



HUMAN  
RIGHTS



## ONLINE SEMINAR

# Asylum and Human Rights: Recent ECtHR Case Law

18-19 June 2020

**UP  
GRADE**  
YOUR LEGAL  
EXPERTISE

**Human  
Rights Law**



### Speakers

**Iris Goldner Lang**

Jean Monnet Professor of EU Law, UNESCO Chair on Free Movement of People, Migration and Inter-Cultural Dialogue, University of Zagreb

**Pamela McCormick**

Registry Lawyer, European Court of Human Rights, Strasbourg

**Markella Papadouli**

Europe Litigation Coordinator, Advice on Individual Rights in Europe (AIRE) Centre, London

**Sophie Piquet**

Deputy Head of the Department of Filtering and Working Methods, Registry of the European Court of Human Rights, Strasbourg (to be confirmed)

**Thomas Straub**

Registry Lawyer, European Court of Human Rights, Strasbourg

**Jeff Walsh**

Associate Liaison Officer, UNHCR, Malta

### Key topics

- Human rights and legitimacy in the implementation of asylum and migration law
- Protection against return to face a risk of ill treatment (refoulement)
- Rule 39 interim measures and Article 34 ECHR
- Lawfulness of detention of asylum-seekers according to Article 5 ECHR
- Protection of the right to family life and right to private life based on Article 8 ECHR
- Protection of vulnerable groups

Language  
English

Event number  
420SD75

Organiser  
Magdalena Kędzior (ERA)



With the support of the Erasmus+  
programme of the European Union

Thursday, 18 June 2020

## START OF THE ONLINE SEMINAR

- 13:30 **Connecting to the videoconference platform**
- 13:45 **Welcome and introduction**  
*Magdalena Kędzior, ERA*
- 14:00 **Setting the scene: human rights and legitimacy in the implementation of asylum and migration law**
- Interplay of national, regional and international law in the field of asylum
  - EU migration and asylum measures and the future EU regime of asylum-seekers' rights
  - The role of courts in protecting asylum-seekers' rights
- Iris Goldner Lang*
- 14:45 Discussion
- 15:00 **ECtHR case law on Article 3: protection against return to face a risk of ill treatment (*refoulement*)**
- Distinction between Article 2 and Article 3 ECHR cases
  - Article 3 ECHR legal regime
  - Safe country concept
- Pamela McCormick*
- 15:45 Discussion
- 16:00 Break
- 16:15 **ECtHR case law on Article 5: detention of asylum-seekers**
- *Z.A. and others v. Russia* 61411/15, 61420/15, 61427/15 and 3028/16,
  - *Ilias and Ahmed v. Hungary* 47287/15
  - *J.R. and others v. Greece* 22696/16
  - Lawfulness and duration of detention
  - Procedural safeguards
  - Restrictions on freedom of movement – Article 2, Protocol 4
- Thomas Straub*
- 17:00 Discussion
- 17:15 End of the first online seminar day

## Objective

The online seminar will provide legal practitioners with an update on the case law developed by the European Court of Human Rights (ECtHR) with relevance for asylum law. It will focus primarily on developments in 2018 and 2019.

## Who should participate in the online seminar?

Lawyers in private practice, judges, European and national civil servants and other legal practitioners dealing with asylum law.

## Interact online

You can address questions to the speakers in the chat box that will appear on your screen during the online seminar. The Chair will read your question to the respective speaker who will answer your question verbally.

## You will learn...

- how human rights impact the implementation of asylum and migration law
- about protection against return to face a risk of ill treatment (*refoulement*)
- about current judgments regarding lawfulness of detention of asylum seekers
- about challenges in the application of Rule 39 of the Rules of the Court
- about recent ECtHR jurisprudence regarding the right to private and family life in expulsion cases
- how especially vulnerable groups are protected in the light of ECtHR jurisprudence

## What participants liked last year

“High level presentations”

“Interesting topics, multiple areas covered”

“Great material”

“High professionalism of the audience and the speakers”,

“Good organisation”

## Friday, 19 June 2020

- 09:15 **Connecting to the videoconference platform**
- 09:30 **Interim measures in practice: an insider's view on the application of Rule 39 of the Rules of the Court**  
*Sophie Piquet*
- 10:15 Discussion
- 10:30 **ECtHR case law on Article 8: the right to private and family life in expulsion cases**
- *Assem Hassan Ali v. Denmark* 25593/14
  - *Ejimson v. Germany* 58681/12
  - *Ozdil and others v. the Republic of Moldova* 42305/18
- Jeff Walsh*
- 11:15 Discussion
- 11:30 Break
- 11:45 **Protection of especially vulnerable asylum-seekers in the recent ECtHR jurisprudence – focus on unaccompanied minors**
- *H.A. and others v. Greece* 19951/16
  - *Khan v. France* 12267/16
- Markella Papadouli*
- 12:30 Discussion
- 13:00 End of the online seminar

For programme updates: [www.era.int](http://www.era.int)  
Programme may be subject to amendment.

### If you register for this online seminar we offer you:

- a voucher for a 10% discount on participation in a face-to-face ERA event later this year or in 2021 (this voucher will apply in addition to other available discounts and can be transferred to a colleague if you wish)
- free access to the full catalogue of over 400 ERA e-presentations until the end of 2021

### Your contact persons



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### CPD

ERA's programmes meet the standard requirements for recognition as Continuing Professional Development (CPD). This event corresponds to **7 CPD hours**.

### Save the date

**Online seminar:**  
**Right to a Fair Trial (Art. 6 ECHR) – Recent ECtHR Case Law**  
4-5 June 2020

**Annual Conference on EU Border Management 2020**  
Warsaw, 8-9 October 2020

**Annual Conference on European Asylum and Migration Law 2020**  
**The event will be streamed live**  
Trier, 15-16 October 2020

### e-Learning

**Ensuring Judicial Protection of Asylum-seekers' Rights by the ECtHR**  
Thomas Straub

**Asylum Qualification – Harmonisation of Protection Standards in the EU**  
Fabiane Baxewanos

**Harmonisation of Reception Conditions in the EU – The Proposed Directive Laying Down Standards for the Reception of Applicants for International Protection**  
Ulrik Åshuvud & Nicolas Jacobs

**New Institutional Developments in European Asylum Policy – from EASO to the EU Agency for Asylum**  
Jaana Temmler

[www.era.int/elearning](http://www.era.int/elearning)