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Universidade de Lisboa, Intensive Course, 17-21 November 2025

ASYLUM AND IMMIGRATION LAW AND POLICY OF THE EUROPEAN UNION

16h00-18h00 with the exception of Friday 21 November: 15h00-18h00

MONDAY 17 NOVEMBER**The Migration problem and European Union cooperation****Migration, a multi-dimensional problem**

- The 'Crisis' of 2015-2016
- The War in Ukraine
- New Pact on Migration and Asylum
- Cooperation with third countries
- The need for a 'comprehensive' approach

European Union cooperation

- a. International organisation with supranational characteristics
- b. History, objectives, competences and institutions
- c. Decision making procedures
- d. Legal instruments
- e. Achievements
 - Two treaties:
 1. Treaty on European Union
 2. Treaty on the Functioning of the European Union

Legal context

- a. EU Treaties and Secondary law
- b. Charter of Fundamental Rights of the EU
- c. European Convention for the Protection of Human Rights and Fundamental Freedoms
- d. UN Convention of Geneva of 1951 and Protocol of 1967

TUESDAY 18 NOVEMBER**Movement of Persons/Schengen/Borders and Visa****Internal Market cooperation**

- a. Article 26 and Part III Title I TEU
- b. Directive 2004/38: Free movement of Persons
- c. European Citizenship
- d. Internal Market and Third Country Nationals

Area of Freedom, Security and Justice

- a. Border checks, asylum and immigration
- b. Judicial cooperation in civil matters
- c. Judicial cooperation in criminal matters
- d. Police cooperation

Schengen cooperation

- a. Internal borders
- b. External borders

European Border and Coast Guard (Frontex) in Warsaw (Poland)

EU Visa Law and Policy

WEDNESDAY 19 NOVEMBER**EU Asylum Law and Policy (New Pact on Migration and Asylum):
Policy Areas and Legal Instruments****Secure external borders**

Inter alia: robust screening; border procedure (ordinary and fast track procedure)

Fast and efficient procedures

Inter alia: clear and fair procedures; international protection: qualification/definitions; reception conditions; the protection of the people's fundamental rights

Effective system of solidarity and responsibility

Inter alia: responsible member state; permanent solidarity/responsibility framework; prevention of secondary movements

Embedding migration in international partnerships

Inter alia: cooperation with third countries; return and readmission procedures; fighting of migrant smuggling; resettlement and humanitarian admission; possible legal pathways

Other issues

- a. Eurodac data basis
- b. Temporary protection
- c. Situations of crisis and force majeure
- d. Integration

Principles of 'Solidarity' and 'Burden Sharing'

European Union Agency for Asylum (EUAA) in Valetta (Malta)

External relations

- a. Cooperation with third countries
- b. Cooperation with International Organisations: UNHCR and IOM

THURSDAY 20 NOVEMBER

Immigration Law and Policy

Legal migration: instruments

- a. Long term residents
- b. Family reunification
- c. Single Permit
- d. Work: Blue Card, Seasonal Workers, Intra-corporate Transfers, Study and Research

Combat of Illegal immigration

- a. Sanctions and measures against employers of illegal migrants
- b. Standards and procedures for returning illegal migrants
- c. Cooperation with third countries
 - Return and Readmission agreements
- d. Cooperation with international organisations: UNHCR and IOM

Integration

- a. The importance of a speedy integration in the local society
- b. Division of responsibilities between the Member States and the EU

FRIDAY 21 NOVEMBER

'Externalisation' of asylum responsibilities: proposals European Commission

A Common System for Returns of third country nationals staying illegally in the Union

Document COM(2025)101 final of 11 March 2025

Return decisions; mutual recognition of national return decisions; voluntary return; detention/security risks; comprehensive partnerships with third countries; readmission; the concept of 'Return hubs'

The first list of 'Safe Countries of Origin' at Union level

Document COM(2025)186 final of 16 April 2025

- a. Kosovo, Bangladesh, Colombia, Egypt, India, Morocco and Tunisia
- b. Candidate member states of the EU

The concept of the 'Safe Third Country'

Document COM(2025)259 final of 20 May 2025

Conditions; arrangements with third countries, including transit countries

TOPICS FOR DISCUSSION

1. How to assess the practise regarding the Reintroduction of Internal Border Controls?
2. Control of the External EU Borders
 - a. The effectiveness of the screening and border procedure
3. The logic of the 'Member State of First Entry' principle
4. The potential of the 'Flexible Solidarity' principle
5. The return of migrants not having the right to stay in the EU
 - a. How to improve the cooperation with third countries (of origin and transit)?
6. Is there a need to strengthen
 - a. The role of the EU Agencies (EBCG and EUAA)?
 - b. The role of the EU Solidarity/Return Coordinator?
7. Is there a need for an EU Immigration and Asylum Office?
8. The relevance of the option regarding 'legal pathways' as alternative for the deportation of illegal migrants.

9. The option of the 'Externalisation' of asylum responsibilities
 - a. The concept of the 'Return Hub'
 - b. The concept of a 'Safe Third Country'
 - c. Assessment of the potential of the Commission's proposals of March, April and May 2025

Q&A: QUESTIONS AND ANSWERS

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