

MIGRATION CHALLENGES – LEGAL RESPONSES IN SPECIFIC TERMS

15-16
FEBRUARY
2024





ORGANISER

Central European Academy
University of Zagreb, Faculty of Law

DATE OF THE CONFERENCE

15-16 FEBRUARY 2024

VENUE OF THE CONFERENCE

University of Zagreb, Faculty of Law
Croatia, Zagreb, Čirilometodska ulica 4., 10000

CONCEPT

The main areas to be assessed:

Clarifying the terminology; the notion of 'refugee' versus 'migrant'. The framework of interpretation of the UN refugee convention, with special regard to the illegal entry in the country and the principle of non-refoulement. Practice of the Council of Europe and within especially the European Court of Human Rights from a Central European perspective with regard to questions related to migration.

Comparative Law No. I: the question of EU and Member State competencies: refugee law versus migration law, enhancing the related jurisprudence of the national constitutional courts.

Comparative Law No. II: The role of constitutional courts with regard to migration and refugee law. Assessment of the steps made by the EU since 2015: theory and practice, the question of double standards. The concept of 'safe third country'.

Comparative Law No. III: Theory and practice of returning irregular migrants, including the readmission agreements as well as the difficulties of enforcement, and – based upon eventual discrepancies – dilemmas related to legal certainty. Assessment of the context between demography and the issue of migration with legal relevance.

The 'Migration Challenges – Legal Responses In Specific Terms' conference is organised within the framework of the collaboration with the Ministry of EU Affairs in preparation for the Hungarian EU Presidency in 2024.

PARTNERS

Ferenc Mádl Institute of Comparative Law,
Faculty of Law of the University of Miskolc,
Central-European Association for Comparative Law,
Institute of Justice in Warsaw

09.30 - 10.00

**REGISTRATION
WELCOME COFFEE**

SECTION 1

Moderator: Prof. Dr. Frane Staničić, Full Professor, University of Zagreb, Croatia

10.00 - 10.10

OPENING SPEECH

Prof. Dr. Iris Goldner Lang, Vice Dean for International Cooperation, Full Professor, University of Zagreb, Croatia

10.10 - 10.40

UPCOMING PROGRAMMES OF THE CEA

Prof. Dr. János Ede Szilágyi, Strategy Director, Central European Academy, Hungary

10.40 - 11.00

**KEYNOTE SPEECH: THE FUTURE OF EU
MIGRATION AND ASYLUM POLICIES IN THE
CONTEXT OF THE MIGRATION PACT**

Prof. Dr. Iris Goldner Lang, Vice Dean for International Cooperation, Full Professor, University of Zagreb, Croatia

11.00 - 11.20

**KEYNOTE SPEECH: EVIDENCE-BASED LAW
MAKING IN MIGRATION REGULATION: IS THERE A
GAP**

Prof. Dr. Goranka Lalić Novak, Associate Professor, University of Zagreb, Croatia

11.20 - 11.40

**CONCEPTS OF "REFUGEE" AND "MIGRANT" IN
LEGAL ORDER. SEMANTIC REMARKS**

Prof. UKSW Dr. Marcin Wielec, Director, IWS; Vice-Dean of the Faculty of Law and Administration, Cardinal Stefan Wyszyński University in Warsaw, Poland

11.40 - 12.00

DISCUSSION

12.00 - 13.30

LUNCH BREAK



SECTION 2

Moderator: Prof. UKSW Dr. Marcin Wielec, Director, IWS; Vice-Dean of the Faculty of Law and Administration, Cardinal Stefan Wyszyński University in Warsaw, Poland

- 13.30 - 13.50 **DOES THE CHANGE IN ATTITUDE TOWARDS MIGRATIONS MEAN THE END OF SCHENGEN?**
Prof. Dr. Frane Staničić, Full Professor, University of Zagreb, Croatia
- 13.50 - 14.10 **ROLE OF CONSTITUTIONAL COURTS IN MIGRATION AND REFUGEE AFFAIRS. CENTRAL EUROPEAN PERSPECTIVE**
Dr. Bartłomiej Oręziak, Assistant Professor, Coordinator of the Center for Strategic Analyses, IWS, Poland
- 14.10 - 14.30 **THE UN CONVENTION RELATING TO THE STATUS OF REFUGEES: CONTEMPORARY THEORY AND PRACTICE**
Dr. Nóra Béres, Senior Researcher, Ferenc Mádl Institute of Comparative Law; Assistant Professor, University of Miskolc, Hungary
- 14.30 - 14.50 **MIGRATION OF ASYLUM SEEKERS AND THE FREEDOM OF RELIGION OR BELIEF: THE DUAL NATURE OF RELIGIOUS FREEDOM AS A CHALLENGE**
Dr. Dalibor Đukić, Associate Professor, University of Belgrade, Serbia
- 14.50 - 15.10 **DISCUSSION**
- 15.10 - 15.40 **COFFEE BREAK**

