

REPORT OF ACTIVITIES

1 January– 31 December 2020



CHAIRE HANS ET TAMAR OPPENHEIMER
EN DROIT INTERNATIONAL PUBLIC

HANS & TAMAR OPPENHEIMER CHAIR
IN PUBLIC INTERNATIONAL LAW

COMPLEMENTARY FUNDING

Team Grants

2020 – 2023 Social Sciences and Humanities Research Council ([SSHRC](#)) and the Fonds de recherche du Québec – Société et culture ([FRQSC](#)) Multiple sources: €3,030,932.50 (*EU Horizon 2020 Work Programme*) + CAN \$198,609.55 (matching funding from the *Social Sciences and Humanities Research Council of Canada - SSHRC*) + CAN \$50,000.00 (*Fonds de recherche du Québec – Culture et Société*) (Canadian team budget = CAN \$202,562.48).

Research consortium led by Dr. Luc Leboeuf (Max Planck Institute for Social Anthropology), and comprising the University of Louvain - UCL (Sylvie Sarolea), Martin Luther University Halle–Wittenberg (Winfried Kluth), Ca' Foscari University in Venice (Sabrina Marchetti), the Norwegian Institute for Social Research (Hilde Liden), and the Centre for Lebanese Studies (Maha Shuayb), as well as a partnership with a Canadian research team led by Delphine Nakache from the University of Ottawa, which includes McGill University (François Crépeau) and York University (Dagmar Soennecken), on the theme: “Vulnerabilities under the Global Protection Regime. How Does the Law Assess, Address, Shape and Produce the Vulnerabilities of the Protection Seekers?”

2017-2024: *Social Sciences and Humanities Research Council of Canada (SSHRC)*: CAD \$2.5 million. Partnership grant for a multi-disciplinary, international team of scholars, under the directorship of Pr Gwyn Campbell, Canada Research Chair in Indian Ocean World History and Director of the Indian Ocean World Centre, McGill University, for a research program on “Appraising Risk, Past and Present: Interrogating Historical Data to Enhance Understanding of Environmental Crises in the Indian Ocean World”

Individual Grants

2017-2022: Social Sciences & Humanities Research Council of Canada (Insight Grant programme): 114,942\$. mResearch programme on “The protection of the human rights of migrants in the emerging global migration governance regime”.

PUBLICATIONS OF THE CHAIRHOLDER

PEER-REVIEWED PUBLICATIONS

CARLIER, Jean-Yves, CRÉPEAU, François, PURKEY, Anna, “From the 2015 European “Migration Crisis” to the 2018 Global Compact for Migration: A Political Transition Short on Legal Standards”, *McGill Journal of Sustainable Development Law*, Vol. 16, 2020, online at: <https://www.mcgill.ca/mjsdl/jsdlponline/volume-161-2020>

REPORTS & MEMORANDA / RAPPORTS ET MÉMOIRES

T. Alexander Aleinikoff, Chaloka Beyani, Iain Byrne, **Francois Crépeau**, Joanne Csete, Guy S. Goodwin-Gill, Walter Kälin, Ian M. Kysel, Jane McAdam, Chidi Anselm Odinkalu, Anna Shea, Leah Zamore, Monette Zard, *Human Mobility and Human Rights in the Covid-19 Pandemic: Principles of Protection for Migrants, Refugees, and other Displaced Persons*, developed under the auspices of The New School’s Zolberg Institute on Migration and Mobility, Columbia University’s Mailman School of Public Health, and Cornell Law School’s Migration and Human Rights Program, released on 28 April 2020, online at: <https://zolberginstitute.org/covid-19/#Human%20Rights%20Document>, <https://academic.oup.com/ijrl/advance-article/doi/10.1093/ijrl/eeaa028/5954392>

PREFACES, FOREWORDS AND POSTFACES / PRÉFACES, AVANT-PROPOS ET POSTFACES

CRÉPEAU, François, “Migration Law and Policy on the Road to Redemption: Hostile Identity Politics v. Individual Rights and Socioeconomic Benefits”, Foreword to: Jean-Yves Carlier, Marie-Claire Foblets, *Law and Migration in a Changing World*, General Report of the 2014 Vienna Congress of the International Academy of Comparative Law, Basel (CH): Springer International Publishers, 2020.

