

## Intensive Training Course “International protection and rights of minors in the European Union”

### Jean Monnet Module MARS

Online training course - Scuola Superiore Sant'Anna | Pisa  
November 2020 – January 2021

#### The Jean Monnet Module MARS “Migration, Asylum and Rights of Minors”

The three years Jean Monnet Module MARS “Migration, Asylum and Rights of Minors” (2019-2022) aims at spreading the knowledge of EU law on the **protection of migrant children** rights through different type of teaching activities and events, both for students and professionals.

In recent years, the number of children in migration, including children in need of international protection, arriving in the European Union, many of whom are unaccompanied, has increased significantly and protecting all children in migration, regardless of status and at all stages of migration, is a priority for both EU and its Member States.

Despite many studies devoted to migration and asylum issues, the protection of migrant and refugee children rights deserves a broader investigation in the academic fields, both in research activities and in training courses for students and professionals. In particular, regarding these latter, the European Commission stated that “People working with and for children (such as border guards, reception centre workers, guardians) are not always adequately trained in child protection and rights of the child and in communicating with children in a gender, age and context-appropriate manner” (see the European Commission, Communication on the protection of children in migration, 2017).

For this reason, the MARS Module aims to enrich the knowledge of European Union law in Immigration and Asylum Studies, organizing different type of training activities, among which the intensive training course “International protection and rights of minors in the European Union”. Teaching activities will benefit from different approaches, combining **legal theory with practical application and case study sessions**. Furthermore, the academic perspective will be enriched by the experiences of professionals working in the field of migration and asylum.

*“Protecting children is first and foremost about upholding European values of respect for human rights, dignity and solidarity”*

European Commission, 2017  
Communication on the protection of children in migration

#### Introduction to the intensive training course

The intensive training course “International protection and rights of minors in the European Union” aims to provide a comprehensive training on the legal discipline of international protection and on the rights of minors asylum-seekers/refugees in the European Union, with a particular reference to the following international covenants: UN Convention on the Rights of the Child, UN Refugee Convention, European Convention on Human Rights, and to following EU directives: Procedures directive (directive 2013/32/EU), Reception conditions directive (directive 2013/33/EU) and Qualification directive (directive 2011/95/EU). A specific attention will be devoted to the standards for the qualification of children as beneficiaries of international protection, through case study analysis, and to the application of the EU Dublin Regulation (regulation 604/2013 establishing the criteria and mechanisms for determining the Member State responsible for examining an application for international protection lodged in one of the EU Member States). The human trafficking and smuggling will be also investigated, with a particular reference to cases related to minors. **All the topics will be analysed in the light of the new EU Pact on Migration and Asylum.**

Participants will acquire a wide understanding of the rights of minors in the international protection procedures, useful for their academic research or for their professional competences.

In particular, participants will be provided with:

- an advanced insight on the international and EU law on immigration and asylum, with a particular reference to the right of child asylum-seekers/refugees;
- a practical and applicable knowledge and tools, using a multidisciplinary perspective, on the fundamental rights of children in international protection procedures, including an analysis of the standards for the qualification of children as beneficiaries of international protection, through case study analysis;
- an overview of the most relevant case law and the challenges that EU and Member States are facing in managing migration and asylum, discussion also on the current European policies, including the proposed EU Pact on migration and asylum.

The intensive training course will be based on **tested participatory methodology, including interactive discussions and case studies**. The topics will be analysed adopting an interdisciplinary approach, involving trainers from different disciplines and background. The training material will be available on a devoted training platform and on the **MARS website** ([www.mars.santannapisa.it](http://www.mars.santannapisa.it)).

The course is enriched by the **training materials** developed in the **FAIR project** (Fostering Access to Immigrant children's Rights), funded by the European Union for the period 2016-2018. The project was directed by the **International Commission of Jurists** (ICJ-European Institutions office) and was aimed at fostering the access to human rights for migrant children.

More information and the materials in six languages are available here: <https://www.icj.org/training-materials-on-access-to-justice-for-migrant-children>.

