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Abstracts

The Human Rights of Migrants in the jurisprudence of the ECtHR: Activating and defusing the revolutionary potential of universalism

Jürgen Bast & Janna Wessels, Justus Liebig University Giessen

Since the mid-1990s, the European Court of Human Rights has continuously expanded the human rights protection of migrants. However, the Court appears to have taken fright at its own courage. On the one hand, its jurisprudence has activated the revolutionary potential of granting human rights to non-citizens. Taken seriously, the universalistic claim of human rights implies the promise of equal access to, and full inclusion into, the host society. On the other hand, the Court has defused the revolutionary potential of its own jurisprudence. Given the conditions of global and domestic inequality, the ECtHR does not fundamentally challenge the practices of immigration control and the stratification of rights within European societies.
The paper will be divided into four parts. The first part provides a reconstruction of the unlikely development in which the ECtHR has invented itself as a Migrants' Court, protecting vital interests of non-citizens in the country of residence. Part two will turn to the shortcomings of the Court's case law, which remains ambiguous and halfhearted. The critical analysis will reveal a Laodicean Court which employs various doctrinal strategies to limit the impact of having opened Pandora's Box by testing the exclusion of migrants against human rights standards. We are particularly interested in strategies of exclusion which remain within human rights discourse, e.g. references to colliding rights of citizens or hierarchies of Convention rights.
In the third part, we identify structural determinants of the Court's Laodicean approach in view of the ECtHR's precarious legitimacy basis. Scholars tend to focus on a sovereignty bias in the

Court's jurisprudence. The paper aims at a drawing a more complex picture, highlighting determinants such as the missing legislature in the Convention system and the difficulties of a regional court performing global tasks without a global mandate. The paper concludes with providing some recommendations as to how the Court might better deal with the dilemma that human rights universalism creates for the Court's approach to migration.

Pro-state or pro-migrant? The different paths travelled by the European and the Inter-American Courts of Human Rights

Marie-Bénédicte Dembour, University of Brighton

The European Court of Human Rights is rightly renowned for judgments that have set in stone important protective standards. One example is its repeated affirmation that no one can ever be returned to torture or inhumane and degrading treatment even when national security is at stake. However, less promising Strasbourg jurisprudence tends to receive less attention. From a human rights perspective, this is problematic for these gaps in commentary risk inducing complacency rather than strengthened protection. This paper therefore takes the controversial step of putting the emphasis on puzzling Strasbourg case law. This is done in order to interrogate the logics that generate lack of protection. The Court's failure to find a violation of the European Convention on Human Rights when illegalised and unreturnable migrants are left without a residence permit is highlighted and analysed as a denial of 'the right to have rights' (Arendt). This stance is explained as a logical extension of a number of rights limiting jurisprudential approaches that were adopted in migrant cases over the six decades of the Convention system. In turn this is linked to a pro-state bias exemplified by the 'Strasbourg reversal', which sees the ECtHR often starting its judicial reasoning in a migrant case from the state sovereign right to control its borders - rather than from the Convention's guaranteed individual right(s). This way of proceeding is contrasted to the self-characterised pro homine approach of the Inter-American Court of Human Rights. The different perspectives of these two regional courts are illustrated through a comparison of their respective case law on immigration detention.

The J.K. Decalogue: A Paradigm Shift in Dealing with Asylum Cases in Strasbourg?

Ledi Bianku, Judge, European Court of Human Rights

Since the 1990 the ECtHR has developed a substantial case-law in asylum seekers rights, especially under Article 3 of the Convention. In its judgments, the Court has consistently started its analysis by repeating the international law principle according to that the States parties to the Convention have the right to control the entry, the stay and the removal of foreigners from the their territories. During the second stage of its analysis the Court insisted on the exception that removal might give rise to Article 3 violations. It could be said that in is Grand Chamber judgment of 23 August 2016 in the case of J.K. v. Sweden the Court's offers a new structure of its analysis

in asylum cases. The presentation intends to open a debate on this structural evolution, check the possible reasons behind it, discuss whether it has an impact on other or future ECtHR judgments and what that impact is/might be. It aims to open a discussion as well on the potential impact this new way of analysis might have on international refugee law in general. .