COMMUNICATIONS

ACADEMIC COMMUNICATIONS

2020.12.2-3: “Addressing irregular migration and protecting migrant workers in vulnerable situations”, The 2020 e-Academy on Labour Migration, *International Training Centre of the International Labour Organisation* (Torino, IT), 30 November – 18 December 2020 (through video link).

2020.11.23: “Adopting a rights-based approach to migration: human rights, including labour rights, at the global and regional levels, of migrant workers and their families” (1h30), The 2020 e-Academy on Labour Migration, *International Training Centre of the International Labour Organisation* (Torino, IT), 18 - 29 May 2015 (through video link)

2020.11.17: « Multilateralism or Plurilateralism? », Conclusion to the panel on “Multilateral vs unilateral migration governance”, in the webinar on “Changing Trends and Dynamics of EU Migration Law and Governance: A critical assessment of the evolution of migration legislation and policy in Europe”, organised by the *Équipe Droits Européens et Migrations* (EDEM), *Université Catholique de Louvain*. (through video link)

2020.11.12: “Migration Policies at the Crossroads: Toward long-term strategic ‘facilitation’ of mobility”, Participation in the panel on Migration, in the webinar on “Human Rights and Small States: Challenges, Resilience, and Advocacy”, co-organised by *Wilmer Cutler Pickering Hale and Dorr LLP*, the *Institute of Small and Micro States (ISMS)*, and the *British Institute of International and Comparative Law (BIICL)*, 12-13 November 2020. Online: https://www.youtube.com/watch?v=MsGXmBqL7Mo&list=PL-M5JGQDtWUxfwmH4ESDIgLe_u00cRZs2&index=3

2020.11.02: « Le défi de ‘gouverner’ la migration: Vers une planification stratégique de la mobilité humaine », Conférence inaugurale lors du 2e Cours en ligne sur le Droit International de la Migration, organisé par *l’Institut International de droit humanitaire et l’Organisation internationale pour les migrations*, San Remo (IT), 2-27 novembre 2020.

2020.10.27: “Governing Global Migration: Initiating Conversations, Triggering Cooperation”, participation par téléconférence dans un panel sur « Mobilité internationale: vers le multilatéralisme ? », dans le colloque « Face à la crise de la Covid-19, repenser le multilatéralisme », 9^e École d’automne sur l’Union européenne, organisée par la *Chaire Jean-Monnet en intégration européenne de l’Université Laval*, 24-30 octobre 2020.

2020.09.16: “Labour Recruitment and Human Rights” (1h30), Participation in the webinar on “E-Learning on Fair Recruitment Processes for Practitioners”, *International Training Centre of the International Labour Organisation* (Torino, IT) (through video link).

2020.05.29: “Migration Policies at the Crossroads: Between nationalist populist repression and long-term strategic ‘facilitation’ of mobility”, Participation in the webinar on “Adopting a rights-based approach to migration: human rights, including labour rights, at the global and regional levels, of migrant workers and their families” (1h30), *International Training Centre of the International Labour Organisation* (Torino, IT) (through video link)

2020.05.15: “Migrant women at the heart of a reformed Global Migration Governance framework”, in the panel on “Devising Post-Pandemic Rights-Based Approaches to Global Health and Gender”, at “Human Rights, the Sustainable Development Goals (SDGs) & the Law”, International Online Symposium & Hon Justice CD Gonthier Memorial Lectures, jointly organised by the *Centre for International Sustainable Development Law* and the *McGill Centre for Human Rights and Legal Pluralism*, with the support, inter alia, of *Université de Montréal*, *University of Cambridge* and the *International Law Association Canada*.