SECTION 3

Moderator: Dr. Bartłomiej Oręziak, Assistant Professor, Coordinator of the Center for Strategic Analyses, IWS, Poland

- 15.40 - 16.00 **REFORM OF THE DUBLIN SYSTEM**
Dr. Kateřina Frumarová, Associate Professor, Palacký University Olomouc, Czech Republic
- 16.00 - 16.20 **REFUGEE DEALS: ARE THEY EFFECTIVE?**
Dr. Ludmila Elbert, Associate Professor, Pavol Jozef Šafárik University in Košice; Member of the Institute of the International Law and European Law, Slovakia
- 16.20 - 16.40 **RECENT JURISPRUDENCE OF THE COURT OF JUSTICE OF THE EU ON ASYLUM-RELATED AND RETURN-RELATED DETENTION IN LIGHT OF THE PLANNED NEW EU LEGAL FRAMEWORK FOR MIGRATION AND ASYLUM**
Dr. Gregor Maučec, Lecturer in Law, University of Liverpool, the United Kingdom
- 16.40 - 17.00 **DISCUSSION**
- 17.00 - 17.10 **CLOSING OF THE DAY**
Prof. Dr. János Ede Szilágyi, Head of Ferenc Mádl Institute of Comparative Law; Strategy Director, Central European Academy; Professor, University of Miskolc, Hungary

09.30 - 10.00

WELCOME COFFEE

SECTION 4

Moderator: Dr. Nóra Béres, Senior Researcher, Ferenc Mádl Institute of Comparative Law; Assistant Professor, University of Miskolc, Hungary

10.00 - 10.20

MIGRATION CHALLENGES LEGAL RESPONSES - CONCLUSIONS IN SPECIFIC TERMS

Dr. Anikó Raisz, Associate Professor, University of Miskolc, Hungary

10.20 - 10.40

CONSTITUTIONAL COURT RESPONSES ON ASYLUM ISSUES IN CENTRAL AND EASTERN EUROPE

Dr. Lilla Berkes, Associate Professor, Pázmány Péter Catholic University, Hungary

10.40 - 11.00

PERSECUTION DUE TO SEXUAL ORIENTATION AS A REASON FOR ASYLUM IN THE JURISPRUDENCE OF THE CJEU

Dr. Gyula Fábián, Associate Professor, Babeş-Bolyai University, Romania

11.00 - 11.20

TENSIONS BETWEEN NATIONAL LAW AND EU LAW IN THE CONTEXT OF RETURNING IRREGULAR MIGRANTS AND LEGAL CERTAINTY

Dr. Mateusz Tchórzewski, Assistant Professor, Cardinal Stefan Wyszyński University in Warsaw, Poland

11.20 - 11.40

DISCUSSION

11.40 - 13.10

LUNCH BREAK

SECTION 5

Moderator: Dr. Anikó Raisz, Associate Professor, University of Miskolc, Hungary

13.10 - 13.30

SOCIAL AND CULTURAL RIGHTS OF REFUGEES IN POLAND

Prof. UKSW Dr. Aleksandra Syryt, University Professor, Cardinal Stefan Wyszyński University in Warsaw, Poland

13.30 - 13.50

BORDER PROTECTION OF SLOVENIA IN THE CASE OF PERSONS CROSSING NATIONAL BORDERS ILLEGALLY

Simon Kelenc, Expert, Ministry of Interior, Police, Slovenia

13.50 - 14.10

PARADOXES, MISCONCEPTIONS AND INNOVATIVE WAYFINDING IN RELATION TO EU MIGRATION AND ASYLUM REFORMS

Dr. Ágnes Tóttós, Lecturer, Károli Gáspár University of the Reformed Church, Hungary

14.10 - 14.30

INTRA-EU LABOUR MIGRATIONS: DYNAMICS OF CEE WORKERS AND THEIR IMPACT ON THE EU LABOUR MARKET - THERE AND BACK AGAIN?

Tena Konjević, Researcher, Central European Academy, Hungary

14.30 - 14.50

DISCUSSION

14.50 - 15.00

CLOSING OF THE CONFERENCE

Prof. Dr. János Ede Szilágyi, Director of Ferenc Mádl Institute of Comparative Law; Strategy Director, Central European Academy; Professor, University of Miskolc, Hungary

15.00 - 15.30

COFFEE BREAK

15.30 - 16.00

WORKSHOP

only for members of the Professors' Network

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