

# EDAL CONFERENCE 2014: REFLECTIONS ON THE CURRENT APPLICATION OF THE EU ASYLUM ACQUIS



## CONFERENCE PROGRAMME

Hilton Charlemont Hotel, Dublin, Ireland  
17<sup>th</sup> and 18<sup>th</sup> January 2014

Organised by



In collaboration with



**Irish Centre for European Law**

The European Database of Asylum Law is a key legal tool complementing the numerous endeavours seeking to strengthen the development of harmonized standards of protection within the Common European Asylum System. As we enter the second phase of the CEAS, this Conference provides a space to critically and constructively reflect on the reality of the achievements of the CEAS to date and to consider the potential for greater levels of protection and harmonisation in the future. The Conference aims to afford participants ample opportunity to compare and contrast the current application of EU measures across Member States.

\*This Programme is subject to change.



## CONFERENCE PROGRAMME

FRIDAY, 17<sup>TH</sup> JANUARY 2014

12.30 –14.00 REGISTRATION AND LIGHT LUNCH

14.00 **Welcome – Sue Conlan, CEO, Irish Refugee Council**

**Chairperson – The Honourable Mrs Justice Fidelma Macken**

Retired Judge of the Supreme Court of Ireland and Former Judge of the Court of Justice of the European Union: Chairperson of the Irish Centre for European Law

*Chairperson's Introduction*

14.20 **Professor Guy S. Goodwin-Gill**

Senior Research Fellow,  
All Souls College, Oxford, UK

*'The CEAS, the 1951 Convention relating to the Status of Refugees, and what International Law requires'*

14.50 **Professor Jens Vedsted-Hansen**

Professor of Law,  
University of Aarhus, Netherlands

*'A critical reflection on the achievements, limitations and potential of the CEAS'*

15.10 **Q & A and Discussion**

15.30 AFTERNOON TEA

16.00 **The Honourable Mr. Justice Bernard McCloskey**

President,  
Upper Tribunal, Immigration and Asylum Chamber, UK

*'The Lisbon Charter on Fundamental Rights:- an Asylum Dimension'*

16.20 **Dr. Cathryn Costello**

Andrew W Mellon University Lecturer in International Human Rights and Refugee Law  
Refugee Studies Centre, Oxford University

*'The ECtHR and CJEU as Refugee Law Courts: An Assessment'*

16.40 **Diane Goodman**

Deputy Director,  
UNHCR Bureau for Europe, Geneva

*'Putting the CEAS to the test? Syrian refugees in the EU'*

17.00 **Q & A and Discussion**

17.30 CLOSE OF FIRST DAY OF CONFERENCE

19.30 CONFERENCE DINNER

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SATURDAY, 18<sup>TH</sup> JANUARY 2014

09.30 COMMENCEMENT OF PROCEEDINGS

09.30 **Chairperson – The Honourable Mrs. Justice Catherine McGuinness**  
Former Judge of the Supreme Court of Ireland and Patron of the Irish Refugee Council

*Chairperson's Introduction*

09.40 **Judge Lars Bay Larsen**  
President of the Fourth Chamber  
Court of Justice of the European Union

*'Fundamental rights and mutual recognition: recent jurisprudence of the CJEU on the Dublin II Regulation'*

10.10 **The Honourable Mr. Justice Gerard Hogan**  
Judge of the High Court of Ireland

*Title to be confirmed*

10.30 **Q & A and Discussion**

11.00 MORNING TEA BREAK

11.30 **Nuala Mole**  
Senior Lawyer and Founder,  
Aire Centre, UK

*'The position and treatment of persons with special protection and reception needs under the CEAS'*

11.50 **Adriano Silvestri**  
Head of Sector, Asylum, Migration and Borders  
EU Agency for Fundamental Rights

*'Protection of fundamental rights at the borders of the EU'*

12.20 **Bernard Dawson**  
Judge  
Upper Tribunal, Immigration and Asylum Chamber, UK

