



Public Lecture Series Fall 2015
Exclusion – Discrimination – Borders.
Dynamics of Inequalities in Migration Regimes

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Thursday, 5 November 2015
Schengen Borders: Discrimination between Freedom of
Movement and Death
Prof. Elspeth Guild
School of Law, Queen Mary University, London

Discussant: Charles Heller, Center for Research Architecture,
Goldsmiths College, London / Co-Initiator Watch the Med

18:15 – 19:45 h, University of Neuchatel, Rue Abraham Louis Breguet 1, Lecture Hall 301

Abstract

The European project is based on the abolition of border controls among the EU Member States (and the associated states such as Norway and Switzerland). But one of the costs of this lifting of one set of borders has been the focus of attention on the common external borders. A complex series of discourses, which are in simultaneous currency yet profoundly contradictory, apply to the EU's external border. On the positive side this border is presented as the gateway for millions of visitors each year into the EU and the key to economic growth in a variety of domains, not least for some of the EU states most affected by the economic crisis of 2008. On the negative side, this border enters the public imaginary as the equivalent of a wall around the fortress, which keeps the 'wrong' people

out. Indeed, in some places, such as Hungary it is being turned into a wall. But what are the wrong people? What is the difference between the welcome visitor and the unwanted migrant? How is this difference defined in EU law around borders and what are the practices? How do the highly risky and sometimes deadly trips across the Mediterranean fit into this multifaceted and complex picture? This lecture will examine these questions starting with an inquiry of the figures and the laws in order to create new knowledge about the EU's Schengen border.

Curriculum Vitae

Elsbeth Guild is a Jean Monnet Professor ad personam in law at the Radboud University, Nijmegen, Netherlands and professor of law at Queen Mary University of London. She is also a senior research fellow at the Brussels based think tank, the Centre for European Policy Studies. She retains her affiliation as a partner at the London law firm Kingsley Napley. She regularly advises EU institutions on migration and asylum related matters including the Council of Europe's Commissioner for Human Rights.

Selected Publications

- 2013 (co-edited with Didier Bigo and Sergio Carrera): *Foreigners, Refugees or Minorities? Rethinking People in the Context of Border Controls and Visas*. Ashgate: Farnham.
- 2012: "The evolving concept of union citizenship after the Lisbon Treaty." in: Sonia Morano-Foadi and Michaela Malena (eds.): *Integration for Third Country Nationals in the European Union: The Equality Challenge*. Edward Elgar: Cheltenham, 3– 5.
- 2012 (co-edited Steve Peers and Jonathan Tomkin): *EU Immigration and Asylum Law (Text and Commentary) Second Revised Edition Volume I: Visas and Border Controls*. Martinus Nijhoff: The Hague.
- 2012 (co-edited with Steve Peers, Diego Acosta Arcarazo, Kees Groenendijk and Vileta Moreno-Lax): *EU Immigration and Asylum Law (Text and Commentary) Second Revised Edition Volume II: EU Immigration Law*. Martinus Nijhoff: The Hague.
- 2011: "Between the Political and the Judicial – EU Measures on the Financing of Terrorism." in: Craig Forcese and François Crepeau (eds.): *Terrorism, Law and Democracy: 10 Years After 9/11*. Canadian Institute for the Administration of Justice, 237–260.
- 2011 (co-edited with Sandra Mantu): *Constructing and Imagining Labour Migration: Perspectives of Control from Five Continents*. Ashgate: Farnham.
- 2011 (co-edited with Paul Minderhoud): *The First Decade of EU Migration and Asylum Law*. Martinus Nijhoff: The Hague.
- 2010 (co-edited with Didier Bigo, Sergio Carrera and RBJ Walker): *Europe's 21st Century Challenge*. Ashgate: Farnham.
- 2009: *Security and Migration in the 21st Century*. Polity Press: Cambridge.