**In cooperation with:**



**European Institutions (ICJ-EI)**

## **Work plan**

The course “*International protection and rights of minors in the European Union*” will be held on 25-28 November 2020, 14-16 January 2021, 21-23 January 2021, for a total amount of 40 hours of training, in **online format** (sessions of 4 hours each). Participants will be supported in using the online training platform chosen for the course and provided by the Scuola Superiore Sant’Anna.

Case studies sessions and Q&A sessions will be planned in order to stimulate the exchanges between trainers and trainees, promoting the creation of a network among all the participants. A specific attention will be paid to the European Court for Human Rights and Court of Justice of the EU case law, as well as case-law and standards of international law and UN treaty bodies, the challenges for EU and the current European policies.

The *first session* of 25-28 November 2020 is aimed at analysing the international legal framework of children’s rights, and focusing on the access to the international procedure and the right to an effective remedy. The *second session* of 14-16 January 2021 is aimed to investigate the children’s right to be heard, the credibility assessment in the international protection procedure and the reception of asylum-seekers and refugee children. The *third session* of 21-23 January 2021 is devoted to the strategic litigation for the protection of migrant and refugee children an advanced insight on the international and EU law on immigration and asylum, with a particular reference to the right of migrant children asylum-seekers/refugees in the European Union and to the protection of minors against trafficking and smuggling. A specific focus is also devoted to unaccompanied minors. The final version of the agenda will be sent to the participants at the beginning of the course, together with the training materials.

The language of the Course is English.

## **Scientific Committee**

Karolína Babická (ICJ), Francesca Biondi Dal Monte (Scuola Superiore Sant’Anna), Anna Brambilla (ASGI), Massimo Frigo (ICJ), Giuseppe Martinico (Scuola Superiore Sant’Anna), Emanuele Rossi (Scuola Superiore Sant’Anna).

## **Credits**

The acknowledgement of 2 European Credit Transfer and Accumulation System (ECTS) is foreseen for students who comply with the attendance obligations (70% attendance) and pass the final learning assessment test (that will consist in a contribution to the final lecture on “International protection and fundamental rights of children in EU”, to be held in class on the 23rd January 2021).

A **Certificate of Attendance** including University Credits Acquired will be issued at the end of the Course. Training credits are envisaged for lawyers on the basis of specific agreements entered into with the respective professional Bodies.

For other information see also:

<https://www.santannapisa.it/it/formazione/international-protection-and-rights-minors-european-union>