*'Judicial use of country of origin Information in asylum appeals'*

12.40 **Q & A and Discussion**

13.00 CARVERY LUNCH

14.00 Participants will attend their preferred workshop from the following choices:

- Reception Conditions, socio-economic rights and human dignity**
- Understanding the best interests of the child in the CEAS**
- Asylum seekers' right to an effective remedy in EU law**
- Sexual orientation, gender identity and dignity in the asylum acquis**

15.45 AFTERNOON TEA

16.15 *'Final reflections on the Common European Asylum System'*

**Chair – Michael Diedring**, Secretary General, ECRE

**Panel: TBC**

17.30 **Aoife Gillespie BL**, EDAL Director

**Nathy Dunleavy BL**, Director, Irish Centre of European Law

*Closing Remarks*

17.40 CLOSE OF CONFERENCE

## WORKSHOPS

### WORKSHOP 1: RECEPTION CONDITIONS, SOCIO-ECONOMIC RIGHTS & HUMAN DIGNITY

**Nuala Mole** (Chair), Aire Centre, United Kingdom

**Dr. Liam Thornton**, University College Dublin, Ireland

**Véronique Planès-Boissac**, Consultant in Asylum and Human Rights Law, France

**Aikaterina Drakopoulou**, Greek Council for Refugees

### WORKSHOP 2: UNDERSTANDING THE BEST INTERESTS OF THE CHILD IN THE CEAS

**Aoife Gillespie BL** (Chair), EDAL Director

**Dr. Ciara Smyth**, National University of Ireland, Galway

**Nadine Finch**, Garden Court Chambers, United Kingdom

### WORKSHOP 3: ASYLUM SEEKERS' RIGHT TO AN EFFECTIVE REMEDY IN EU LAW

**Sue Conlan** (Chair), CEO, Irish Refugee Council

**Dr. Cathryn Costello**, Refugee Studies Centre, Oxford, United Kingdom

**Dr. Marcelle Reneman**, VU University, Amsterdam, the Netherlands

**Luc Leboeuf**, Catholic University of Louvain-la-Neuve, Belgium

### WORKSHOP 4: SEXUAL ORIENTATION, GENDER IDENTITY AND HUMAN DIGNITY IN THE ASYLUM ACQUIS

**Maria Hennessy** (Chair), Senior Legal Officer, ECRE

**Sabine Jansen**, COC Netherlands

**Peter Jorro**, Garden Court Chambers, United Kingdom

**Judith Ruderstaller**, Helping Hands, Austria

## SPEAKER PROFILES

**The Hon. Mrs Justice Fidelma Macken** (Chair) was educated at Trinity College, and at King's Inns in Dublin, and holds an LL.M. from London School of Economics. In 2002 an Honorary Doctorate was conferred upon her by Trinity College Dublin to mark her contribution to the law. She was called to the Bar of Ireland in 1973, and subsequently to the Bar of England and Wales. She worked as legal counsel in a firm of patent and trade mark agents from 1973 to 1979. From 1979 to 1998 she practised as a barrister, becoming a Senior Counsel in 1995, and specialised in commercial and chancery work, intellectual property, environmental and administrative law, as well as in European Union and Irish constitutional law. Mrs. Justice Macken was appointed a Judge of the High Court in 1998, and in 1999 became the first woman appointed a judge of the European Court of Justice (ECJ), Luxembourg, becoming the president of the third and sixth chambers, and where she served until October 2004. She was during that time, the judge rapporteur in many seminal cases, covering a wide area of EU law. From 2004 to 2005 she again served as a judge of the High Court in Ireland, and was appointed to the Supreme Court in May 2005, where she served until her retirement in 2012. Mrs. Justice Macken is an Honorary Bencher of the Honorable Society of King's Inns and an Honorary Bencher of Middle Temple, London. She was the first Averil Deverell Lecturer in Law at Trinity College Dublin, and has been a guest lecturer at many universities including King's College London, University College London, the University of Pittsburgh and at Georgetown University Law School. She has been a Global Hauser Fellow at New York University and has been elected one of the 50 most influential people in the world, in the field of intellectual property. The Hon. Mrs. Justice Macken is Chair of the Irish Centre for European Law, based at Trinity College, Dublin.

