

COMPLEMENTARY FUNDING

TEAM GRANTS

- 2014-2018: Social Sciences and Humanities Research Council (SSHRC) - \$199,515
Grant for a team lead by Idil Atak (Criminal Justice and Criminology, Ryerson University), and composed of François Crépeau, Graham Hudson (Criminal Justice and Criminology, Ryerson University), Delphine Nakache (School of International Development and Global Studies, University of Ottawa), and Stephanie Silvermann (Nathanson Centre on Transnational Human Rights, Crime and Security, York University, Toronto), for a project on “Securitization of migration and asylum in Canada: A comparative analysis of policy consequences and human rights impact”.
- 2014-2019 : Fonds québécois de recherche sur la société et la culture (FQRSC - Soutien aux infrastructures de recherche des Instituts et des Centres affiliés universitaires du secteur social) – \$1,800,000
Co-researcher for an application submitted by Professor Cécile Rousseau (Social and Transcultural Psychiatry, McGill University), for a Research Centre on “Santé, intervention sociale et immigration : des transformations globales aux adaptations locales”.

REPORT OF ACTIVITIES 2015



CHAIRE HANS ET TAMAR OPPENHEIMER
EN DROIT INTERNATIONAL PUBLIC
HANS & TAMAR OPPENHEIMER CHAIR
IN PUBLIC INTERNATIONAL LAW

PUBLICATIONS

CHAIRHOLDER'S ACADEMIC PUBLICATIONS

CRÉPEAU, François, ATAK, Idil, "Global Migration Governance: Avoiding Commitments on Human Rights, Yet Tracing a Course for Cooperation", (accepted for publication by the Netherlands Quarterly of Human Rights).

CRÉPEAU, François, HASTIE, Bethany, "The Case for 'Firewall' Protections for Irregular Migrants: Safeguarding Fundamental Rights", (2015) 2 European Journal of Migration and Law 157-183.

CRÉPEAU, François, "Le défi des politiques migratoires: Entre compétitivité, sécurité, diversité et droits de l'homme", in : Anne-Marie Tournepiche, *La coopération : Enjeu essentiel du droit des réfugiés*, Paris : Pedone, 2015, 89-104.

CRÉPEAU, François, « Le défi des politiques migratoires », in : DESOUCHES Christine, DU BOIS DE GAUDUSSON Jean, FRÉMONT Jacques, MAÏLA Joseph (dir.), *De Dakar à Dakar, 25 ans d'engagement de la Francophonie au service des droits de l'Homme, de la démocratie et de la Paix*, Bruxelles : Bruylant-Larcier, 2015, 355-360.

CRÉPEAU, François, "From enforced closure to regulated mobility: The need for a paradigm shift in migration policies", Ryerson Centre for Immigration and Settlement Working Paper Series no 2015/4, *Ryerson University* (Toronto), May 2015.
http://ryerson.ca/content/dam/rcis/documents/RCIS%20WP%202015_04%20Crepeau%20Final.pdf

MAYER, Benoît, CRÉPEAU, François, « Changement climatique, migrations et droits de l'homme », in CURNIL, Christel, VLASSOPOULOS, Chloé, *Mobilité humaine et environnement. Du global au local*, Collection Nature et Société, Versailles: Éditions Quae, 2015.

CHAIRHOLDER'S PUBLICATIONS AS UNITED NATIONS SPECIAL RAPPORTEUR

"Foreword" to: European Network on Statelessness, *Protecting stateless persons from arbitrary detention: A regional toolkit for practitioners*, Toolkit 01/15, London, 2015.

"Foreword" to *Protecting the Children: in Dignity*, 2014 Annual Report of Terre des Hommes International Federation, Geneva, July 2015.
www.terredeshommes.org/tdhif-annual-report-2014/

Report of the Special Rapporteur on the human rights of migrants to the United Nations General Assembly: Banking on mobility over a generation: follow-up to the regional study on the management of the external borders of the European Union and its impact on the human rights of migrants, A/HRC/29/36, 8 May 2015:
www.ohchr.org/EN/HRBodies/HRC/RegularSessions/Session29/Documents/A_HRC_29_36_ENG.doc

Report of the Special Rapporteur on the human rights of migrants, to the United Nations Human Rights Council: Mission to Sri Lanka, A/HRC/29/36/Add.1, 2 April 2015,
www.ohchr.org/EN/Issues/Migration/SRMigrants/Pages/AnnualReports.aspx

Report of the Special Rapporteur on the human rights of migrants, to the United Nations Human Rights Council: Follow-up mission to Italy (2-6 December 2014), A/HRC/29/36/Add.2, 1 May 2015,
www.ohchr.org/EN/Issues/Migration/SRMigrants/Pages/AnnualReports.aspx

Report of the Special Rapporteur on the human rights of migrants, to the United Nations Human Rights Council: Mission to Malta, A/HRC/29/36/Add.3, 1 May 2015,
www.ohchr.org/EN/Issues/Migration/SRMigrants/Pages/AnnualReports.aspx

RESEARCH ASSOCIATES' PUBLICATIONS

ATAK, Idil, DUMITRU, Speranta, "Pourquoi penser l'ouverture des frontières?" (2015) 17 :1 Éthique publique.