The Dual Legacy of the Hirsi Case: Between Norm and Critique

Itamar Mann, Faculty of Law, **University of Haifa**

The Hirsi case, decided in 2012, is one of the ECtHR's most important judgements on the extraterritorial application of human rights law. Reading Hirsi illustrates the underlying assumptions of international human rights: law stems not only from membership in a political community but also from control over non-members. But why does obtaining control over persons, which are clearly beyond the scope of the social contract, come with duties towards those people? This paper will first provide an answer to that question from the perspective of political theory. In doing so, it will focus on situations of encounters with migrants at risk on the high seas as a paradigm for understanding human rights more generally. I will call this paradigm the normative legacy of Hirsi. Yet alongside this normative legacy of Hirsi, the judgment also has a second one. From a critical perspective, it will be argued that by stating a strong norm of control Hirsi also outlines the situations that are clearly beyond the human rights duties of states. If human rights duties kick in only with de-jure and / or de-facto control, a state has no duties towards those persons whose basic well-being it may influence, though indirectly (beyond its control). Decisions on the extraterritorial applicability of human rights thus also become blueprints guiding states on where human rights are inapplicable. But how do these two legacies of Hirsi relate to each other? Are they complementary, or perhaps contradictory? This is the question the paper will ultimately seek to address. In doing so, it will advance a theory of human rights adjudication that considers both legacies, and gives them each its own role in judicial decision making. As the normative legacy counsels, such decisions are premised on rights that do extend beyond the social contract. At the same time, it seeks to prevent some of the adverse effects that the critical legacy reveals.

Unintended Consequences

Ralph Wilde, University College London

The story of the development of legal protections for forced migrants in international law is, in terms of the scope of protection, a progressive one. Yet a corresponding trend in the opposite direction can also be detected: a diminution in states' commitments to refugee protection, as evidenced in the expanded scope of non-entrée measures, from visa restrictions to carrier sanctions and push-back operations. The present paper asks: how can and should we understand the causal relationship, if any, between these two concurrent, divergent developments? Have progressive legal developments played a causal role in the broader trend of resistance to the protection of forced migrants? The paper will explore this question through

the case study of progressive legal developments in one area of protection: the application of human rights law to the extraterritorial migration-policy-related activities of states, from interception and push-back at sea, to the extraterritorial posting of immigration officials and the operation of offshore migrant processing centres. The paper will consider what are and may be the negative blowback consequences for protection of the progressive legal developments that have taken place in relation to these activities. Might they drive states towards even more extreme non-entrée measures? When allied to other progressive developments in human rights law generally, might they lead states to place into question their continued commitment to human rights law, and seek to diminish and even withdraw from existing legal regimes?

The Right to Flee under the ECHR: A (Composite) Entitlement to Leave to Avoid Ill-Treatment

