



MIGRANTS

TRAINING PROGRAM

The hotspot approach: third safe country and the principle of non refoulement

13 – 14 april 2021

Lecturer: Alice Argento - CLEDU

(alice.argento91@gmail.com)

- Geneva Convention: Milestone for global codification of refugee rights and a focus on the refugee definition and protection;
- European Common Asylum System;
- The “*Asylum package*”: PROCEDURES Directive, 2013/32/EU and RECEPTION 2013/33/UE; Regulation (EU) No 604/2013 and REGULATION No 603/2013;
- Principle of non-refoulement (art. 32 of the convention and subsequent interpretations and application practices);
- Non-refoulement, a principle of customary law, and Law of the Sea;
- The evolution of the obligation of non-refoulement in the jurisprudence of the European Court of Human Rights: Case Hirsi Jamaa and Others v. Italy (and other cases);
- Recent migration policies of the European Union;
- Outsourcing and securitization of borders and art. 3 of CEDU;
- The most recent stages in the development of the external dimension of immigration and asylum policies;
- European Migration Agenda of May 2015 and the EU-Turkey agreement of March 2016;
- Economic-political guidelines of the European Union subsequent to the 2014 Khartoum Process;
- The Action Plan on measures to support Italy and reduce migratory pressure in the central Mediterranean of July 4, 2017 and The Paris Joint Declaration of August 2017;
- The European Trust Fund, the Africa Fund and their funding from them to UN agencies;
- The role of international organizations in Libya as a counterweight to outsourcing policies;
- On the externalization of asylum, resettlement, and the role of UNHCR -Regulation (EU) No 604/2013;
- A physical filter to the entry into Europe of persons who exercise their freedom of movement and the right to apply for international protection;
- The outsourcing of borders and of management of migrants: the legal effects.



II

- The outsourcing of borders and of management of migrants: the legal effects;
- Before The Hotspot Era;
- The New Approach: Communication of 9/23/2015;
- The law of the crisis or the law in crisis;
- The place: the “hotspots” as centers for identification, screening and first assistance;
- The concept: the “hotspot approach” as a working method;
- Fingerprinting of new arrivals;
- New practices, new violations of human rights;
- The hotspot approach in Italy and Greece: a focus on the ECHR jurisprudence;
- The concept of Third safe country;
- The criticality of the notion of “*safe countries of origin*”;
- The procedural neutralization of the right to asylum of applicants who come from a country of origin designated as safe.
- The procedure: what if you are not an asylum seeker?
- What if you are an asylum seeker?
- What if you are an asylum seeker coming from a third safe country?
- The hotspot approach during the pandemic period: the quarantine ships.