PICHÉ, Victor, Un siècle d'histoire migratoire au Burkina Faso : quelles leçons?, Communication préparée pour le Colloque international sur "Les migrations burkinabè : permanences et changements" - Hommage au Professeur Dieudonné Ouédraogo, Institut supérieur des sciences de la population, Université de Ouagadougou, 28-30 mai 2015.

PICHÉ, Victor, Les théories migratoires : vers un nouveau paradigme à la croisée de l'économie politique, le cosmopolitisme et les droits des migrants et des migrantes, 2015, online : <http://francoiscrepeau.com/sixth-post/>

SIMON, Patrick, PICHÉ, Victor, GAGNON, Amélie A. (ed), Social Statistics and Ethnic Diversity: Cross-National Perspectives in Classifications and Identity Politics, IMISCOE Research Series (Springer International Publishing, 2015).

YAHYAOUÏ KRIVENKO, Ekaterina, "Rethinking Human Rights and Culture Through Female Genital Surgeries", 37:1 Human Rights Quarterly, February 2015, pp 107-36.

ACTIVITIES

SEMINAR SERIES

Slavery Old and New: Labour Exploitation Through the Ages and Around the Globe

Organised in collaboration with the Harriet Tubman Institute (York University), and the McGill Institute of Comparative Law

November 25, 2015

Afua Cooper

Aspects of the Triangular Slave Trade in Canada

November 4, 2015

Jean-François Niort

Cadres juridiques et pratiques économiques autour du travail servile en société coloniale esclavagiste

September 28, 2015

Joel Quirk

The Fictive Coherence of Global Struggle: Combating 'Modern-Day Slavery' in Rhetoric and Practice

April 17, 2015

Ryszard Cholewinski

The Rights of Migrant Workers: An ILO Perspective

March 19, 2015

Kendra Strauss

Placing Unfree Labour

February 13, 2015

Adrian A. Smith

Historicizing 'Food Labour' and Law

January 19, 2015

Elizabeth Elbourne

After abolition: British humanitarian colonialism, the Niger Expedition and the drive to remake African labour

Réfugié(e)s et déplacé(e)s : Droit, littérature et migration

Organised in collaboration with the Département de littératures et de langues du monde – Littérature

comparée (Faculty of arts and sciences) at Université de Montréal, Ryerson University

Research program based in Montreal and Toronto seeking to highlight the gap between the representations of migrants and refugees and their legal reality.

November 11, 2015

Laurence Sylvain

La religiosité et le droit dans l'exil et le refuge

October 7, 2015

Simon Harel

Refuge et langue maternelle dans quelques œuvres de Dave Eggers et Rawi Hage

Facilitating Mobility, Fostering Diversity: The Challenges of Contemporary Migration Policies in a Free-Trade Context

Organised in collaboration with the World Trade Institute, University of Berne (Switzerland)

February 20, 2015

Alberto Achermann

Whose Refugee am I? Recent Developments in the Dublin Regime

February 19, 2015

Stefan Schlegel

Have and Have Not: Immigration Law and the Property Rights Paradigm

February 18, 2015

Walter Kälin

The Nansen Initiative: Linking Climate Change, Disasters and Human Mobility

February 17, 2015

Dean Daniel Jutras, François Crépeau, Thomas Cottier, Peter Leuprecht, Andrea Bjorklund, Hélène Pellerin, Delphine Nakache, Armand de Mestral, Stefan Schlegel, Adelle Blackett, Rosa Losada, Sébastien Jodoin, Daniel Weinstock, Walter Kälin, Audrey Macklin, René Provost, Idil Atak, and Alberto Achermann

One-day symposium on Mobility and Diversity

Hans & Tamar Oppenheimer Chair in Public International Law

McGill University | Rooms 606 and 608 | 3644 Peel Street | Montreal | Quebec | H3A 1W9 | 514-398-3794

February 16, 2015

Thomas Cottier

The Common Law of International Trade and the Future of Multilateralism

February 11, 2015

Rosa Losada

Multilateral Discussions on Migration Governance: a Swiss perspective

THE ROAD OF BONES AND ASHES

The Chair supports the ROBAA project (www.robbaa.org) led by Michel Peterson, a psychoanalyst, social worker, and professor of literature. ROBAA is a multimedia project (books, photo exhibitions, movie, blog) on the history of crimes against humanity, spectrality and collective and individual traumatic transmission from a humanistic and personal perspective. The Project published its first Carnet de travail, « Un trou dans la nuit » in 2014.