Violeta Moreno-Lax, Queen Mary University of London

It has long been recognised that the European Convention on Human Rights (ECHR) does not include a right to asylum as a right of the individual, let alone a freedom to immigrate wherever one pleases. Past attempts at codifying a dedicated Protocol on the matter have failed. Yet, the recent expansion of the Strasbourg case law in two other parallel tracks has come to (partly) address this void. Developments under Article 3 ECHR (+ 13 ECHR), on the prohibition of (extraterritorial) *refoulement*, under Article 4 Protocol 4 ECHR, banning collective expulsion, combined with pronouncements regarding Article 2 Protocol 4 ECHR, on the right to leave—it is posited—have given rise to a composite right to leave to avoid ill-treatment akin to the right to seek asylum found in Article 14 UDHR, but, crucially, in legally-binding form. This paper, drawing on the main arguments set out in *Accessing Asylum in Europe* (OUP, 2017), will address the 'return' question as intimately related to matters of 'entry', taking account of the extraterritorialisation of migration and border controls in European countries—serving as transition between Panel II and Panel III discussions. It will show how, the absence of a right to enter a country different from one's own has been (partially) bridged through the combination of other primary entitlements already positivized in the ECHR, as interpreted by the Strasbourg Court. It will be submitted that these have consolidated in what can be called a 'right to flee', understood as a right 'to find a solution to a situation the Court considers contrary to Article 3 [ECHR]' (*MSS v Belgium and Greece*). The implications of the intersection of the right to leave—as a non-absolute freedom, which can be subjected to the limitations contemplated in Article 2(3) Protocol 4 ECHR, in line with the principles of legitimacy and proportionality—with the prohibition of refoulement—characteristically a non-derogable / unconditional protection, laying beyond the whims of State sovereignty, as per Article 15 ECHR—will be unveiled in both their substantive and procedural facets, taking account of issues of jurisdiction (and responsibility) under Article 1 ECHR

Ius temporis in the long-term migrant case law of the European Court of Human Rights

Basak Cali, Hertie School of Governance, Berlin and Center for Global Public Law, Koc University, Istanbul

This paper reviews how the time spent by a long-term migrant, irrespective of legal status, normatively figures in liberal theories of migration and in the case law of the European Court of Human Rights (ECtHR). The article detects that in contemporary liberal theories, assigning an independent normative value to time spent by the migrant in the receiving country is a key move in balancing the competing interests of migrants and of the migrant-receiving country, where the right of the country to regulate migration is taken as given: the longer a migrant is present in a country, the stronger her interests become in receiving citizenship status or treatment akin to citizens. The paper then surveys the case law of the ECtHR relating to long-term migrants. It finds that time is often one of multiple normative considerations in the balancing exercise, in conjunction with whether a migrant has achieved social integration in the migrant-receiving country and whether the right of the receiving community to regulate migration for reasons of affording citizenship, national security or distributive justice is paramount. The article argues that the lack of an independent normative weight afforded to time in the case law of the ECtHR is not merely a tension between the translation of liberal normative theory to legal policy. It also shows a deeper tension in liberal theories of migration between national liberalism and cosmopolitan liberalism, in respect of which, so far, the European Court of Human Rights has remained ambivalent

Is it Turkey, in the context of recent human rights developments, a safe third country for refugees?

Radu Carp, University of Bucharest

According to the EU - Turkey deal from March 2016, which is based on the Joint Action Plan from October 2015, Turkey shall contain refugees within its borders or at least hinder their way to Europe and these are to be offered protection; in return EU dedicated funds to Turkey and visa liberalisation. This deal encounters criticism even before the failed July 2016 coup d'etat in Turkey. If Turkey is considered a safe third country, any application from a person passing through this country is inadmissible under Articles 33, 34 and 38 of the Asylum Procedures Directive. From the perspective of human rights of asylum seekers the EU - Turkey agreement is doubtful, since Turkey asylum system has been abusive even before July 2016. UNCHR said that the asyum seekers after the entry into force of this agreeement were detained, in view of being returned and therefore many NGOs suspended their operations in Greece. 2017 witnessed a new route for irregular migrants from Turkey to Romania via the Black Sea.There is a cooperation between the two countries authorities, but the EU - Turkey deal does not specifically cover such situation. In some cases, the migrants were intercepted in the sea and

returned to Turkey. The question remained the same as in the case of migrants returned from Greece: is Turkey a safe third contry, in order to take back the migrants that transit this country? So far, no abuse has been reported but it is doubtful if the situation will remain the same. The paper examine the question if Turkey in the current situation of human rights violations could be a safe third country for the refugees located or returned on its terrtory.

