

The Refugee Convention – 70 years on

Bios and abstracts

Thomas Spijkerboer, Professor of migration law, Vrije Universiteit Amsterdam

Title and abstract:

The Refugee Convention, Europe and the global South

The 1951 Refugee Convention was focussed on Europe, and the application of the Convention remains dominated by European perspectives. However, countries from the global South participated in the drafting of the Convention, Africa and Latin America have developed their own refugee concepts, courts and academics from the global South have taken positions on international refugee law. What happens when the input of countries from the global South is taken seriously?

Bio:

Thomas Spijkerboer (1963) is professor of Migration Law at the Vrije Universiteit Amsterdam since 2000. He has been Raoul Wallenberg Visiting Professor of Human Rights and Humanitarian Law at Lund University (Sweden) (2017-2020) and International Franqui Professor at Ghent University (2020-2021). He is one of the lecturers in the master's track on International Migration and Refugee Law of the Vrije Universiteit Amsterdam. In 2016, he was appointed as a member of the Koninklijke Hollandsche Maatschappij der Wetenschappen (Royal Holland Society of Sciences and Humanities); in 2017 he was elected as a member of the Koninklijke Nederlandse Academie van Wetenschappen (Royal Netherlands Academy of Arts and Sciences).

Maja Janmyr, Professor of International Migration Law, University of Oslo

Title and abstract:

The 1951 Refugee Convention and Non-Signatory States: Charting a Research Agenda

At the end of 2020, 149 states were party to the 1951 Convention, its 1967 Protocol, or both. Forty-four members of the United Nations, however, were not party to any of these core instruments. What is the influence of the 1951 Refugee Convention in non-signatory states? How do these non-signatory states engage with and help create the international refugee regime?

Taking these questions as its starting point, this talk aims to charter a new research agenda focusing on the linkages between non-signatory states and the 1951 Convention. It argues that examining closer the relation between the international refugee law regime and non-signatory states is absolutely necessary in order to make an informed opinion about the relevance of the 1951 Convention more broadly. By bringing in a new dimension to the study of international refugee law, it seeks thus to disrupt the emphasis only on signatory states in the current discussions of the relevance and importance of the 1951 Convention.

More concretely, it will be argued that the Convention continues to structure responses to refugees, and plays a central role not only in states party to the Convention, but also in key non-signatory

states. It details the many ways in which international refugee law norms are being spread and used in non-signatory states, and how, by being present and active on global arenas such as the UNHCR Executive Committee, and in negotiating soft law instruments drawing on the Convention, these states also participate in the evolution and interpretation of international refugee law.

Bio:

Maja Janmyr is Professor in International Migration Law at the Faculty of Law, University of Oslo (UiO), where she also co-chair the Faculty's interdisciplinary research group on migration. In addition, she is a Research Associate at the Refugee Studies Centre of the University of Oxford, and a member of the Editorial Board of the International Journal of Refugee Law.

Her current research agenda is to construct a truly global perspective on the nature of international refugee law by focusing on the role and practice of states that haven't ratified the 1951 Refugee Convention. These non-signatory states are predominantly found in the Middle East and South Asia, and have traditionally been seen as exceptions to international refugee law. In her current research she is hoping to bring these states from the margins to the fore.

Katia Bianchini, Research Fellow, Max Planck Institute for Social Anthropology

Title and abstract

The Role of Expert Witnesses in the Adjudication of Religious and Culture-based Asylum Claims in the United Kingdom: the Case Study of 'Witchcraft' Persecution

My contribution will discuss the role of anthropological expertise in asylum judicial decisions in the UK by focusing on witchcraft-based persecution. The case study uncovers several challenges to decision-making and in particular those of assessing unfamiliar facts and beliefs against the often lack of corroborating evidence. Based on analyses of judicial decisions, legal studies, and a smaller number of anthropological sources, I will present how the unique characteristics of witchcraft cases, with their unfamiliar paradigms, are illustrative of the need to analyse and understand asylum claims within their broad cultural, historical, economic, and political contexts.

Bio:

Katia Bianchini is a research fellow in the Law and Anthropology Department of the Max Planck Institute for Social Anthropology in Halle. She holds a law degree from the University of Pavia (Italy), an LL.M. in Comparative Laws from the University of San Diego (California, USA), and a Ph.D. in Law from the University of York (UK). Her doctoral thesis provided an empirical and legal analysis of how the 1954 UN Convention relating to the Status of Stateless Persons is implemented in ten EU states. She has also worked as a post-doctoral researcher at the Max Planck Institute for the Study of Religious and Ethnic Diversity (Göttingen). Before engaging in research, she practised immigration and refugee law for ten years in the UK and the USA.

Bianchini has published in the field of refugee law and statelessness. Her current research builds on her expertise in refugee law, statelessness and human rights.

Ash Amin, Professor of Geography, University of Cambridge

Title and abstract:

Looking Beyond Xenophobic Nationalism

This is not a good time to be an immigrant, refugee or minority in Europe. After a decade of austerity, and a longer period of growing inequality and welfare austerity, majority discontent is finding cause against these figures. Seduced by the inflammatory language of nativist nationalism promising the closed polity without interfering germs, migrants, and other ‘anywheres’, vast swathes of the ‘left behind’ are seeing salvation in the return of homely nation, policed by a protectionist state and entrusted to the indigenous community. They are persuaded that the elimination of the foreign is a condition of preserving self and historic community.

An indicator of this is the absence of any need to prove that the ‘foreign’ - kept conveniently flexible to cover, when it suits, immigration, cultural pluralism, European membership, liberalism, experts and elites – is the true source of national problems such as austerity and inequality, social and regional alienation, and existential crisis.

Bio:

Professor Amin is known for his work in urban, cultural and economic geography. He writes about cities and regions as relationally constituted; globalisation as everyday process; the economy as cultural entity; race and multiculturalism at the intersection of biopolitics and vernacular practices, slums and dwelling practices, and the changing meanings of Europe. He has held Fellowships and Visiting Professorships at a number of European Universities. He has been founding co-editor of the *Review of International Political Economy*, and is on the advisory board of a number of international journals. He is a Fellow of the British Academy and of the Academy of Social Sciences, and also Foreign Member of the Italian Accademia Nazionale Dei Lincei. He holds an honorary doctorate from Uppsala University and was Foreign Secretary of the British Academy from 2015 to 2019. He was awarded a CBE in 2014 for his contributions to social science. He has been awarded the 2021 Olof Palme Visiting Professorship by the Swedish Research Council, to be held at Uppsala University during 2021.