

Workshop – Call for Papers

(Dis)continuities in the Legal Protection of Refugees: comparing refuge for religious minorities in the 17th and 18th century with the Common European Asylum System

VENUE: Paul Scholten Centre for Jurisprudence, University of Amsterdam, NL

DATE: Friday 30 September 2016

DEADLINE: Submission proposal 30 April 2016

ORGANIZERS:

- Maarten den Heijer (Amsterdam Center for International Law, University of Amsterdam)
- Geert Janssen (Amsterdam School of Historical Studies, University of Amsterdam)
- Gregor Noll (International Law, Lund University)
- Thomas Spijkerboer (Migration Law, Vrije Universiteit Amsterdam)
- Bas Schotel (Paul Scholten Centre for Jurisprudence, University of Amsterdam)

Theme

This workshop explores historical legal arrangements providing protection to refugees in order to better understand the structure of legal protection of refugees in Europe today. The workshop concentrates on how the protection of religious refugees in 17th and 18th century was legally structured. The historical legal mechanisms will be contrasted with the current European refugee regime, in particular the Common European Asylum System (CEAS).

Target audience and aim of the workshop

The workshop is aimed at scholars of early modern history, legal history and refugee law, with an interest in identifying (dis)continuities between historical and current legal mechanisms offering protection to refugees. Contributors are asked to consider afresh their existing research and knowledge of the sources with a view to identifying relevant (dis)continuities. The aim is to produce an edited volume or special issue with an expert journal of refugee law or refugee policy. This workshop is a first step in this process as the first draft papers should identify the (dis)continuities that can be fruitfully pursued.

Novelty

The novelty of the workshop is threefold. Firstly, while there is extensive scholarship on religious refugees in 17th and 18th century, it does not focus explicitly on the *legal* mechanisms offering protection to refugees directly or obliquely. Secondly, (dis)continuities between the historical and current refugee regimes will help legal experts of the CEAS better understand the conditions that foster or hamper legal protection of refugees today. Thirdly, the historical legal regimes may inspire legal experts to explore alternative routes for structuring and conceptualizing legal protection of refugees under the CEAS.

Relevance

The institutional framework that is supposed to deal with the current refugee crisis facing Europe is the CEAS. The central logic of the CEAS is one of unity: it aims to be a homogenous system that presents itself vis-à-vis refugees as a single jurisdiction. Furthermore, the official ideology underlying the current protective mechanism relies on human rights and equality. Yet, when it comes to refugees precisely in times of crises when protection is most needed unity, human rights and equality often fail to deliver. This workshop may help explore alternative routes of legal protection of refugees.

Deadlines

Paper proposals of no more than 500 words can be sent to Bas Schotel (b.schotel1@uva.nl) by **30 April**. Decisions will be communicated by **15 May**. First draft paper should be submitted by **16 September** to be circulated in advance among participants.

Fees and catering

There will be no participation fee charged for the workshop. One lunch and one dinner will be offered to presenters and discussants. Participants should make their own travel and accommodation arrangements.