Islamophobia and the ECtHR: A Test-Case for Positive Subsidiarity

Eva Brems, Ghent University

A reflection on the human rights of migrants in Europe cannot get around the issue of racism. Resistance to immigration in Europe is fuelled to a large extent by resistance to the 'otherness' of migrants. More specifically, the 'otherness' that is most central to today's debates on migration and integration in Europe, is Islam. Thus, racism is commonly expressed as islamophobia, and islamophobia is both expressed in, and fuelled by, rights-restrictive rules that specifically target Islamic practices. The focus of the analysis in this paper is on the messages the European Court is sending to national authorities regarding their approaches to multicultural conflicts over Islamic minority practices. This is situated in the framework of 'positive subsidiarity'. It is argued that, even when the margin of appreciation is a wide one, the Court has a responsibility to offer guidance to states parties on three levels: substantive, procedural and discursive. The paper then explores the messages sent by the Court to states parties in the field of the restriction of Islamic minority practices. First it does so by comparing what is widely considered the Court's 'worst practice' in this field – the face veil cases- with its 'best practice' in a different, but comparable field – the 'gay propaganda' cases. After that, the paper continues the analysis on the basis of a broader case law corpus that includes all cases regarding the accommodation of Islamic practice in countries in which Islam is a minority religion.

The contribution of the European Court of Human Rights to the effective access of irregular migrants to minimum social rights

Carmen Pérez González, University Carlos III de Madrid

A variety of international and European human rights instruments, including the European Social Charter, the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families, the United Nations Convention on the Rights of the Child, and different ILO instruments, require that access to certain social rights should be ensured for migrants regardless of their immigration status. The Institutions of the Council of Europe have played a leading role in this regard. The European Committee of Social Rights, the Parliamentary Assembly of the Council of Europe, the Commissioner for Human Rights and the European Commission against Racism and Intolerance, have adopted relevant decisions encouraging Member States to ensure irregular migrants' access to inalienable basic social rights

This presentation will aim to analyze how the European Court of Human Rights has contributed to the consolidation of a minimum standard of social rights for irregular migrants. The Court has founded the protection of certain social rights of this group in the notions of human dignity and vulnerability. Besides that, the presentation will address a comparative analysis of the European Court of Justice's case law and the jurisprudence of other international human rights mechanisms: The European Court of Justice, and the Inter-American Court of Human Rights, at the regional level, and the Human Rights Committee, the Committee on the Rights of the Child, the Committee on Migrant Workers and the ILO bodies, at the universal level. The presentation will explore, in this sense, if it possible to talk about a judicial or quasi-judicial dialogue aiming to the establishment of a minimum standard of socio-economic rights of irregular migrants and the imposition of obligations upon States in order to ensure them.

Migration, Multiculturalism and 'Living Together' Reflected in the ECtHR Jurisprudence

Bianca Gutan, University of Sibiu and Judge ad hoc, European Court of Human Rights

Migration is a phenomenon with multifarious implications nowadays, from social, political, religious and legal perspectives. Following centuries of repression of various minorities (religious, ethnic, political etc.) most of the European states made of human dignity the flagship of their fundamental rights protection system, in a direct or indirect manner, which reflects also on the European approach towards the phenomenon of migration. However, one question still raises: can the human dignity serve as a main instrument, used by the European states, in their efforts to accommodate the migration phenomenon? Are there other tools to this end, recently introduced by the European Court of Human Rights in its jurisprudence? How would these instruments accommodate the challenges posed to the European societies by migration?

Bios:

Julia Laffranque is judge at the European Court of Human Rights and Vice-President of Section II. She is also professor of European law at the University of Tartu, Estonia. Her previous positions include Justice of the Supreme Court of Estonia, European Union expert, Head of EU law and foreign relations division and Deputy Secretary General of the Ministry of Justice of Estonia. She holds a Doctor Iuris (PhD) of Law degree from the University of Tartu and LL.M from University of Münster, Germany. Judge Laffranque is author of a number of textbooks and articles on EU law, human rights and constitutional law. She has been president of the Consultative Council of European Judges of Council of Europe and president of the International Federation for European Law. Julia Laffranque was awarded the Estonian White Cross, and she is Chevalier de l'Ordre National du Mérite of France. In 2013 she was elected European of the Year by European Movement Estonia.

