martin Mande	South Africa Refugee Led Network
Martin Tobias Schmitt	Friedrich-Ebert-Stiftung
Mustafa Kanafani	Former accredited representative to IMO - UN
Atsbha Teklehaymanot	Road of Hope
Ellen Desmet	Ghent University
Trude Jacobsen	Dråpen i Havet
Younous Arbaoui	Assistant professor, VU University Amsterdam
Michel Bafondoko	SEIF
Sebastian Kägler	Bavarian Research Alliance
De Meerleer Anja	Government
Hedda Korsgård	The University of Bergen Brussels Office
Malfroid Cedric	Skynet
Christine Margrethe Jacobsen	University of Bergen
Sergio Carrera	CEPS
Cornelius Cappelen	Department of Comparative Politics, University of Bergen
Madeline Garlick	UNHCR
Natasha Bertaud	European Commission
Catherine Woollard	ECRE
Edvard Hagland	University of Bergen
Brian Dikoff	Migrants Organise
Alida Steigler	UiB
Martin Ingebø Jamne	University of Bergen
Jürgen Bast	Justus Liebig University Giessen
Ruben Wissing	Ghnet University
Ziya Guliyev	Law Society of Azerbaijan
Saeede Mokhtarzade	FAU university
Giuseppe Cannata	Scuola Normale Superiore
Lucia Salgado	Migration Policy Institute Europe
T. Alexander Aleinikoff	New School of Social Research
Cathryn Costello	University of Oxford, Hertie School
Ssekatawa Everest	None

Melissa	ADB
Kyriaki	European office of Cyprus
Thierry vancrombrugge	federal authority
Jean-Michel Richez	Suez Environment
Nick Gill	University of Exeter
Bulto	K city
Mario Parrot	Member
Antonio Pietropolli	Canadian government
Carmen Caruso	University of Surrey
Evgeny Shtorn	Araminta gUG
Jeroen Jans	EUAA
LEJEUNE	NANSEN the Belgian refugee council
LEROY Josiane	Vlaamse gemeenschapsonderwijs
Johan Steinmetz	Federal Gouvernement
charlotte eide	UiB Brussels Office
Enow-Mbianyor Enowmbok	Scholar
Luis	TIM S.p.A.
Linda Schiettecat	Ahovoks (lector)
Ozkan usta	Belgian governmental
Anita Fjeldsaeter	Financial Mechanism Office (FMO) Brussels
Siebe Herman	Group Ecolo-Groen, Belgian Parliament
Alejandro	UNHCR
Barakatr M Rajai	Media
Diana Sarah Ondrejovicova	VUB
Faten Bolalite	VUB
Emanuele Bonarro	UNICT
Giulio D'Arrigo	UNICT
Er Cumhur	Brussels Municipality
Sakly Hatem	Media
Romina Dose	VUB
Movrie Wandy	NSF
Alejandro del Caudillo	UNHCR
Giuluana Siculo	REA
Costantin Bitzos Noiret	CVO
Gitte Heynemans	VUB
Luc De Bakker	Amavaks
Ana Carolina Pinto Dantas	UNHCR
David Ongenaert	Erasmus Rotterdam University
Anita Fjeldsater	EEA Grants/Financial Mechanism Office