

SECURING REFUGEE RIGHTS IN REGIONS OF ORIGIN

WHAT RIGHTS AND IN WHOSE INTEREST?

8 DECEMBER 2021, 12:45–17:00 CET



Hybrid Conference

Beeld & Geluid – Zeestraat 82, The Hague
and on Zoom

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**Commissie
Meijers**



Ministerie van Buitenlandse Zaken

SECURING REFUGEE RIGHTS IN REGIONS OF ORIGIN

The 1951 Refugee Convention – which celebrates its 70th birthday this year – still forms the cornerstone legal document for refugee protection in the world. The Convention not only protects the right to access to asylum and the principle of non-refoulement, but also foresees an array of socioeconomic rights that refugees are entitled to enjoy, such as housing, education and employment.

The vast majority of refugees in the world are hosted by developing states. These states often struggle to provide socio-economic rights to refugees, as well as their own citizens. In recent years, the EU institutions and Member States have reviewed their efforts to improve refugee reception and inclusion into host societies in regions of origin. New policy instruments were created, most critically the 2018 Global Compact on Refugees, and large-scale development funding was made available to the refugee-hosting states. In the past years, we have seen a proliferation of funding instruments, such as EU Trust Funds and Compacts, significant new financial instruments created by the World Bank, and individual donors' projects, such as the Netherlands-funded Prospects Partnership.

This conference addresses the recent efforts of EU institutions and Member States to improve refugee rights in regions that host most of the world's refugee population, such as the Middle East and the Horn of Africa. What have been these initiatives and how are they playing out in practice? How are they balancing the rights of refugees with the rights of host communities? And what are the legal, political and ethical challenges underlying these policy initiatives? These and related questions will be addressed by three panels, consisting of academics, politicians, policymakers and representatives of international organizations.

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PROGRAMME

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| 12:00 – 12:45 | Registration and lunch |
| 12:45 – 13:00 | Opening and welcome (Ashley Terlouw, Meijers Committee) |
| 13:00 – 14:00 | Session I – Social and Economic Rights in the Refugee Convention |
| 14:00 – 14:10 | Break |
| 14:10 – 15:10 | Session II – Changing political contexts, shifting policy approaches |
| 15:10 – 15:20 | Break |
| 15:20 – 16:20 | Session III – Operationalizing law and policies in practice |
| 16:20 – 16:30 | Closing remarks (Marriët Schuurman, Ministry of Foreign Affairs) |



ASHLEY TERLOUW

Chair of the Meijers Committee

Ashley Terlouw is a Professor of Sociology of Law at the Radboud University Nijmegen. She also is the chairwoman of the section for Sociology of Law and Migration Law, and chairwoman of the Research Centre for State and Law (SteR). Since September 2020, she is chairwoman of the Meijers Committee.



MARRIËT SCHUURMAN

Dutch Ministry of Foreign Affairs, Director of Stabilisation and Humanitarian Assistance

Marriët Schuurman has held a number of high-level positions within multilateral security bodies, including Special Representative on Women, Peace and Security at NATO.

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SESSION 1

12:50–13:50

Social and Economic Rights in the Refugee Convention

In this session, we will reflect on today's meaning and value of the 1951 Refugee Convention when it comes to the socioeconomic rights of refugees. What does the Convention demand from States, and what are the limits of these obligations? Is the Convention's rights regime sufficient to provide what refugees need? Additionally, the speakers will discuss the ways the Convention's socioeconomic rights can be protected in practice. Is an appropriate system of legal remedies available for refugees? And does a serious violation of socioeconomic rights justify an asylum claim in another State?

Chair: Maarten den Heijer, assistant professor of international law, University of Amsterdam, and member of the Meijers Committee.



MARJOLEINE ZIECK (KEYNOTE LECTURE)

Professor of International Refugee Law, University of Amsterdam

Marjoleine Zieck is a renowned expert on the Refugee Convention. In her research, she has focussed on the work of the UNHCR, resettlement and voluntary repatriation.



LIENEKE SLINGENBERG (RESPONDENT)

Associate Professor and Head of the Amsterdam Centre for Migration and Refugee Law, Vrije Universiteit Amsterdam

Lieneke Slingenberg has published widely on the social rights of irregular migrants, asylum seekers and refugees. Her monograph, entitled "The Reception of Asylum Seekers under International Law", provides an in-depth study of the international legal obligation of States towards refugees in the socioeconomic sphere.



