

# EU Migration and Asylum Law

## Lecturer

Philippe DE BRUYCKER (Coordinator)

## Course mnemonic

DROI-0616

## ECTS credits

5 credits

## Language(s) of instruction

English

## Course period

Second term

## Course content

- **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 Court of Luxembourg and Strasbourg) and policy documents (conclusions of the (European) Council, communications from the Commission,...) are used.
- The course is up-to-date and the very latest legal and policy developments are covered, including pending proposals for legislation.

## Objectives (and/or specific learning outcomes)

- **Understanding of the main orientations, trends and general content** 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 methods used (approximation of legislation, mutual recognition, open coordination, etc).
- Acquisition of the basic capacity to understand a legal or policy text from a legal point of view.

## Teaching method and learning activities

- Oral courses based on the presentation, analysis and discussion of legal and policy documents
- **Presence during the courses is highly recommended**
- **Students should check their understanding of the subject after the lectures on the basis of their notes and the documents made available on the virtual university**

## Contribution to the teaching profile

- Analyse and interpret EU legislation and case-law
- Master EU Immigration and Asylum Law as a specialised branch of EU law
- Communicate in writing and argue in a critical way about legal issues
- Develop a critical view on EU Immigration and Asylum Law and Policy

## References, bibliography and recommended reading

- The Odysseus blog on which I publish every week an entry 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 last edition, for the moment the 6th one in 2015 but an updated may come out soon). This book has the merit of being complete, short, up-to-date and...inexpensive!
- CORTEN, O., *Méthodologie du droit international public*, Bruxelles, PUB, 2009 (another excellent short and simple book on legal methodology that can be used by those who hesitate when they prepare the submission of the subject and structure of their blog entry).

## Other information

### Contact(s)

- Philippe De Bruycker is normally available during 30 minutes after each of his courses **without appointment**.
- **All information (like how to write the blog entry) 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>

## Evaluation method(s)

Other

### Evaluation method(s) (additional information)

- › Writing of a blog entry on a subject related to the course proposed by the student (this means there is no other sort of exam).
- › The subject must obviously have a legal dimension and cannot be purely political, economical, sociological, etc
- › The subject and structure of the blog entry must be agreed **in advance** by the professor and shall be submitted by the student by completing the adequate formular available on the virtual university
- › **This preliminary step before the drafting of the entry counts for half of the mark (see below).**
- › The best entries may after review be published on the blog of Philippe De Bruycker: <http://eumigrationlawblog.eu>

### Determination of the mark (including the weighting of partial marks)

- › Definition, structure, content, critical analysis and documentation of the subject of the entry blog + capacity to understand the subject choosen for the blog in relation with

the content of ALL the courses (not only the subject of the blog!) and the basics of EU law.

- › **The total is 20 points distributed as following: 10 points for the definition of the subject and the structure of the blog entry + 10 points for the content and critical analysis of the subject**
- › See above the book on methodology referred in the bibliography if you have doubts about how to define your subject and structure your blog entry.

## Programmes

### Programmes proposing this course at the institute of European studies

MS-EURI | **Specialized Master in EU Interdisciplinary Studies** | unit U

### Programmes proposing this course at the faculty of Philosophy and Social Sciences

MA-SOCO | **Master in Sociology** | finalité Migration and Cultural Diversity/unit 1 and finalité Migration and Cultural Diversity/unit 2

### Programmes proposing this course at the faculty of Law and Criminology

MA-DROI | **Master in Law** | finalité Public and International law/unit 2, finalité Economic and Labour law/unit 2 and finalité Civil and Penal law/unit 2, MS-DINT | **Specialized Master in International Law** | unit U, MS-DREU | **Specialized Master in European Law** | unit U and MS-DSOC | **Specialized Master in Labour Law** | unit U