**The Hon. Mrs Justice Catherine McGuinness** (Chair) is a former Judge of the Supreme Court of Ireland and Patron of the Irish Refugee Council. Mrs Justice McGuinness was called to the Irish Bar in 1977 and to the inner bar in 1989. Mrs. Justice McGuinness was the first woman appointed as a judge of the Circuit Court. She was also the first member of the judiciary to be a specialist in family law. Mrs. Justice McGuinness became a High Court judge in 1996 and throughout her career, in both the Circuit Court and High Court, she was responsible for giving leading family law judgements. In 2000, she was appointed to the Supreme Court, where she gave judgement in some of the most important cases to come before the Court in recent years. In 2005, Mrs. Justice McGuinness was appointed Adjunct Professor at the Faculty of Law, National University of Ireland, Galway. She was also appointed President of the Law Reform Commission in 2005 and held that position until 2011. In January 2012, Mrs. Justice McGuinness she was appointed to the Council of State by Irish President Michael D. Higgins.

**Judge Lars Bay Larsen** is President of the Fourth Chamber of the Court of Justice of the European Union. Prior to his appointment to the CJEU in January 2006, Judge Bay Larsen was a Judge at the Højesteret (Supreme Court of Denmark). Judge Bay Larsen was awarded a BA in Political Science (1976) and a Masters of Law (1983) at the University of Copenhagen and was called to the Bar in 1991. He has held many positions including in the Ministry of Justice and at the University of Copenhagen. Judge Bay Larsen was representative of the Kingdom of Denmark on the K-4 Committee (1995-2000), the Schengen Central Group (1996-98) and the Europol Management Board (1998-2000).

**Professor Guy S. Goodwin-Gill** is a Senior Research Fellow of All Souls College, Oxford and Professor of International Refugee law in the University of Oxford. He was formerly Professor of Asylum Law at the University of Amsterdam, and served as a Legal Adviser in the Office of United Nations High Commissioner for Refugees (UNHCR) from 1976-1988. He practises as a Barrister from Blackstone Chambers, London, and he has written extensively on refugees, migration, international organizations, elections, democratization, and child soldiers. Recent publications include *The Limits of Transnational Law: Refugee Law, Policy Harmonization and Judicial Dialogue in the European Union*, with Hélène Lambert, eds., Cambridge: Cambridge University Press, 2010; *Brownlie's Documents on Human Rights*, with the late Sir Ian Brownlie QC, eds., Oxford: Oxford University Press, 6th edn., 2010; *The Refugee in International Law*, with Jane McAdam, Oxford: Oxford University Press, 3rd edn., 2007; *Free and Fair Elections*, Geneva: Inter-Parliamentary Union, 2nd edn., 2006.

**The Honourable Mr. Justice Gerard Hogan** was appointed a judge of the High Court in Ireland in October 2010. He was previously a Senior Counsel at the Irish Bar and was a lecturer and fellow of Trinity College, Dublin. Mr. Justice Hogan is co-author of *Administrative Law in Ireland* and co-author of *Kelly: The Irish Constitution*. His work on the Origins of the Irish Constitution 1928-41 was published by the Royal Irish Academy in 2012.

