

Report on the activities of the Working Group on Asylum and Immigration at the General Assembly 05.05.2016 in Vilnius/Lithuania

by
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In the past year the members of the Working Group on Asylum and Immigration (WG) continued the exchange of information on mainly asylum matters within the network. The exchange of information on jurisprudence and new developments in legislation by the European Asylum Support Office (EASO), to which AEAJ has established a formal cooperation based on a memorandum of understanding, was again of great value.

Since the last report on the activities of the WG at the General Assembly 2015 in Sofia/Bulgaria the **annual meeting of the WG 2015 took place in Bologna/Italy on 25./26.September 2015.**

The 32 participants met in the Administrative Tribunal of Emilia Romagna in Bologna, where Co-Chair Bettina Maurer-Kober from Austria arranged a comprehensive scientific agenda. A presentation of the REDIAL-project on the interpretation of the Returns Directive was given by a legal expert from the Centre for Judicial Cooperation of the European University Institute, Florence. This was followed by a discussion of legal issues and questions raised by the Directive in the Member States' transposition into national law with short national reports by the participants. Joseph Krulic from France contributed to the topic of legal implications of Jihadism for asylum and migration law, followed by a statement and comments by Bostjan Zalar from Slovenia. A discussion on recent CJEU case law on homosexuality as reason for persecution was based on a presentation by Harald Dörig from Germany. A representative of the local Asylum Administration gave a short statement on the assessment by the Italian authorities. A further topic was the Internal Protection Alternative (IPA) under the Qualification Directive (QD), on which topic Caroline Schmidt from Austria gave an introduction. We heard a presentation of the main Italian findings within the APAIPA project (comparative study by ECRE on the IPA). The regular interactive part with a presentation of national cases by the participants and the development of solutions in sub-groups was dedicated to the topic of IPA respectively the Internal Flight Alternatives under art. 8 of the QD. On the last day our Italian WG member in charge of organisational issues, Giovanni Ruiu, arranged a visit at the Bologna regional refugee reception centre where the participants got an impression of the conditions for asylum seekers with pending decisions.

Regarding the **cooperation with EASO** and its network of courts and tribunals of the Member States also in 2015 and this year the WG was thankfully represented by Marie-Cecile Moulin-Zys from France. This was not only the case at the annual conference in the beginning of December 2015 but also in the work of a group of experts on the next chapter of the EASO Asylum Manual which is dedicated to the exclusion clause according to art. 12 and 17 of the QD. This chapter is close to finalization and the next chapter will deal with ending of protection. At the Annual Planning and Coordination Meeting 04.12.2015 AEAJ was also represented. We managed to enable the participation of two WG members at the 3. Workshop for facilitators on art. 15C QD on 10./11.03.2016 in Malta.

The annual meeting 2016 of the WG is scheduled for 22./23. September 2016 in London/UK at the UpperAsylum Tribunal. For the first time in this will be a combined event by AEAJ, the International Association of Refugee Judges IARLJ and EASO. This enables us to get funding for at least a number of participants by EASO. The first day will be

divided between AEAJ and IARLJ. From AEAJ side the event is dedicated to the overall topic of effective legal protection in the time of mass influx of refugees, with Bostjan Zalar commenting on that issue from the perspective of the Charter and EU secondary law as well as Harald Dörig analysing the legal grounds for the limitation of asylum applications. Catherine Koutsopoulou from Greece will report on the current situation and developments in her home country as well as Dora Virag Dudas, who will depict the Hungarian response to the refugee crisis. Speakers from IARLJ will deal with migration topics. The second day EASO will hold a training on topics yet to be confirmed.

For the annual meeting 2017 we received an invitation from Greece.