2020.02.19: “The criminalisation of undocumented migration – Precarity as a political strategy”, at the event on “Criminalizing Refuge & Solidarity, Panel discussion with leading experts on the criminalization of refugees, migrants and aid workers”, organised by the *Montreal Holocaust Museum*, With the collaboration of *Médecins sans Frontières*, with Pr Rachel Kiddell-Monroe (McGill University), Mr Hany Shokair (Syrian refugee and advocate for the rights of children, women and LGBTQIA+ people) and Ms Laura-Julie Perreault (Editorial writer for *La Presse*), *Faculty of Law, McGill University*.

2020.02.07: “The Global Compact on Migration, A roadmap towards a better protection of the human and labour rights of migrants”, at the panel on “Beyond the 2018 Global Compact for Migration: The future of international migration governance”, with the Hon. Louise Arbour, former UN Special Representative of the Secretary-General on International

Migration, and Ambassador Juan José Gómez Camacho, former Permanent Representative of Mexico to the UN, organised by the *McGill Centre for Human Rights and Legal Pluralism* and the *Hans & Tamar Oppenheimer Chair in Public International Law, Faculty of Law, McGill University*. Online at: <https://www.youtube.com/watch?v=-O2vTEvwjmc>

OTHER COMMUNICATIONS

2020.12.10: « L'ONU et la protection des droits de l'homme des migrants: L'émergence d'une conversation », Webinaire organisé par l'*Association canadienne pour les Nations-Unies – section de Québec* (ACNU-Québec) à l'occasion de la Journée internationale des droits de l'homme, Québec (QC). En ligne: <https://www.youtube.com/watch?v=Pda78UI8oGs&feature=youtu.be> (Vidéoconférence)

2020.12.09: “Migration Policies at the Crossroads: Toward Strategic “Facilitation” of Mobility?”, Webinar part of an “Expert Series” organised by and for the Temporary Labour Migration Policy and Migrant Worker Protection Division, *Immigration, Refugees and Citizenship Canada* (IRCC), Ottawa. (Videoconference)

2020.12.09: “Migrants’ Rights Protection will Rest on the Empowerment of Migrant Workers”, in the webinar on “Unpaid Wages and Remittances: Deconstructing the Impact of COVID-19 and Ways Forward”, organised by *Migrant Forum in Asia* in partnership with the Call to Action “Remittances in Crisis: How to Keep them Flowing” co-led by the governments of *Switzerland* and the *United Kingdom*, with co-panelists Dr. Dilip Ratha (Head of KNOMAD, *World Bank*), Ms. Ellene Sana (Executive Director, *Center for Migrant Advocacy*, Philippines), Prof. Ray Jureidini (Professor of Migration Ethics and Human Rights, *Hamad Bin Khalifa University*, Qatar). (Videoconference)

2020.11.05: “Human rights at the UN and the role of special procedures”, in the course on “International organisations”, by Pr Carola Weil, Dean of Continuing Studies, *McGill University: Faculty of Arts*

2020.10.23: “‘Refugee Fatigue’: Between nationalist populist repression and long-term strategic ‘facilitation’ of mobility”, in the course on “Humanitarian Action in the 21st Century: Dilemmas, Challenges and Innovations”, by Dr Rachel Kiddell-Monroe, *McGill University: Faculty of Arts*

2020.10.08: “Migration Policies at the Crossroads: Between nationalist populist repression and long-term strategic “facilitation” of mobility” (75mn, by videoconference), in the seminar of Pr William Schabas on “International law principles in COVID-19”, *Fondation nationale de science politique (Paris)*

2020.08.28: “UN Charter-Based Human Rights Institutions and Migrants”, Video conference in the “Online seminar on international human rights mechanisms for the protection of migrants, refugees and asylum-seekers”, organised by the *Legal Policy Research Centre*, the *International Commission of Jurists, Migrants Matter*, with funding from the *European Union*, Almaty (Kazakhstan), 28-29 August 2020. (Videoconference)

2020.02.28: « Les politiques migratoires à la croisée des chemins – Entre répression nationaliste populiste et 'facilitation' stratégique de la mobilité », Conférence d'ouverture, Assemblée spéciale sur la thématique prioritaire de la programmation 2020-2021 des activités d'éducation à la citoyenneté mondiale, *Association québécoise des organismes de coopération internationale* (AQOCI), Centre Saint-Pierre, Montréal.