**The Honourable Mr. Justice Bernard McCloskey** is a High Court Judge in Northern Ireland and, as of October 2013, President of the UK Upper Tribunal, Asylum and Immigration Chamber. Mr. Justice McCloskey was Chairman of The Northern Ireland Law Commission 2009-2012. He is the Northern Ireland Judge of The United Kingdom Upper Tier Tribunal and Judge In Residence at Queen's University, Belfast. Mr. Justice McCloskey is Deputy Chairman of the Boundary Commission of Northern Ireland. He is a member of the Association of European Administrative Judges, of The Commonwealth Magistrates' and Judges' Association and of the Franco-

British Lawyers' Society. Mr. Justice McCloskey acts as an occasional expert at the South Eastern Europe Regional Co-operation Council. Mr. Justice McCloskey has delivered over 200 judgments in the High Court, Court of Appeal and UK Upper Tier Tribunal spanning a broad range of fields. He is author of "The Human Rights Act 1998: Recurring Themes and Principles" and of various other papers in the fields of human rights law, EU law, public law, extradition law, immigration law, procurement law, planning and environmental law and procedural law. Mr. Justice McCloskey is also the author of publications in The Commonwealth Law Journal, The Commonwealth Law Bulletin, The European Human Rights Review, The Bracton Law Journal and in Servicing The Legal System [N.I.] "Judicial Voices" series. He is an occasional member of the Judicial Studies Board and an occasional Continuing Professional Development lecturer. Mr. Justice McCloskey has also addressed a number of seminars and conferences, national and international, presenting papers on diverse subjects – mainly human rights, public law, EU law, immigration law, extradition law, judicial responsibility and accountability and modern litigation procedural practice.

**Nuala Mole** founded the AIRE Centre and has worked for more than 25 years in the field of human rights. Initially specialising in immigration and asylum, she has broadened her work to include all aspects of international human rights law. She has written extensively on all aspects of the European Convention on Human Rights and on the free movement of persons under European Union law, with special attention to the interface between the two legal orders. She is on the Board of the European Human Rights Law Review and co-edits the Centre's monthly Bulletin of ECHR caselaw. Nuala has been part of the legal team in more than 100 cases before the ECtHR, the ECJ and landmark cases in the UK. She was conferred with an honorary degree of Honorary Doctor by the University of Essex in 2009. Nuala was chosen by the Council of Europe to represent human rights NGOs at the 50th anniversary of the European Convention in Rome in 2000 and was the Law Society's Human Rights Lawyer of the Year in 2001. She also received the 2005 Prix de l'Ancien - this Alumnus of the Year Prize. Nuala has conducted training for the Council of Europe, the European Commission and the AIRE Centre for judges, public officials, lawyers and NGOs in 40 of the 46 member states of the Council of Europe on a wide range of topics including immigration, prisoners' rights, children's rights and family law.

**Professor Jens Vedsted-Hansen** earned his LL.M and LL.D. from the University of Aarhus, where he is a Professor of Law. Having worked as a research scholar at the University of Aalborg, Faculty of Social Sciences, and as assistant and associate professor at the University of Aarhus Law School, he became a research fellow at the Danish Centre for Human Rights in 1993. In 1997 he joined the Faculty of Law at the University of Copenhagen as an associate professor. Since 1999 he has been a professor of human rights law at the University of Aarhus Law School. He has participated in various international research projects as a contributor, commentator or panel member. He is a member of the Odysseus Academic Network of Legal Studies on Immigration and Asylum in Europe, and of the editorial board of European Journal of Migration and Law as well as the online Refugee Law Reader. He served as a member of the Danish Refugee Appeals Board from 1987 to 1994, and again from 2013. His research interests include administrative law, immigration and refugee law, and human rights law.

**Dr. Cathryn Costello** is Andrew W. Mellon University Lectureship in International Human Rights and Refugee Law, at the Refugee Studies Centre, Oxford, with a fellowship at St Antony's College. From 2003-2013, she was Francis Reynolds Fellow & Tutor in EU & Public law at Worcester College, Oxford, during which time she also completed her DPhil studies on EU asylum and immigration law. She has taught a range of public and EU law courses on the Oxford undergraduate and postgraduate curriculum. She began her academic career in 1998 as Lecturer in European Law at the Law School, Trinity College Dublin, and from 2000-2003, she also held the position of Director of the Irish Centre for European Law. She has been a Visiting Professor at the University of San Francisco and a visiting research fellow at NYU School of Law.

