



Constitutional Foundations of EU Migration Law

International Conference

University of Konstanz,
18/19 June 2019,
Senate Hall, Room V 1001

Tuesday, 18 June 2019

Location: Senate Hall, Room V 1001, University of Konstanz
Taxi pick up from the hotels at 12:45 (or you may take a taxi directly from the train station)

13:00 **Get-together with sandwiches and coffee**

Terrace overlooking Lake Constance and the Alps

13:50 **Welcome**

Prof. Dr. Daniel Thym, University of Konstanz,
Germany

14:00 **Court of Justice and its Institutional Context**

The Court of Justice between Textualism and Dynamism

Assistant Prof. Dr. Maarten den Heijer, University of
Amsterdam

The Limits of Dynamic Jurisprudence on Salient Issues

Prof. Dr. Daniel Thym, University of Konstanz, Germany

The Role of Supranational Institutions in Responding to Violations of EU Migration and Asylum Law in the Member States

Prof. Dr. Iris Goldner Lang, University of Zagreb

Discussant and Chair

Associate Prof. Francesco Maiani, Université de
Lausanne, Switzerland

14:50 **Discussion**

15:50 **Coffee Break**

16:20 **Charter of Fundamental Rights**

Charter of Fundamental Rights Towards a Coherent Jurisprudence?

Prof. Dr. Anna Lübbe, Fulda University of Applied Sciences, Germany

Autonomous Guarantees beyond the ECHR

Prof. Jean-Yves Carlier, Université catholique de Louvain, Belgium

Interaction between the ECJ and the ECtHR

Associate Prof. Francesco Maiani, Université de Lausanne, Switzerland

Discussant and Chair

Prof. Dr. Dr. h.c. Kay Hailbronner, University of Konstanz, Germany

17:10 **Discussion**

18:10 **Informal Reception**

(or return to the hotel)

19:30 **Dinner**

DOM Konstanz, Brückengasse 1, 78462 Konstanz
(for speakers only, taxi transfer at 19.00)

Wednesday, 19 June 2019

Location: Senate Hall, Room V 1001, University of Konstanz

8:40 **Taxi Pickup at the Hotels**, Meeting point: lobby

9:00 **Welcome Coffee**

9:20 **Autonomy of EU Law and International Refugee Law**

The Achievements and Limits of the ECJ Practice

Dr. Roland Bank, Protection Unit of the Representation of UNHCR, Berlin, Germany

Irregular Migration as a System and the Interpretation of the 1951 Refugee Convention

Prof. Dr. Achilles Skordas, University of Bristol, United Kingdom & Max Planck Institute for Comparative Public Law and International Law, Heidelberg, Germany

Externalisation and the Dynamic Interpretation of Human Rights

Assistant Prof. Dr. Ulrike Brandl, University of Salzburg, Austria

Discussant and Chair

Associate Prof. Dr. Cathryn Costello, University of Oxford, UK

10:10 **Discussion**

11:10 **Coffee Break**

11:40 **Administrative Implementation and its Deficits**

The Evolving Role of EU Agencies in the Administrative Governance of the EU Asylum Policy

Dr. Evangelia (Lilian) Tsourdi, LL.M., University of Oxford, UK

The Ambivalent Meaning of Discretion in EU Migration Law

Prof. Dr. Mattias Wendel, University of Bielefeld, Germany

Discussant and Chair

Associate Prof. Dr. Jorrit Rijpma, Leiden University, the Netherlands

12:15 **Discussion**

13:00 **Lunch Break with Coffee**

14:20 **Legal Limits in the Cooperation with Third States**
Constitutional Limits for the Spread of Informal Practices?

Prof. Dr. Paula García Andrade, Comillas Universidad Pontificia, Madrid

The Court of Justice Facing the Uncertainties of the EU Constitutional Framework on the external Dimensions of EU Migration and Asylum Policy

Dr. Luc Leboeuf, Max Planck Institute for Social Anthropology, Halle, Germany

The International Activities of Frontex and EASO

Associate Prof. Dr. Jorrit Rijpma, Leiden University, the Netherlands

Discussant and Chair

Dr. Evangelia (Lilian) Tsourdi, LL.M., University of Oxford

Continuation Wednesday, 19 June 2019

15:10 **Discussion**

16:10 **Coffee Break**

16:40 **Panel Debate: The Role of Academia**

Academia between Stocktaking and Proposals for Dynamic Evolution – Legal and Linguistic Pluralism between the Member States – Interaction with Practitioners and Politics

Prof. Jean-Yves Carlier, Université catholique de Louvain, Belgium

Associate Prof. Dr. Cathryn Costello, University of Oxford, UK

Prof. Dr. Paula García Andrade, Comillas Universidad Pontificia, Madrid

Prof. Dr. Dr. h.c. Kay Hailbronner, University of Konstanz, Germany

Chair

Prof. Dr. Daniel Thym, University of Konstanz, Germany

18:15 **Taxi transfer to the hotel**

(or the lake to walk to the restaurant)

19:30 **Dinner**

Hafenhalle, Hafenstraße 10, 78462 Konstanz

(for speakers only)

Constitutional Foundations of EU Migration Law

The asylum policy crisis revealed serious shortcomings in the design and implementation of the Common European Asylum System (CEAS). As a result, both the supranational institutions and many academics have focused their activities on the ongoing reform efforts and the multiple challenges of everyday practice in recent years. Such inspection tends to consider legal questions in isolation, including judgments of the ECJ and the ECtHR.

The international conference organised by the University of Konstanz accepts the added value of such problem-specific analyses and suggests, nonetheless, to step back and to approach the state of EU migration law from a more general point of view.

The summer of 2019 is a perfect moment for such a constitutional reflection: the sense of urgency gives way to the search for lasting solutions; the European elections mean that legislative reform will be suspended for several months; and academia has started developing generic ideas about the achievements and pitfalls of the EU's activities. Our conference aims at fostering this move towards a holistic approach, by piecing together the complex legislative patchwork, diverse administrative practices and international agreements.

In doing so, the conference will concentrate on overarching themes, discussing the role of the Court of Justice, the impact of fundamental rights, the interaction with international refugee law, questions of administrative implementation and the legal limits of international cooperation, lending itself to legal as well as non-legal perspectives.

Organisation

Prof. Dr. Daniel Thym
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Asylum Law

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