2020.02: Capsules sur « Droit d'asile dans les Amériques: Participation au Massive Open Online Course (MOOC) « Droit d'asile et des réfugiés », préparé par les Pr. Jean-Yves Carlier (droit) et Sylvie Sarolea (droit), *Université catholique de Louvain*, Louvain-la-Neuve, online at: <https://www.edx.org/course/droit-dasile-et-des-refugies-2>

2020.02.25: "The *Global Compact on Migration* and the future of global migration governance ", in the course on "Externalized Migration Controls and the Future of Migration Governance – Lessons from Europe and the MENA States", by Dr Edit Frenyó, Winter 2020 Focus Week, 24-28 February 2020, *McGill University: Faculty of Law*

INTERVIEWS

19 novembre 2020: « Le camp de Moria », À la Une du CAIUM - Capsule #2, produite par le *Comité des affaires internationales de l'Université de Montréal*, en ligne: <https://www.facebook.com/CAIUMontreal/videos/372621194159100>

6 novembre 2020: Sophie Mangado, Michel Huneault, « Rideau noir sur la frontière 3/3 – La crise sanitaire, opportunité historique pour régulariser les personnes sans statut? », en ligne: <https://ricochet.media/fr/3362/frontiere-border-canada-usa-refugies-asile-3>

6 septembre 2020: « Les migrants, cinq ans après la vague des réfugiés syriens », « Désautels le Dimanche », *Radio-Canada Radio*, en ligne: <https://ici.radio-canada.ca/premiere/emissions/desautels-le-dimanche/segments/entrevue/196007/les-migrants-cinq-ans-apres-la-vague-des-refugies-syriens-francois-crepeau>

31 August 2020: "Migrant Crises and COVID-19", "Newshour" with Razia Iqbal, at *BBC World Service*, online at: <https://www.bbc.co.uk/programmes/p002vsnk>

14 August 2020: Patrick Kingsley, "Taking Hard Line, Greece Turns Back Migrants by Abandoning Them at Sea", *The New York Times*, online at: <https://www.nytimes.com/2020/08/14/world/europe/greece-migrants-abandoning-sea.html>

16 juin 2020: « François Crépeau, le juriste engagé envers les migrants », *Le 21^e avec Michel Lacombe*, *Ici Radio-Canada*, en ligne: <https://ici.radio-canada.ca/premiere/emissions/le-21e/segments/entrevue/184023/rapporteur-nations-unies-crise-migrants>

Mai 2020: Martine Brouillette, « Entretien avec François Crépeau », *Revue Européenne des Migrations Internationales* (REMI), vol. 35, n° 3-4, 2019, 197-216. Online at: <https://journals.openedition.org/remi/13169> et <https://www.cairn.info/revue-europeenne-des-migrations-internationales-2019-3.htm>

21 avril 2020: « Les enjeux éthiques des nouvelles technologies de surveillance en temps de crise », entrevue avec Stéphane Bureau, Émission *Bien Entendu*, Radio-Canada Radio, en ligne: <https://ici.radio-canada.ca/premiere/emissions/bien-entendu/segments/entrevue/166267/nouvelles-technologies-surveillance-covid-19-francois-crepeau>

10 avril 2020: Coralie Hodgson, “De grands oubliés de la pandémie: les personnes sans statut”, *Le Journal des Alternatives*, online at: <https://journal.alternatives.ca/De-grands-oublies-de-la-pandemie-les-personnes-sans-statut>

10 March 2020: Matina Stevis-Gridneff, Patrick Kingsley, Haley Willis, Sarah Almkhatar, “We Are Like Animals’: Inside Greece’s Secret Site for Migrants”, *The New York Times*, online: https://www.nytimes.com/2020/03/10/world/europe/greece-migrants-secret-site.html?nl=todaysheadlines&emc=edit_th_200311&campaign_id=2&instance_id=16644&segment_id=22074&user_id=62243156dce7fac69e6f6cb907ee78ca®i_id=490634930311