Cathryn has published widely on many aspects of EU and human rights law, including asylum and refugee law, immigration, EU Citizenship and third country national family members, family reunification and immigration detention. Her current research includes a monograph on EU immigration and asylum law due to be published in OUP's *Studies in European Law* series, and an edited collection (with Professor Mark Freedland, St John's College) from the [Migrants at Work Project](#), exploring intersections between immigration law and labour law.

She is also an Associate Director of the [Oxford Human Rights Hub](#), which aims to bring together academics, practitioners, and policy-makers from across the globe to advance the understanding and protection of human rights and equality.

**Diane Goodman** has been appointed Deputy Director of the Bureau for Europe of the United Nations High Commissioner for Refugees (UNHCR) as of 15 September 2013. Ms. Goodman comes to UNHCR's Headquarters from Nepal, where she was Deputy Representative for four years. She has also worked with UNHCR in Sudan (Assistant Representative), Geneva (Senior Training Officer with the Department of International Protection), Rwanda, Tanzania and Kenya (Protection Officer) and with the United Nations missions in Cambodia and Haiti. Ms. Goodman has also held positions with civil society organizations and was Refugee Policy Director for Human Rights Watch, Liaison Officer for the Women's Refugee Commission and a research fellow at the Norwegian Institute of Human Rights and at the Institute of Women's Rights at the Faculty of Law of the University of Oslo.

A Canadian national Ms. Goodman holds an undergraduate degree from the University of Western Ontario and Bachelor and Masters of Law degrees from the Faculty of Law of the University of Toronto, and has also worked as a lawyer in private practice. She is married to Marc Vincent, who works with UNICEF, and has two children.

**Upper Tribunal Judge Bernard Dawson** is vice-Chair of the European Chapter of the International Association of Refugee Law Judges and a sitting Judge of the Upper Tribunal (Immigration and Asylum Chamber) in the UK. Judge Dawson was called to the Bar and admitted as a solicitor in New Zealand in 1975 and was admitted as a Solicitor in the UK in 1979. He was appointed as a Fee-paid Immigration Adjudicator of the Asylum and Immigration Tribunal in 1997 and became a Judge of the First-tier Tribunal, Immigration and Asylum Chamber in 2010. He also became a Deputy Judge of the Upper Tribunal, Immigration and Asylum Chamber in 2010.

**Adriano Silvestri** is Head of Sector Asylum, Migration and Borders at the EU Agency for Fundamental Rights. Before joining the FRA Adriano was at the United Nations High Commissioner for Refugees (UNHCR), where he worked in the field for several years (Armenia, the Russian Federation and Austria) as well as at UNHCR headquarters. He worked on a wide range of activities, both legal as well as operational, relating to asylum, the protection of internally displaced persons and statelessness. He was involved in the development of UNHCR tools and guidelines, for example on the best interests of the child or on assessing protection gaps for internally displaced persons. He also worked for the World Wide Fund for Nature in the Altai-Sayan region. Adriano studied law in Italy and international law in Geneva.

#### THE RIGHT OF ASYLUM SEEKERS TO AN EFFECTIVE REMEDY IN EU LAW

**Sue Conlan** (Chair) has been the CEO of the Irish Refugee Council since February 2010. Before taking up the post of CEO she spent 17 years in legal practice in the UK specialising in immigration and asylum law and was recognised in the UK as a leading lawyer in immigration and asylum (Chambers Guide to the UK Legal Profession). In addition to legal practice, she has also worked in NGOs in both the fields of anti-racism and immigration and as a trainer and consultant, including for Oxford University's Centre on Migration, Policy and Society and the Open University.