Başak Çalı is Professor of International Law at the Hertie School of Governance and Director of the Center for Global Public Law at Koç University, Istanbul. Her research interests are general international law and international human rights law, with a specific focus on European human rights law. Başak is the Secretary General of the European Society of International Law, editor in Chief of Oxford University Press United Nations Human Rights Case-Law Reports, a fellow of the Human Rights Centre of the University of Essex and a senior research fellow at the Pluricourts Centre at the University of Oslo. She has been a Council of Europe expert on the European Convention on Human Rights (ECHR) since 2002.

Jürgen Bast is Professor of Public Law and European Law at Justus Liebig University Giessen and convener of the Research Group Migration and Human Rights at this University. Earlier he was a Full Professor of International and European Law at Radboud University Nijmegen, The Netherlands, and a Senior Research Fellow at the Max Planck Institute for Comparative Public Law and International Law in Heidelberg, Germany. Bast holds a PhD in law and degrees at master level in law and sociology. His main research interests are European and international migration law and policy, including refugee and citizenship studies, and European constitutional law. In the realm of public international law, Bast is interested in developing the public law of globalization, in particular studies of the exercise of public authority by international institutions and theories of territoriality, supranationalism and multilayered governance.

Janna Wessels is full-time Research Associate and Senior Lecturer at the Chair of Public Law and European Law at the University of Giessen. Previously, she worked as Research Associate for an Australian Research Council funded international comparative project on Gender-related harms in Refugee law, based at University of Technology Sydney (UTS), Australia and University of British Columbia, Canada. Janna has recently defended her PhD on Sexuality and Refugee Status, which she completed as Quentin Bryce Doctoral Scholar at UTS and Vrije Universiteit Amsterdam (joint degree, pending final evaluation). She holds three master-level degrees from University of

Oxford (MSc in Forced Migration), Sciences Po Lille (Political Science/European Studies) and University of Münster (Social Science). Her research interests are European and international refugee law, gender and queer studies and the inclusionary and exclusionary effects of human rights in the field of migration. .

Marie-Bénédicte Dembour is Professor of Law and Anthropology at the University of Brighton. She was educated at Brussels (ULB) and Oxford. Her latest monograph When Humans Become Migrants: Study of the European Court of Human Rights with an Inter-American Counterpoint (Oxford University Press, 2015) was written with the support of a Leverhulme Major Research Fellowship. It received the Odysseus Prize for outstanding academic research. Although her many distinguished publications cover various fields, she has developed a particular expertise in human rights. Her monograph Who Believes in Human Rights? Reflections on the European Convention (Cambridge University Press, 2006) continues to attract high praise; her paper 'What are human rights? Four schools of thought' has counted amongst Human Rights Quarterly's most downloaded articles since its publication in 2010. She has been a visiting professor in many institutions, including most recently at the Free University Amsterdam and the University of Caen Normandy. She has been invited to give talks throughout the world.

Ledi Bianku is Judge at the European Court of Human Rights (ECHR) since 1 February 2008. During 2006-2008 he was member of the Venice Commission for Democracy through Law. Prior to his appointment as Judge at the ECHR, Judge Bianku lectured human rights, EU law and public international law at the Albanian School of Magistrates and the Faculty of Law at Tirana University (Albania). Besides his academic career, he served as legal advisor to the OSCE, as Chairman of the Albanian National Council for Radio and Television and in the period 2000-2007 as advisor ad personam to the President of the Republic, to the President of the Parliament and to Ministers of Justice and of European Affairs in Albania. Judge Bianku studied law at the Faculty of Law at Tirana University, Faculty of Law at University of Trento and College of Europe in Bruges.