## Contacts

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## Trainers

Roberta Aria, Save the Children Italia

Karolína Babická, ICJ

Francesca Biondi Dal Monte, SSSA

Caterina Bove, ASGI

Viviana Coppola, Save the Children Italia

Cristina Correale, Court of Naples

Martina Flamini, Court of Milan

Massimo Frigo, ICJ

Amarilda Lici, ASGI

Alexandros Konstantinou, Greek Council of Refugees

Stefan Maier, UNHCR

Rekha Menon, UNHCR

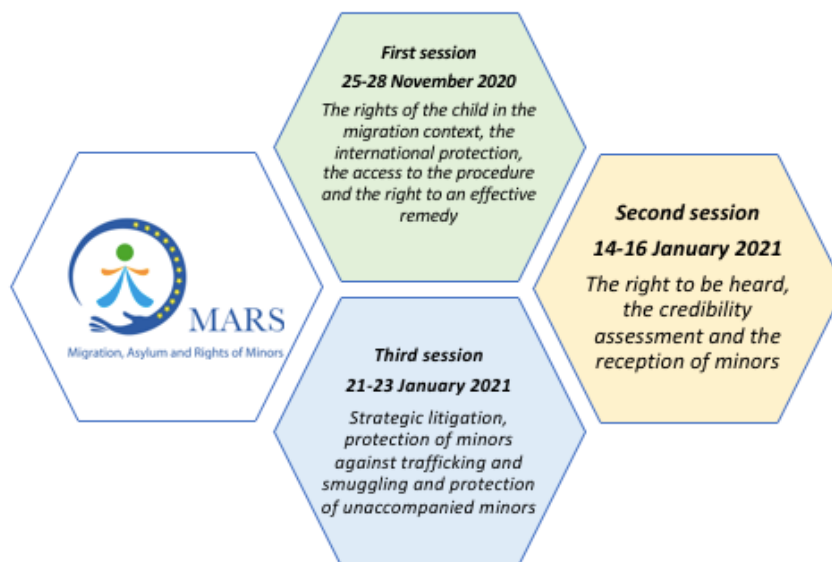
Karen Mets, Save the Children Europe

Paola Pannia, University of Florence

Stavros Papageorgopoulos, ECRE

Igor Taccani, Référéndaire Court of Justice of the European Union

Julia Zelvenska, ECRE



## AGENDA

*FIRST SESSION – THE RIGHTS OF THE CHILD IN THE MIGRATION/ASYLUM CONTEXT IN INTERNATIONAL LAW, THE INTERNATIONAL PROTECTION IN THE EUROPEAN UNION, THE ACCESS TO THE PROCEDURE AND THE RIGHT TO AN EFFECTIVE REMEDY*

### Wednesday 25 November 2020

14:00 – 14:30	Introduction to the course and training objectives <i>Francesca Biondi Dal Monte, SSSA</i>
14:30 – 15:30	Open lecture: a talk with a young refugee <i>Bakary Jobe, DIMMI project</i>
15:00 – 16:00	Q&A session
	<i>Break</i>
16:00 – 17:00	The right of migrant and refugee children in international law: definitions, guiding principles, age assessment <i>Karolína Babická, ICJ</i>
17:00 – 17:30	Q&A session
17:30 – 18:00	Presentation of participants through a story telling format <i>Coordination of Francesca Biondi Dal Monte, SSSA</i>
18:00	Closing

### Thursday 26 November 2020

14:00 – 14:45	The Common European Asylum System: standards for the qualification of beneficiaries of international protection, procedures and reception of minors asylum seekers/refugees <i>Julia Zelvenska, ECRE</i>
14:45 – 15:00	Q&A session
15:00 – 15:45	The implementation of CEAS in Member States and the new EU Pact on Migration and Asylum <i>Stavros Papageorgopoulos, ECRE</i>
15:45 – 16:00	Q&A session
	<i>Break</i>
16:00 – 16:45	Dublin Regulation system and its application to cases involving minors asylum seekers and families <i>Caterina Bove, ASGI</i>
16:45 – 17:00	Q&A session
17:00 – 18:00	Case study session on Dublin Regulation system and minors asylum seekers <i>Amarilda Lici, ASGI</i>
18:00	Closing

**Friday 27 November 2020**

14:00 – 14:45	The access to the procedure and the <i>non-refoulement</i> principle <i>Massimo Frigo, ICJ</i>
14:45 – 15:00	Q&A session
15:00 – 15:45	Recent trends in the case law of the European Courts <i>Massimo Frigo, ICJ</i>
15:45 – 16:00	Q&A session
	<i>Break</i>
16:00 – 16:45	Law of the sea and criminalization of solidarity towards migrants <i>Massimo Frigo, ICJ</i>
16:45 – 18:00	Documentary “The Valley”, directed by Nuno Escudeiro, 2019  Debate <i>Massimo Frigo, ICJ</i>
18:00	Closing

**Saturday 28 November 2020**

9:00 – 9:45	International protection and procedural rights of children <i>Igor Taccani, Référéndaire Court of Justice of the European Union</i>
9:45 – 10:00	Q&A session
10:00 – 10:45	The right to an effective remedy <i>Igor Taccani, Référéndaire Court of Justice of the European Union</i>
10:45 – 11:00	Q&A session
	<i>Break</i>
11:00 – 12:00	The protection of minors in the EU context: urgent matters and challenges for the EU and Member States <i>Karen Mets, Save the Children Europe</i>
12:00 – 12:30	Debate
12:30 – 13:00	Closing of the first session <i>Francesca Biondi Dal Monte, SSSA</i>