**Dr. Marcelle Reneman** obtained the Dutch equivalent of a masters degree in Law in 2000 at the Vrije Universiteit Amsterdam. In 2001 she worked as a jurist at the aliens chamber of the Dutch Council of State. In December 2001 she became a policy officer at the Dutch Council for Refugees, where she focused mainly on asylum procedures. She worked at the Institute of Immigration Law of Leiden University as a PhD candidate (2006-2012) and as an assistant professor (from August 2012-July 2013). Currently she is an assistant professor of migration law at the VU University. Marcelle is a member of the editorial staff of *Asiel & Migrantenrecht* (Asylum & Migration Law), *Rechtspraak Vreemdelingenrecht* (Case-law migration law), *AB Bestuursrechtspraak* (Case-law administrative law) and *Commentary European Migration Law*. She is also a member of the Standing committee of experts on international immigration, refugee and criminal law (Meijers Committee) and the advice committee (Commissie Asiel) of the Dutch Council for Refugees. Marcelle's publications include *EU Asylum Procedures and the Right to an Effective Remedy* (diss Leiden), Leiden: E.M. Meijers Instituut 2012; 'Access to an Effective Remedy before a Court or Tribunal in Asylum Cases', in: E. Guild and Paul Minderhoud (eds.), *The First Decade of EU Migration and Asylum Law*, Leiden/Boston: Martinus Nijhoff Publishers 2011, pp. 401-436; and, 'An EU Right to Interim Protection during Appeal Proceedings in Asylum Cases?', *European Journal of Migration and Law* (2010), pp. 407-434. Marcelle is one of the National Experts on Denmark for EDAL.

**Luc Leboeuf** is a PhD candidate and research assistant at the Catholic University of Louvain-la-Neuve (Belgium). He is part of the research team "EU laws and migration" that studies the implementation of European migration law in Belgian law. His doctorate studies how the principle of "mutual trust" evolves within EU asylum law. Luc obtained a L.L.M. in Human Rights Law at the Catholic University of Louvain-la-neuve in 2012. Luc's recent publications include, 'Towards a Re-Definition of Persecution? Assessing the Potential Impact of the CJEU *Y and Z* Judgment' (2013) 13 *Human Rights Law Review* 402-415 with Evangelia (Lilian) Tsourdi and 'Les pays sûrs en droit belge de l'asile. Le "pays d'origine sûr", "pays tiers sûr" et "premier pays d'asile" dans la loi de 1980 et la jurisprudence du Conseil du contentieux des étrangers' (2012) *Revue du droit des étrangers* 193-205. Luc is one of the National Experts on Belgium for EDAL.

#### RECEPTION CONDITIONS AND SOCIO-ECONOMIC RIGHTS IN INTERNATIONAL & EUROPEAN LAW

**Dr Liam Thornton** is a lecturer in law and director of clinical legal education at the Clinical Legal Education Centre (CLEC), School of Law, University College Dublin (UCD). Liam holds his BCL International (2005) and PhD degrees (2012) from University College Cork and a Postgraduate Certificate in Higher Education Practice (2012) from University of Ulster. Liam has a strong interest in legal education, social justice and law, and has published in areas relating to immigration law, social security law, European law and human rights law. Liam's monograph, *The Socio-Economic Rights of Asylum Seekers in International and European Law*, based on his PhD



research, will be published by Routledge in early 2015. Liam is currently writing a student textbook, with Dr Tanya Ni Mhuirthle (GCD) and Dr Catherine O'Sullivan (UCC), *Fundamentals of the Irish Legal System: Law, Policy and Politics* (Dublin: Roundhall, 2014). From 2008-9, Liam was the legislative and policy officer at the Irish Human Rights Commission (IHRC). Liam is a member of the Free Legal Advice Centres (FLAC) executive and was a Reporter on the International Law in Domestic Courts online (OUP) project. In 2008, Liam co-authored a Report on the UN Migrant Workers Convention: Irish and EU law, commissioned by the Irish Human Rights Commission. He was also a researcher on the EU Odysseus Network project: EC Asylum Directives: Conformity Checking with EC Law (Qualification Directive & Reception Conditions Directive).