Krzysztof Wojtyczek, Born on 19 February 1968 in Kraków, Poland

- Master in Law, Jagiellonian University, Kraków, 1991
- Junior lecturer, Faculty of Law and Administration, Jagiellonian University, Kraków, 1991-1999
- Doctorate in law, Jagiellonian University, Kraków, 1998
- Legal advisor (1998-2009), Senior legal advisor (2009-2012) of the Constitutional Court
- Lecturer, Faculty of Law and Administration, Jagiellonian University, Kraków, 1999-2010
- Director of the School of French law, Jagiellonian University, Kraków, 2000-2012
- Member of the European Scientific Council (European Group of Public Law), since 2006
- Habilitation in law, Jagiellonian University, Kraków, 2009

- Member of a Committee of experts appointed by the President of the first house of the Parliament (Sejm) for the preparation of a draft of a new chapter of the Polish Constitution on the European Union membership, 2009-2010
- Professor at the Jagiellonian University, Kraków, since 2010
- Director of the Coordination Centre for Foreign Law Schools, 2010-2012
- Associate member of the International Academy of Comparative Law, since 2012
- Judge of the European Court of Human Rights since 1 November 2012.

Itamar Mann is a senior lecturer at the University of Haifa Faculty of Law, Israel, where he teaches primarily international law. His research focuses on human rights, refugee and migration law, and legal and political theory. He is the author of Humanity at Sea: Maritime Migration and the Foundations of International Law (New York: Cambridge University Press, 2016). Itamar Mann also provides legal advice on issues related to his areas of research. He has previously worked as a consultant for Human Rights Watch and the Open Society Justice Initiative on issues related to refugee law in Europe. He is a member of the legal action committee at Global Legal Action Network (GLAN). Before moving to Haifa, Itamar Mann was the National Security Law Fellow at Georgetown Law Center for three years. He holds an LLB from Tel Aviv University, and LLM and JSD degrees from Yale Law School.

Ralph Wilde is a member of the Faculty of Laws at University College London. He is currently engaged in an interdisciplinary research project on the extraterritorial application of international human rights law, called 'human rights beyond borders', funded by the European Research Council. His book International Territorial Administration: How Trusteeship and the Civilizing Mission Never Went Away (OUP, 2008) was awarded the Certificate of Merit (book prize) of the American Society of International Law in 2009. Ralph previously served on the Executive Board of the European Society of International Law, the Executive Council of the American Society of International Law and, at the International Law Association (ILA), as Co-Rapporteur of the Human Rights Committee, one of the UK representatives on the international Executive Council, Rapporteur of the Study Group on UN Reform, and Joint Honorary Secretary of the British Branch. Twenty-five years ago, Ralph brought a case under the European Convention of Human Rights system, Wilde and others v. United Kingdom, which challenged the then unequal age of consent for gay male sex, an experience that fostered his interest in international law in general and international law in particular. Although he 'went to Strasbourg' as an applicant (his story can be found in the recently published OUP book, Going to Strasbourg), this is his first time actually visiting in person. More information at: http://www.laws.ucl.ac.uk/people/ralph-wilde/

Ksenija Turković

- Full Professor of Criminal Law, Faculty of Law, University of Zagreb (Associate Dean for Academic and Student Affairs, 2005-2007; Head of Criminal Law Department, 2008-2010)
- Vice-Rector, University of Zagreb, 2008-2012

- Vice-president of the Committee of Experts on the Protection of Children against Sexual Exploitation and Abuse (PC-ES), Council of Europe, 2006-2007
- Vice-president of the Group of Specialists on Child Friendly Justice (CJ-S-CH), Council of Europe, 2009-2010
- President of the Expert Committee drafting new Croatian Criminal Code (adopted by the Croatian Parliament in 2011), Ministry of Justice, Zagreb, 2009-2011
- President of the Board, Croatian Centre for Human Rights (an independent national human rights institution), Zagreb, 2007-2012
- Observing Member of the Management Board of the European Union Agency for Fundamental Rights, 2010-2012
- Judge of the European Court of Human Rights since 2 January 2013