CORNELIS WOUTERS (RESPONDENT, VIA ZOOM)

UNHCR, Senior Refugee Law Advisor

Kees Wouters is a refugee law expert who has worked for various NGOs in the Netherlands and Asia, before joining UNHCR's Division of International Protection in 2009. In 2009, he completed his PhD thesis at Leiden University on the principle of non-refoulement. He has also been a member of the Meijers Committee (2000–2009).

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SESSION 2

14:00–15:00

Changing political contexts, shifting policy approaches

This session will address recent European and international policy initiatives that aim to protect refugees in third states. What kind of initiatives have these been and how should they be assessed? What are the aims of these policies? And in whose interests are they being pursued – of refugees, hosting states, or rather the donor countries themselves? And what are the effects of centring development programmes on refugee reception rather than other challenges faced by host communities?

Chair: Janna Wessels, assistant professor of migration law, Vrije Universiteit Amsterdam and member of the Meijers Committee.

ALEXANDER BETTS (KEYNOTE LECTURE, VIA ZOOM)



Professor of Forced Migration and International Affairs; William Golding Senior Fellow of Brasenose College, University of Oxford

Alex Betts is a prominent expert and public speaker on the political economy of refugee assistance. In his most recent book, "The Wealth of Refugees: How Displaced People Can Build Economies" (Oxford University Press, 2021), Betts argues that the key to better refugee policies lies in unlocking the potential contributions of refugees themselves.

TINEKE STRIK (RESPONDENT)



Member of the European Parliament (Greens)

Since the 1990s, Tineke Strik strives to improve the protection of refugees, minorities and the rule of law. In the European Parliament, she served as a Rapporteur on the EU External Migration Policy, the Return Directive and the Frontex Scrutiny Working Group.

GERALD KNAUS (RESPONDENT, VIA ZOOM)



Chairman of the European Stability Initiative

Gerald Knaus is the founding Chairman of the European Stability Initiative (ESI), a non-profit research and policy think tank focusing on South-East Europe, Turkey, and the South Caucasus. Based in Berlin, Mr Knaus coordinates field research and provides strategic analysis to European policymakers. He is considered the "architect" of the 2016 EU-Turkey Statement on Migration.

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SESSION 3

15:10–16:10

Operationalizing law and policies in practice

This session will reflect on current practices, approaches and tools that have been designed to support the socioeconomic rights of refugees. What challenges are currently faced by stakeholders on the ground who have to make legal frameworks and policy plans work in practice? How do current policies balance the rights of refugees with the rights of host communities? Further, the speakers on this panel are invited to reflect on the appropriate role of States, international organizations and NGOs in this field. How should non-state actors respond to polarized political contexts, where their involvement is often directly related to the reluctance of states to provide basic services to refugees?

Chair: Jorrit Rijpma, professor of European Union law, Leiden University, and member of the Meijers Committee.



SAJJAD MALIK (KEYNOTE LECTURE, VIA ZOOM)

UNHCR, Director for the Division of Resilience and Solutions

Sajjad Malik has more than 30 years of experience within the UNHCR. Before taking up his current function, he was UNHCR's Representative in Damascus, Syria. Previously, he has worked in Somalia, Ethiopia, Kenya, Sudan, Pakistan and Geneva.



XAVIER DEVICTOR (RESPONDENT)

World Bank, Manager, Fragility, Conflict and Violence Group

Xavier is Manager in the Fragility, Conflict, and Violence (FCV) Group, where he has spearheaded the World Bank's work on forced displacement. He has broad experience across regions on country programs, strategy, and policy dialogue.



KELSEY P. NORMAN (RESPONDENT, VIA ZOOM)

Fellow for the Middle East and Director of the Women's Rights, Human Rights & Refugees program at the Baker Institute for Public Policy at Rice University.

Kelsey Norman has conducted extensive, empirically grounded research on refugee protection, reflected most recently in her book, "Reluctant Reception: Refugees, Migration and Governance in the Middle East and North Africa" (Cambridge University Press, 2021).