24 Janvier 2020: “Passages périlleux”, un documentaire de Ole Gjerstad sur la négociation du Pacte mondial sur les migrations de 2018, émission « Grands Reportages », ICI RDI. En ligne: <https://www.youtube.com/watch?v=cgNu3nW2qRU&t=28s>. And “Perilous Passage”, with English subtitles: <https://vimeo.com/467818125> (Password: PP-English subs)

21 January 2020: “[Canada and the Compact for Migration, with François Crépeau](#)”, Interview by Peter Edelmann, *Borderlines Podcasts*, no 34, on line at: <https://borderlines.ca/>

ACTIVITIES

SPONSORED AND CO-SPONSORED SEMINARS AND EVENTS

Beyond the 2018 Global Compact for Migration: The Future of International Migration Governance with the Honourable Louise Arbour, and His Excellence Juan José Ignacio Gómez-Camacho (February 5, 2020)

What's Happening to China's Uyghurs? The Political, Social & Economic Implications of The Mass Detention & Abuse of Uyghurs In The Xinjiang Province with Member of Parliament Garrett Genius, President of East Turkistan Information Centre, Rukiye Turdush & McGill Law Lecturer Me Jerome Beaugrand-Champagne (November 11, 2020) *Co-hosted with McGill's Muslim Law Students' Association*

COURSES RELATED TO THE ACTIVITIES OF THE CHAIR

Immigration & Refugee Law - PUB 2551

FINANCIAL SUPPORT PROVIDED

TRAVEL GRANTS to Participants in the McGill Centre for Human Rights and Legal Pluralism’s Human Rights Internship Program

Hong Chao Weng (\$9,216) Vulner Project (Canadian team of a multinational consortium researching how vulnerable migrants are treated).

Andrew Rintoul (\$5,279.17) Obsolescence project

Jorge Caicedo (\$274.36) Rule of Law project

Alexander Agnello (\$2843.78) Rule of Law project

Laura Turcato (\$630.80) International Human Rights Symposium assistant

RESEARCHERS WELCOMED

Edit Frenyó (2018 – 2020) Arnold & Blema Steinberg Post-Doctoral Fellow in International Migration Law and Policy at the Centre for Human Rights and Legal Pluralism. Her project, supervised by Pr. François Crépeau explores transnational families, labor migration and care work.

CHAIR MEMBERS

HOLDER OF THE CHAIR

François Crépeau, O.C., F.R.S.C., Ad.E., Fellow of the Trudeau Foundation, 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. Between August 2011 and July 2017, he was the 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 interface between security and migration policies, and the Rule of Law in an era of globalisation.

COORDINATORS

Khadija Ahmed (2020 – 2021), BCL/JD Candidate, Faculty of Law of McGill University

Edit Frenyó (2019 – 2020), Steinberg Post-Doctoral Fellow, Faculty of Law of McGill University

RESEARCH ASSOCIATES

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.

Bethany Hastie is an Assistant Professor at the Peter A. Allard School of Law, University of British Columbia. Her research examines issues attending precarious labour in the intersecting spaces of labour and employment, migration, and human rights law.

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.

Edit Frenyó a post-doctoral Global Fellow affiliated with NYU's Center for Human Rights and Global Justice (2020 –) and a former Steinberg Postdoctoral Fellow at McGill University Faculty of Law (2018 – 2020), works in the areas of transnational family law, migration studies, labor and human rights.

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.

Filippo Furi is a Phd candidate in Anthropology at the University of Montreal: his research is dedicated to the notion of city of asylum, focusing on the politics and the practices of hospitality towards asylum seekers in Italy and particularly in the city of Venice.

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.

Rodziana Mohamed Razali senior lecturer at the Islamic Science University of Malaysia, an Advocate and Solicitor of the High Court of Malaya (Non-practicing) and a member of Statelessness Network Asia Pacific (SNAP). Her research involves statelessness, birth registration and legal identity.

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.