Simona-Maya Teodoroiu

- Judge in the Constitutional Court of Romania.
- February 2013 to the present, Maitre de conference (1994-2000 - Assistant professor, 2000-2012 - Lecturer), teaching civil law and environmental law, Faculty of Law – "Titu Maiorescu" University of Bucharest and Faculty of Public Administration – National School of Political Sciences and Public Administration (SNSPA), Bucharest.
- 1994 to present: The Romanian Academy – Legal Research Institute (Department of European Studies). Researcher in the field of law and legal studies (presently, Principal Researcher, 3rd degree). Author or co-author of several research papers, studies and books published in Romanian and foreign reviews
- May 2012 – February 2015: Secretary of State (Vice-minister), Ministry of Justice of Romania, in charge with European and International affairs and programs.
- ❖ 2007 – 2014 (two mandates): Member of the National Integrity Council (CNI) - the managerial coordinating body of the National Integrity Agency (ANI).
- ❖ Starting in 2014: Member of the Board of Directors of EPLO (European Public Law Organization), representing Romania (National School of Political Sciences and Public Administration).
- ❖ 2013-2015: Member of the Board of Trustees of ERA (Academy of European Law).

Radu Carp is a professor of Political Science at the University of Bucharest. Director of the Doctoral School in Political Science, University of Bucharest. MA in European studies and international relations, Institut Européen des Hautes Etudes Internationales, Nice (1996). SJD, Comparative Constitutional Law, Faculty of Law, Babeş - Bolyai University of Cluj (2002). Representative of the University of Bucharest team part of the European research network Observatory on Local Autonomy, coordinated by the Université de Lille 2 (2015 -). Member of the Executive Committee and of the Academic Council of the E.MA - European Master's Degree in Human Rights and Democratization of the EIUC - European Inter-University Centre for Human Rights and Democratization, Venice (2015 -). Representative of the University of Bucharest in

the project CIII-AT-0702-01-1213 - Ethics and Politics in the European Context, part of the CEEPUS III network, coordinated by Institut für Sozialethik, University of Vienna ; 12 universities from Central and Eastern Europe are part of this network (2012 -). Visiting Professor: National Tchengchi University, Taiwan (2016); European Inter-University Centre for Human Rights and Democratization, Venice (2016); University Matej Bel of Banska Bystrica (2016); Universitá degli Studi Firenze (2015); Institut für Sozialethik, Universität Wien (2015); Trnava University (2014); Umea University (2013); Charles University of Prague (2013); University of Szeged (2012); The Munk School of Global Affairs, University of Toronto (2011); Mykolo Romerio Universitetas, Vilnius (2010); National and Kapodistrian University of Athens (2000). Research associate of: Konrad Adenauer Stiftung/ Wilfried Martens for European Studies in the framework of the project European perceptions in Romania (2015); Institut für Rechtsphilosophie, Religions-und Kulturrecht, Universität Wien (2006 - 2008); The European Institute of Romania, in the framework of Programme Accession Impact Studies - PAIS 3 (2005); The Ludwig Boltzmann Institute for Religious Studies towards EU Integration, a programme of New Europe College - Bucharest (2004); TMC Asser Institut, Den Haag (2002). He published 15 books as author and co-author. Latest books: Politograma. Incursiuni în vocabularul democraţiei (Politograma. Travels into the vocabulary of democracy) - Institutul European, Iaşi, 2015; Dreptul public, perspectiva comparată şi analiza politică. O intersecţie necesară (The public law, the comparative perspective and the political analysis. A necessary crossroad) - Adenium, Iaşi, 2015; (ed.) Calea europeană a Republicii Moldova (The European path of the Republic of Moldova) - Adenium, Iaşi, 2016. Articles and book chapters published in Austria, Belgium, Bulgaria, Germany, Lithuania, Poland, Republic of Moldova, the Netherlands, Ukraine, USA.