**Véronique Planès-Boissac** has been working for 15 years in the field of refugee protection and human rights. After graduating in European law (L.L.M., College of Europe), she has developed a practice and an expertise of these issues in France and in Europe through her experience both with international organizations (in particular the UNHCR as a consultant and as a judge-assessor at the French National Court of Asylum (CNDA)) and with NGOs. She has taken part as a consultant in many projects (research, studies, evaluations, field missions, trainings, seminar coordination and moderation, etc.). Veronique's main publications include the following "UNHCR Manual on European Regional Courts and persons in need of international protection" (provisional title, to be published in 2014); "Study on migration and asylum in Maghreb countries – Inadequate legal and administrative frameworks cannot guarantee the protection of migrants, refugees and asylum seekers", EMHRN, July 2010; "Improving Asylum Procedures: Comparative Analysis and Recommendations for Law and Practice", UNHCR, March 2010 (collective publication); and, "Asylum in the European Union: a Study of the Implementation of the EC Qualification Directive", UNHCR, November 2007 (collective publication). Véronique is a member of the EDAL Advisory Panel and is a National Expert on France.

**Aikaterini Drakopoulou** is an Athens' based lawyer of the Athens' Bar Association since 2009. She graduated from the Law Department of Democritus University of Thrace in 2006 and in 2008 she received her L.L.M from the Queen Mary University, University of London. Returning back home and willing to broaden the scope of the academic field, in 2011 she received a second L.L.M in Sociology and Law. Aikaterini is also a trained professional in the Identification and Assistance of Victims of Torture. Aikaterini has been a member of the Legal Unit of Greek Council for Refugees since the beginning of 2011. She also supports other collectivities aimed at the protection of immigrants and refugees and fighting against xenophobia and racism.

#### THE BEST INTERESTS OF THE CHILD IN THE CEAS

**Aoife Gillespie BL** (Chair) is Director of EDAL and a practicing barrister in Ireland specialising in the area of protection, immigration and human rights law. Aoife has previously worked in the International Organisation for Migration and was also a legal caseworker in the Irish Refugee Council in 2006. Aoife regularly provides pro-bono legal research and assistance to non-governmental organisations including Barnardos, Marriage Equality, Longford Women's Link and AkiDwA. In the area of law reform and policy, she has drafted policy briefings on behalf of Women's Aid addressing proposed legislative amendments. Aoife was a member of the Community Advisory Board of the Irish Section of EN-HERA/Senperforto addressing issues of gender-based violence among asylum-seekers and refugees in Europe. Aoife is a law graduate of the National University of Ireland, Galway and was awarded an LLM in International Human Rights Law from the University of Essex. She was recipient of the Society's Exhibition Prize upon graduation from the Honourable Society of the King's Inns and was called to the Irish Bar in 2009.

**Dr. Ciara Smyth** is a lecturer in the School of Law of the National University of Ireland Galway where she teaches international law, human rights, immigration and refugee law. A graduate of NUI Galway (B.A., LL.B), she holds an LL.M in Human Rights and Conflict Resolution (with distinction) from Queen's University Belfast and a PhD from Leiden University, The Netherlands. Ciara is currently working on a commercial edition of her PhD thesis ('The Common European Asylum System and the Rights of the Child: An Exploration of Meaning and Compliance') to be published by Routledge in early 2014. Before joining the Law School in 2003, Ciara worked for a number of intergovernmental and non-governmental organizations in Ireland and abroad, including the United Nations High Commissioner for Refugees. She continues to be active in the field of asylum and immigration law, is a board member of the Irish Refugee Council and regularly contributes to public meetings and discussions on immigration and asylum issues.