BROWN-BAG SEMINARS

December 14, 2015

Robert Barsky

Undocumented Immigrants in an Era of Arbitrary Law – The Flight and the Plight of People Deemed 'Illegal'

November 3, 2015

Henri Labayle

L'avenir de la libre circulation des personnes en Europe suite à la présente 'crise' des réfugiés

September 21, 2015

Susan Kneebone

Australia as a Regional Player in Refugee Protection in South East Asia: Framing the Issues

June 2, 2015

Reuven Ziegler

No Asylum for 'Infiltrators': The Legal Predicament of Eritrean and Sudanese Nationals in Israel

January 27, 2015

Megan Bradley

Uprooted, Unprotected: Libya's Post-Gaddafi Displacement Crisis

OTHER SPONSORED SEMINARS & EVENTS

December 14-15, 2015

Organised by Megan Bradley, in collaboration with the Institute for the Study of International Development, Carleton University, Centre for International Peace and Security Studies, Yan Lin Centre Research Group on Global Justice, Centre for Human Rights and Legal Pluralism

From Beneficiaries to Actors – Understanding displaced persons' roles in resolution processes

November 2, 2015

In collaboration with the McGill Center for Human Rights and Legal Pluralism

Conference by Ms. Farida Shaheed, UN Special Rapporteur on Cultural Rights, 'Cultural Rights: a United Nations Report'

October 29 – November 1, 2015

Organised by the Institut national de la recherche scientifique in collaboration with CERIUUM (University of Montreal), the Chaire de recherche en étude du pluralisme religieux (University of Montreal) and the Canadian Race Relations Foundation

Islamophobia. Race – Religion - Liberalism

October 25-30, 2015

Organised by the Chaire Jean Monnet en intégration européenne (Laval University), in collaboration with Cercle Europe (Faculty of Law – HEI), CRDEI (Université de Bordeaux), Centre d'Excellence Jean Monnet Aquitaine (CEJMA)

École d'automne sur l'Union européenne: migrations et mobilité de la main d'œuvre

October 16, 2015

Organised by the Quebec Inter-University Center for Social Statistics and the Department of Demography (University of Montreal), in collaboration with Ceetum

Seminar and book launch - Social Statistics and Ethnic Diversity: Cross-National Perspectives in Classifications and Identity

April 1, 2015

François Crépeau, Susan Ballard, Anna Purkey and Joanna Richardson (organised in collaboration with the Asia Pacific Association of McGill)

Panel on Australia and Asylum Seekers

MEETINGS HOSTED

October 29, 2015

*Canadian Association of Refugee Lawyers,
Association québécoise des avocats et avocates en
droit de l'immigration*

Meeting for lawyers interested in doing pro bono work to assist sponsorship groups with their applications for overseas Syrian refugees.

COURSES AND ACADEMIC PROGRAMS IN RELATION TO THE ACTIVITIES OF THE CHAIR

Immigration and Refugee Law

Professor François Crépeau re-designed the McGill Faculty of Law's main course in Immigration and Refugee Law to maximize student engagement with contemporary migration issues and challenges, including their relations to domestic and international human rights law. He delivered the course from 3 September 2014 to 4 December 2014. 64 undergraduate students and 4 graduate students enrolled.

International Labour Migration and Human Rights

A seminar on the relationship between international labour migration and human rights.

Droit d'asile

Les migrations entre souveraineté, droits de l'homme, compétitivité et coopération ; Multiculturalisme et Diversité – La tension entre droits individuels et inquiétudes collectives.

Specialized Academic Teachings

International Labour Organisation – International Training Centre (Torino, Italy)

May 22, 2015

Between myths and crisis – Rethinking migration policies

Hans & Tamar Oppenheimer Chair in Public International Law

McGill University | Rooms 606 and 608 | 3644 Peel Street | Montreal | Quebec | H3A 1W9 | 514-398-3794

FINANCIAL SUPPORT PROVIDED

TRAVEL GRANTS TO PARTICIPANTS IN THE MCGILL CENTRE FOR HUMAN RIGHTS AND LEGAL PLURALISM'S HUMAN RIGHTS INTERNSHIP PROGRAM

Jessica De Santi

BCL/LLB Candidate, Mahanirban Calcutta Research Group, India (2015)

Sarah Chênevert-Beaudoin

BCL/LLB Candidate, National Human Rights Council, Rabat, Morocco (2015)

OCCASIONAL SUPPORT TO RESEARCHERS AND STUDENTS

Nicholas Caivano, Rathlyn Human Rights Fellow, McGill University Faculty of Law: business case study for the Legal Clinic at Association des aides familiales du Québec / Caregivers' Association of Quebec

Bethany Hastie was a doctoral student at the Faculty of Law of McGill University. She works on the fight against human trafficking for labour exploitation.

