

## 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 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 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 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 migrant 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 migrant children;
- a practical and applicable knowledge and tools, using a multidisciplinary perspective, on the fundamental rights of migrant children in international protection procedures, including an analysis of the standards for the qualification of migrant 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 minor asylum-seekers. The *third session* of 21-23 January 2021 is devoted to the strategic litigation for the protection of migrant children 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).

## **Target of the Course**

The Course is designed for the following categories of recipients: professionals (such as: public officers, lawyers, consultants, legal operators, social workers, guardians); academics, Ph.D. students and students with a general knowledge of the matter and intending to upgrade their knowledge and competences.

Since the lectures will be held in English, participants are asked to be fluent in English in order to actively participate in the lectures.

The Course envisages the participation of a maximum of 40 enrolled participants. The Scientific Coordinator

reserves the right not to initiate the Course if the number of enrolled students is less than 10.

A specific selection is not envisaged. If the number of applications received exceeds the number of places available, the Scientific Coordinator reserves the right to select the participants on the basis of their curriculum vitae.

### 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.

### Admission Application

The enrolment application is to be received by **16 November 2020** and is to be submitted exclusively on-line by registering at the following website: <https://www.santannapisa.it/it/formazione/international-protection-and-rights-minors-european-union>.

The Course tuition fee amounts to € 200,00 (two hundred euros) and includes the attendance of all the lessons and the teaching material. In order to promote the inclusion of international protection holders, according to the **UNHCR Manifesto of Inclusive University**, there is an **exemption** from enrolment fees for 5 foreign students who are international protection holders (refugees and subsidiary protection holders). For more details, see [www.santannapisa.it](http://www.santannapisa.it), section Alta Formazione/Advance Education.

### Contacts

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### Trainers

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SSSA

Caterina Bove – ASGI

Cristina Correale, Court of Naples

Martina Flamini, Court of Milan

Massimo Frigo, ICJ

Amarilda Lici, ASGI

Alexandros Konstantinou, Greek  
Council of Refugees

Karen Mets, Save the Children  
Europe

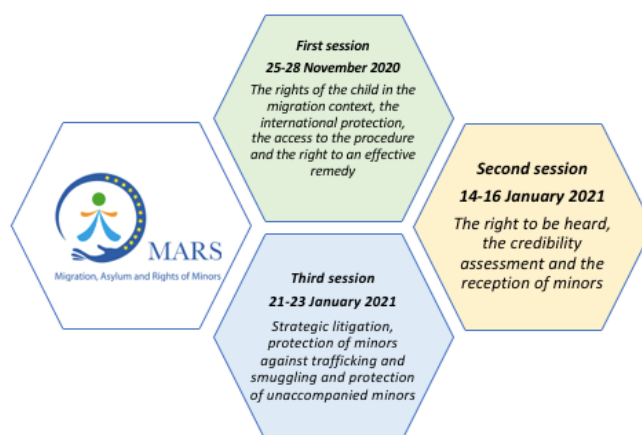
Paola Pannia, University of  
Florence

Stavros Papageorgopoulos, ECRE

Elena Rozzi, ASGI

Igor Taccani, Référéndaire Court  
of Justice of the European Union

Julia Zelvenska, ECRE



## AGENDA

*FIRST SESSION – THE RIGHTS OF THE CHILD IN THE MIGRATION CONTEXT IN INTERNATIONAL LAW, THE INTERNATIONAL PROTECTION, 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
14:30 – 15:30	Open lecture
15:00 – 16:00	Q&A session
	<i>Break</i>
16:00 – 17:00	The right of migrant children in international law: definitions, guiding principles, age assessment
17:00 – 17:30	Q&A session
17:30 – 18:00	Presentation of participants through a story telling format
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 asylum seekers
14:45 – 15:00	Q&A session
15:00 – 15:45	The implementation of CEAS in Member States and its proposed reform
15:45 – 16:00	Q&A session
	<i>Break</i>
16:00 – 16:45	Dublin Regulation system and its application to cases involving minors and families
16:45 – 17:00	Q&A session
17:00 – 18:00	Case study session
18:00	Closing

### Friday 27 November 2020

14:00 – 14:45	The access to the procedure and the <i>non-refoulement</i> principle
14:45 – 15:00	Q&A session
15:00 – 15:45	Recent trends in the case law of the European Courts
15:45 – 16:00	Q&A session

	<i>Break</i>
16:00 – 16:45	Law of the sea and criminalization of solidarity towards migrants
16:45 – 18:00	Movie and Debate
18:00	Closing

### **Saturday 28 November 2020**

9:00 – 9:45	International protection and procedural rights of children
9:45 – 10:00	Q&A session
10:00 – 10:45	The right to an effective remedy
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
12:00 – 12:30	Debate
12:30 – 13:00	Wrap-up of the first session
13:00	Closing

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### *SECOND SESSION – THE RIGHT TO BE HEARD, THE CREDIBILITY ASSESSMENT AND THE RECEPTION OF MINORS*

### **Thursday 14 January 2021**

14:00 – 14:45	International protection procedure and credibility assessment
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
15:45 – 16:00	Q&A session
	<i>Break</i>
16:00 – 18:00	Practical session on communicating with children
18:00	Closing

### **Friday 15 January 2021**

14:00 – 14:45	Assessing Credibility when Children Apply for Asylum in the European Union
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14:45 – 15:00	Q&A session
15:00 – 15:45	Introduction to the burden of proof and asylum seekers memories
15:45 – 16:00	Q&A session
	<i>Break</i>
16:00 – 17:30	Working groups session on credibility assessment
17:30 – 18:00	Plenary debate
18:00	Closing

### **Saturday 16 January 2021**

9:00 – 9:45	The reception of migrant children. Focus on Italy
9:45 – 10:00	Q&A session
10:00 – 10:45	The reception of migrant children. Focus on Greece
10:45 – 11:00	Q&A session
	<i>Break</i>
11:00 – 12:00	Fundamental rights of migrant children and collective complaints procedures in international law
12:00 – 12:30	Q&A session
12:30 – 13:00	Wrap-up of the second session
13:00	Closing

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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
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
15:45 – 16:00	Q&A session
	<i>Break</i>
16:00 – 18:00	Practical session on strategic litigation
18:00	Closing

**Friday 22 January 2021**

14:00 – 14:45	The protection of minors against trafficking and smuggling
14:45 – 15:00	Q&A session
15:00 – 15:45	Case study session
15:45 – 16:00	Q&A session
	<i>Break</i>
16:00 – 16:45	The protection of unaccompanied minors and the role of guardianship
16:45 – 17:00	Q&A session
17:00 – 18:00	Case study session
18:00	Closing

**Saturday 23 January 2021**

9:00 – 11:00	International protection and fundamental rights of children in EU: lecture with participants
	<i>Break</i>
11:00 – 12:00	Closing lecture. Discussion on current EU policies
12:00 – 12:30	Debate
12:30 – 13:00	Wrap-up of the course
13:00	Closing