**Thursday 14 January 2021**

14:00 – 14:45	International protection procedure and credibility assessment <i>Martina Flamini, Court of Milan</i>
14:45 – 15:00	Q&A session
15:00 – 15:45	The children’s right to be heard and the role of the judge in the asylum procedure <i>Cristina Correale, Court of Naples</i>
15:45 – 16:00	Q&A session
	<i>Break</i>
16:00 – 18:00	Practical session on communicating with children <i>Joris Sprakel, The Hague University</i>
18:00	Closing

**Friday 15 January 2021**

14:00 – 14:45	Applying the best interests’ principle within asylum procedures <i>Rekha Menon, UNHCR</i>
14:45 – 15:00	Q&A session
15:00 – 15:45	The Way Forward to Strengthened Policies and Practices for Unaccompanied and Separated Children in Europe <i>Rekha Menon, UNHCR</i>
15:45 – 16:00	Q&A session
	<i>Break</i>
16:00 – 17:30	Child protection in practice: promising initiatives in Europe <i>Rekha Menon, UNHCR</i>
17:30 – 18:00	Plenary debate
18:00	Closing

**Saturday 16 January 2021**

9:00 – 9:45	The reception of migrant and refugee children. Focus on Italy <i>Caterina Bove, ASGI</i>
9:45 – 10:00	Q&A session
10:00 – 10:45	The reception of migrant and refugee children. Focus on Greece <i>Alexandros Konstantinou, Greek Council of Refugees</i>

10:45 – 11:00	Q&A session
	<i>Break</i>
11:00 – 12:00	Fundamental rights of migrant and refugee children and collective complaints procedures in international law <i>Alexandros Konstantinou, Greek Council of Refugees; Karolina Babicka, ICJ</i>
12:00 – 12:30	Q&A session
12:30 – 13:00	Closing the second session <i>Francesca Biondi Dal Monte, SSSA</i>

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*THIRD SESSION – STRATEGIC LITIGATION, PROTECTION OF MINORS AGAINST TRAFFICKING AND SMUGGLING AND PROTECTION OF UNACCOMPANIED MINORS*

**Thursday 21 January 2021**

14:00 – 14:45	The international redress mechanisms and the protection of minors <i>Karolina Babicka, ICJ</i>
14:45 – 15:00	Q&A session
15:00 – 15:45	International protection and strategic litigation. Presentation of the case study for the practical session <i>Massimo Frigo, ICJ</i>
15:45 – 16:00	Q&A session
	<i>Break</i>
16:00 – 18:00	Practical session on strategic litigation <i>Karolina Babicka, ICJ – Massimo Frigo, ICJ</i>
18:00	Closing

**Friday 22 January 2021**

14:00 – 14:45	The protection of minors against trafficking and smuggling <i>Viviana Coppola, Save the Children Italia</i>
14:45 – 15:00	Q&A session
15:00 – 15:45	Case study session on trafficking and smuggling <i>Roberta Aria, Save the Children Italia</i>
15:45 – 16:00	Q&A session

	<i>Break</i>
16:00 – 16:45	The protection of unaccompanied minors and the role of guardianship <i>Paola Pannia, University of Florence</i>
16:45 – 17:00	Q&A session
17:00 – 18:00	Case study session on unaccompanied minors <i>Paola Pannia, University of Florence</i>
18:00	Closing

**Saturday 23 January 2021**

9:00 – 11:00	International protection and fundamental rights of children in EU: lecture with participants <i>Coordination of Francesca Biondi Dal Monte, SSSA</i>
	<i>Break</i>
11:00 – 12:00	Closing lecture. Discussion on current EU policies <i>Stefan Maier, UNHCR</i>
12:00 – 12:30	Debate
12:30 – 13:00	Closing of the Course <i>Giuseppe Martinico, SSSA</i>