Shimelis Kene is a Doctor of Civil Law Candidate at the Institute of Comparative Law and an O'Brien Fellow at the Centre for Human Rights and Legal Pluralism. His doctoral research explores the interplay between authoritarianism, counterterrorism and law by drawing on socio-legal perspectives. Kene traveled to Seattle to present at the Law and Society Annual Conference (May 2015).

Other research contracts offered to **Stephanie Chow**, **Nadejda Lafter**, and **Menachem Freedman**.

RESEARCHERS WELCOMED

Stefan Diezig is a doctoral student at the University of Fribourg (Switzerland) and a Research Trainee at the Faculty of Law of McGill

University. His research focuses on environmental refugees.

Aranzazu Recalde is a SSHRC Postdoctoral Fellow at the Hans & Tamar Oppenheimer Chair in Public International Law, where she teaches and conducts research on the increasing participation of migrant women in the “transnational care industry” along with the emotional and socio-economic implications that it brings about for these women and their families.

Mulry Mondélice is now pursuing his post-doctoral research at the Faculty of Law of McGill University. He previously completed his doctoral thesis at the Faculty of Law of Université Laval, entitled “Le droit international et l’État de droit : enjeux et défis de l’action internationale à travers l’exemple d’Haïti”.

CHAIR MEMBERS

HOLDER OF THE CHAIR

François Crépeau is the Hans & Tamar Oppenheimer Professor in Public International Law and the Director of the Centre for Human Rights & Legal Pluralism at the Faculty of Law of McGill University. In 2014, he was appointed for a second term as United Nations Special Rapporteur on the Human Rights of Migrants. The focus of his current research includes migration control mechanisms, the rights of foreigners, the conceptualization of security as it applies to migrants, and the Rule of Law in the face of globalization.

COORDINATOR

Isabelle Jacovella Rémillard (2015-2016)

BCL/LLB Candidate, Faculty of Law of McGill University

David Suk (2014-2015)

BCL/LLB Candidate, Faculty of Law of McGill University

RESEARCH ASSOCIATES

Idil Atak is assistant professor in the Department of Criminal Justice and Criminology at Ryerson University in Toronto. She researches international human rights law and migrants’ rights, particularly in Europe.

Janet Cleveland is a psychologist, legal scholar and anthropologist who studies various aspects of the refugee status determination process in Canada, the situation of psychologically vulnerable persons, and the detention of asylum seekers.

Anne-Claire Gayet is a lawyer at the Quebec Bar, holds a Masters in International Studies and a LL.M in international law from the University of Montreal.

Bethany Hastie is a DCL student at McGill University. She is currently researching issues of human trafficking for labour exploitation under Canada’s Temporary Foreign Worker Programs.

Kinga Janik’s main research interests include refugee law, humanitarian cooperation, security and governance.

Estibaliz Jimenez is professor at the Department of psychoeducation at l’Université du Québec à Trois-Rivières (UQTR).

Noura Karazivan is a professor at the Faculty of Law of Université de Montréal. Her recent research bears on the extraterritoriality of human rights.

Karine Mac Allister is a Ph.D student at the University of Montreal. She is doing research on the international standards applicable to population transfers.

Benoit Mayer is Associate Professor at the International Law Institute and the Environmental Law Institute of Wuhan University (China). His research focuses in particular on the relations between climate change and human mobility.

Delphine Nakache is Professor at the School of International Development and Globalisation of

the University of Ottawa. She teaches international public law and immigration and refugee law.

Christian Peterson is a filmmaker and photographer whose main research topic is the link between cinema, photography and architecture, and the expression of personal and collective memory through the built environment.

Michel Peterson is a psychoanalyst, social worker and professor of literature. He is also a clinician for asylum seekers who were victims of organized violence, and has written books and articles on the subject.

Victor Piché is a sociologist and a demographer specialized in international migrations. Honorary Professor of the University of Montreal, he now works specifically on migrant workers' rights.

Anna-Lise Purkey is the 2015-2016 Gordon F. Henderson Post-Doctoral Fellow at the Human Rights Research and Education Centre at the University of Ottawa. She works on the role of refugees in the diverse post-conflict transitional justice processes.

Aranzazu Recalde is a SSHRC Postdoctoral Fellow at the Hans & Tamar Oppenheimer Chair in Public International Law, where she teaches and conducts research on the increasing participation of migrant women in the "transnational care industry" along with the emotional and socio-economic implications that it brings about for these women and their families.

Ekaterina Yahyaoui Krivenko is a Lecturer at the Irish Centre for Human Rights (ICHR), School of Law, National University of Ireland, Galway. Her research interests include human rights with a particular emphasis on the international protection of women's rights, relationship between Islam and human rights protection, international refugee and migration law, comparative law and legal cultures, feminist analyses of law, law and humanities.