**Nadine Finch** is a barrister at Garden Court Chambers and a part-time Judge of the First-tier Tribunal (Immigration and Asylum Chamber) UK. Nadine specializes in Human Rights and Immigration & Asylum Law. Since her call to the bar of England and Wales in 1991, she has represented a large number of women and unaccompanied or separated children, a significant number of which have been trafficked to the UK. She is presently completing some research into the treatment of separated and trafficked children in need of refugee protection, which was funded by the John D, and Catherine T. MacArthur Foundation and which has been directed by Jacqueline Bhabha from Harvard University and Mary Crock from Sydney University. She was a



contributor to the Fifth & Sixth Editions of Macdonald's Immigration Law and Practice and co-author of Putting Children First: A Guide for Immigration Practitioners (LAG). Nadine is the UK Consultant on an EU Commission Project - CONNECT - Identifying Good Practices in, and Improving the Connection Between Actors Involved in Reception, Protection and Integration of Unaccompanied Children in Europe (2013-2014). Nadine is author of 'Immigration Practice and Procedure in Family Proceedings' (2013) Jordan Publishers.

#### SEXUAL ORIENTATION, GENDER IDENTITY AND HUMAN DIGNITY IN THE ASYLUM ACQUIS

**Maria Hennessy** (Chair) is Senior Legal Officer at the European Council on Refugees & Exiles. She leads and develops ECRE's legal advocacy work in the field of asylum as well as working specifically on developments concerning the Qualification Directive and the Dublin Regulation. She also has a particular interest in asylum claims related to sexual orientation and gender identity. Prior to joining ECRE, Maria was a legal researcher within the Office of the Refugee Applications Commissioner in the Department of Justice, Equality and Law Reform in Ireland and was a Senior Appeals Caseworker at the former Refugee Migrant Justice in the UK. Maria studied law and environmental science at National University of Galway and Leiden University.

**Peter Jorro** is a barrister at Garden Court Chambers in the UK, having been called to the bar of England and Wales in 1986. He joined chambers in 2000 after having previously worked for the Refugee Legal Centre and the UNHCR. Peter practises in all areas of immigration law. In particular he has represented in several asylum appeals made by individuals with a high profile in the countries from which they have claimed asylum. In 2010 he was junior counsel in the UK Supreme Court in HJ (Iran) & HT (Cameroon), the seminal asylum judgment relating to LGBTI claimants, but with wider applicability in terms of the true ambit of surrogate protection under the Refugee Convention. He frequently conducts training courses on asylum and immigration law related issues for various organisations, especially the UK Immigration Law Practitioners' Association (ILPA), and has, over the years, put the case on behalf of asylum seekers and refugees on television and radio. Peter is the co-author of Asylum Law and Practice, the leading practitioner's text book concentrating on asylum law, now in its Second Edition (Bloomsbury Professional, 2010). He has also contributed to the leading UK textbooks on immigration law (Macdonald's and Jackson's) and was a Consultant Editor for Halsbury's Laws of England, new Fifth Edition on Immigration and Asylum (2012).

**Sabine Jansen** is a lawyer and co-author of the research report "Fleeing Homophobia, Asylum Claims Related to Sexual Orientation and Gender Identity in Europe", COC Netherlands/VU University Amsterdam, September 2011. Sabine was involved in the cases of the preliminary questions on LGBTI asylum posed by the Dutch Council of State to the Court of Justice of the European Union. Currently she is conducting research for ILGA-Europe on good practices related to LGBTI asylum claims in the EU.

**Judith Ruderstaller** has worked as a legal advisor and legal representative for asylum seekers and foreigners since 2007, first at the NGO Asyl in Not and currently in her position at Helping Hands. Additionally, Judith has taken part in several EU-projects in the area of asylum since 2010. She acted as a national expert in projects including "Transnational advisory and assistance network for asylum seekers under a Dublin process", "European network for technical cooperation on the application of the Dublin II Regulation", "Fleeing Homophobia – Seeking safety in Europe". Judith also specialises in criminology, completing her the PhD in the area in 2013, and regularly works on national and international scientific projects. Judith is a national experts of Austria for EDAL.

