

EU Migration and Asylum Law

Titulaire

Philippe DE BRUYCKER (Coordonnateur)

Mnémonique du cours

DROI-0616

Crédits ECTS

5 crédits

Langue(s) d'enseignement

Anglais

Période du cours

Deuxième quadrimestre

Campus

Solbosch

Contenu du cours

- > Analysis of the institutional, legal and policy framework of the visas and external borders policies, of the immigration policy (admission for different purposes and status of immigrants, integration policy, fight against illegal migration and return) and of the asylum policy (rules of content and of procedures) as well as of the external dimension of those policies.
- > For each issue, the main legal instruments (including the case law of the Courts of Luxembourg and Strasbourg) and policy documents (conclusions of the (European) Council, communications from the Commission,...) are put at the disposal of the students on the virtual university.
- > The course is up-to-date and the very latest legal and policy developments are covered, including pending proposals for legislation.

Objectifs (et/ou acquis d'apprentissages spécifiques)

- > **Understanding of the general content, main orientations, and trends** of the European migration (including visas and external borders) and Asylum policies in the framework of the distribution of competences between the EU and its Member States, including the policy methods used by the EU (approximation of legislation, mutual recognition, open coordination, etc).

Pré-requis et co-requis

Connaissances et compétences pré-requises

- > **General capacity to make and follow a legal reasoning.** Normally not a problem for students in law but a reasonable challenge for other students who will have to do an effort

to understand and write texts with an extremely precise and logical line of argument based on the legal and factual elements available. Failure at exams is often linked to the incapacity of students to make a legal reasoning independently of the details of course.

- > **GENERAL** (not in-depth) knowledge AND understanding of EU institutional law (NOT of detailed EU policies) and EU legal order. Basics will not be explained during the courses. If you did not follow such course, you will have to learn by yourself these elements in the book of Marianne DONY (see below) at the beginning of the courses.

Méthodes d'enseignement et activités d'apprentissages

- > Oral courses based on the presentation and analysis of legal and policy documents. There is no other written support for the course.
- > **Presence during the courses is indispensable to understand the issues and learn progressively the content.** Simply read the notes taken by somebody else will generally lead to a failure at the exam. **There is NO need to read the documents made available on the virtual university before the course.**
- > Students should check carefully their personal understanding of the subject **AFTER** each of the lectures on the basis of their notes taken during the classes and the documents from the virtual university. **This personal work is absolutely indispensable for presenting successfully the exam!**

Contribution au profil d'enseignement

- > **Analyse and interpret EU legislation and case law of the CJEU**
- > Communicate and argue in a critical way about legal issues

Références, bibliographie et lectures recommandées

- > The companion book for the course is the Research handbook on EU migration and asylum law published by Tsourdi & De Bruycker by Elgar in 2022: <https://www.e-elgar.com/shop/gbp/research-handbook-on-eu-migration-and-asylum-law-9781786439628.html> The structure of the course follows more or less the one of the book. Students can buy it at the price of 50 Euros by asking me to order it.
- > The Odyssey blog where I publish regularly a post from colleagues or myself: <http://eumigrationlawblog.eu>
- > DE BRUYCKER P., The emergence of a European Immigration Policy / L'émergence d'une politique européenne d'immigration, Bruxelles, Bruylant, 2003: a good (of course:) book to understand the foundations of the European migration policy from its beginning
- > EDSTROM, O., LABAYLE, H. et LAFERRIERE, F.-J., Bilan critique de la politique européenne d'immigration et d'asile cinq années après Amsterdam / The European Immigration and Asylum Policy: A Critical Assessment five years after

Amsterdam, Bruxelles, Bruylant, 2004: a solid critical analysis published more than a decade ago but still relevant

- DE BRUYCKER, P. et alia, Reforming The Common European Asylum System: the New European Refugee Law, Brill – Nijhoff, 2016 (co-edited with V.Chetail et F. Maiani): a recent book to understand the latest developments of the European Asylum Policy before the crisis of 2015
- European Journal of Migration and Law: the only periodical accessible on line especially devoted to EU migration and asylum law!
- DONY, M. Droit de l'Union européenne, Bruxelles, PUB, 2015 (pay attention to take the most recent edition). This book has the merit of being complete, short, up-to-date and...cheap!
- CORTEN, O., Méthodologie du droit international public, Bruxelles, PUB, 2009 (an excellent short and simple book on legal methodology)

Support(s) de cours

Université virtuelle

Autres renseignements

Lieu(x) d'enseignement

Solbosch

Contact(s)

- Philippe De Bruycker is normally available during 30 minutes after each of his courses **without appointment**.
- **All information are available on the virtual university that students should consult regularly, in particular just before each course.** Philippe DE BRUYCKER will post news and sometimes send an email to all students through the virtual university (for instance if a course has exceptionnaly to be cancelled). Students not registered on the virtual university should take care of this: <https://uv.ulb.ac.be/login2/index.php>

Méthode(s) d'évaluation

Examen écrit

Examen écrit

Question ouverte à réponse courte

Examen à livre ouvert

Langue(s) d'évaluation principale(s)

Anglais

Autre(s) langue(s) d'évaluation éventuelle(s)

Français

Programmes

Programmes proposant ce cours à l'institut d'Études européennes

MS-EURI | Master de spécialisation interdisciplinaire en études européennes | bloc U

Programmes proposant ce cours à la faculté de Philosophie et Sciences sociales

MA-SOCO | Master en sociologie | finalité Migration and Cultural Diversity/bloc 1 et finalité Migration and Cultural Diversity/bloc 2

Programmes proposant ce cours à la faculté de Droit et de Criminologie

MA-DROI | Master en droit | finalité Droit public et international/bloc 2, finalité Droit économique et social/bloc 2 et finalité Droit civil et pénal/bloc 2, MS-DINT | Master de spécialisation en droit international | bloc U, MS-DREU | Master de spécialisation en droit européen | bloc U et MS-DSOC | Master de spécialisation en droit social | bloc U