Ganna Yudkivska is Judge at the European Court of Human Rights (ECtHR) since 2010; Vice-President in 2015-2016, and President of the Section as of 1 February 2017. Associate Professor of European and International law. Graduated from Kyiv National University and Robert Schumann University of Strasbourg. PhD in law from the Academy of Advocacy of Ukraine. Has taught and researched at the Kyiv National University, University Paris 1, University of Strasbourg and Columbia Law School. Served as expert for different human rights organizations and groups. Was a defense attorney and member of the Bar; worked as a lawyer at the Registry of the ECtHR and advisor to the Commissioner for Human Rights of the Council of Europe. Had leaded in Ukraine and Moldova Steven Spielberg's legacy project on genocide studies, and was a Human Rights and national minorities expert for the Council of National Communities of Ukraine. Author of a number of scientific articles on criminal procedure; human rights, international law.

Eva Brems is a Professor of Human Rights Law at Ghent University (Belgium), where she founded the Human Rights Centre (www.hrc.ugent.be) and the Strasbourg Observers blog (www.strasbourgobservers.com). Eva publishes widely on many topics of human rights law, with a particular emphasis on the European Convention on Human Rights, issues of diversity, and cross-cutting themes from a holistic human rights perspective. Some of her most important research Projects are:

- 'Strengthening the European Court of Human Rights: More Accountability through Better

Legal Reasoning' (ERC grant 2010-2014, https://www.ugent.be/en/research/research-ugent/trackrecord/fp7-erc/enhr.htm)
- 'The Global Challenge of Human Rights Integration: Toward a Users' Perspective ' (Belgian Science Policy, 2012-2017, www.hrintegration.be)
- 'Procedural Fairness in Local Approaches to Multicultural Conflicts' (Ghent University Research Fund 2016-2020, http://www.hrc.ugent.be/research/procedural-fairness-local-approaches-multicultural-conflicts/)

In addition to her academic work, prof. Brems is and has been active as a chair/board member in several Belgium-based human rights organizations, and as a member of the Belgian Parliament (2010-2014).

Carmen Pérez BA and PhD (University Carlos III of Madrid) is currently Senior Lecturer in Public International Law at Carlos III University of Madrid, Spain. Between 2004 and 2008 she served as Adviser for International Affairs at the Cabinet of the Spanish Secretary of State for Migration and between 2009 and 2010 she served as alternate member of the Management Board of the Fundamental Rights Agency of the European Union. From October 2016 she is Vice-dean for International Relations and Academic Exchanges of the Social Sciences and Law Faculty. She has been the project leader of a Spanish national project on the legal protection of vulnerable migrant women. She has been Visiting Fellow at the European University Institute (Florence), the Max-Planck-Institut für ausländisches öffentliches Recht und Völkerrecht (Heidelberg) and the Refugee Studies Centre (Oxford). Dr. Pérez has written extensively in the area of International and EU migration and asylum law, protection of human rights of migrants, trafficking in human beings and obligations imposed to States under non-refoulement principle.

Bianca Gutan, PhD (Bucharest), LL.M. (Nottingham), is a Professor of Constitutional Law and Human Rights Law at the Law Faculty of the Lucian Blaga University of Sibiu, Romania. Her main areas of research are judicial review, comparative constitutional systems, European law of human rights. She is author of the book The Constitution of Romania. A Contextual Analysis (Oxford, Hart Publishing, 2016) and of numerous other books, chapters and articles, in English, French and Romanian, on constitutional law, comparative constitutional law and human rights law. She was visiting fellow at the Max Planck Institute for Comparative Public Law and International Law in Heidelberg, Germany, at the Swiss Institute of Comparative Law (Lausanne) and visiting professor at the universities of Marburg (Germany), Carlos III of Madrid (Spain) and Valencia (Spain).