

# MIGRATION PROGRAMME

## Pedagogical team 2023-2024

- **Camille Escullié**, lecturer
- **Nicolas Hervieu**, lecturer
- **Bastien Charaudeau**, Migration clinic coordinator and tutor
- **Adrien Cabantous**, coordination assistant and tutor
- **Vincent Chetail**, lecturer of the required Migration course
- **Jill Alpes**, tutor
- **Claire Bruggiamosca**, tutor
- **Louise Hombert**, tutor
- **Thibaut Jaulin**, tutor
- **Anne-Laure Lacoste**, tutor

## Projects 2023-2024

### Project 1: Defending LGBTQI+ asylum requests: from OFPRA to the CNDA

After training in supporting asylum seekers and focusing on issues of persecution due to gender or sexual orientation, students are assigned files to follow, involving meetings, interviews, and hearings before OFPRA as well as appeals before the National Court of Asylum (CNDA). Based on their field experience, students examine the legal framework for appeals before the CNDA. The aim is to identify the issues at stake in these appeals and to analyze their internal functioning, particularly the legal argumentation. Students will thus be able to produce a global analysis and specific arguments for the benefit of the association's volunteers to better defend people's cases before the CNDA.

- Partner: **Centre LGBT+ de Paris**
- Tutor: **Thibaut Jaulin**

## **Project 2: The Defender of Rights and the fundamental rights of foreigners**

The project with the Defender of Rights Ombudsman is carried out in collaboration with the Access to Law clinic programme. The 2023-2024 project is twofold. It aims to continue the work on the causes of the abandonment of referrals to the Institution by complainants during the month which followed their initial approach. Students of the Migration clinic programme are also integrated into the “fundamental rights of foreigners” pole and contribute to the analytical work concerning a) the dematerialization of procedures in the prefecture and b) the new European pact on asylum and immigration.

- Partner: **Défenseur des Droits (Ombudsman)**
- Tutor: **Bastien Charaudeau**

This is a joint clinic project with the Access to Justice law clinic programme.

## **Project 3: Jurisprudential policy of the national court of asylum**

The President of the CNDA may reject by order - without contradictory instruction or hearing - appeals lodged against the decisions of the OFPRA in very specific cases provided for by article R. 532-3 of the entry and stay of foreigners and the right to asylum Code. However, for several years we have observed the use of these orders in cases which should have been judged in a collegial procedure. The use of orders makes it possible to reduce the number of ongoing cases, and therefore participates in a managerial logic of justice which takes precedence over the quality of justice delivered, in an area where the lives of litigants are at stake. This clinic project aims to collect figures for the jurisdictional activity of the CNDA, as well as the orders issued, to carry out an analysis to reveal the abusive nature of the use of this procedure.

- Partner: **Association of Asylum Lawyers (ELENA France)**
- Tutor: **Anne-Laure Lacoste**

## **Project 4: Criminalization of exiles and solidarity workers on the French-Italian border**

The project is based on data and observations carried out by the Tous Migrants association, based in Briançon, which for more than 6 years has worked with exiled people who cross the Alpine border. This data includes a large corpus of testimonies from exiles and volunteers, as well as legal archives.

The objectives of the project are to:

- inquire about practices of criminalization of migration, of exiled people and registration
- provide a legal analysis of these practices
- consider courses of action
- propose action tools for volunteers, exiles and lawyers
  
- Partner: **Tous Migrants (Briançon)**
- Tutors: **Claire Bruggiamosca**, with the help of **Bastien Charaudeau**

## **Project 5: Allowing people without the right to work to generate legal income**

Most people without resources (88%) monitored by Secours Catholique are in a precarious administrative situation without the right to work. However, one in two people affected is between 25 and 40 years old and is therefore of working age. To survive in France today, these people must seek national solidarity through public (accommodation) and private (food distribution) support. The right to work being linked to the right to stay, it is complicated today to envisage that legally these people can provide for their own needs. However, there are informal strategies to generate income and systems that could be open to this type of public. The project aims to explore this subject to understand what is legal and what is not, and to consider advocacy to develop the law and existing systems to allow people without the right to work to generate legal income.\*

- Partner: **Secours Catholique - Caritas France (SCCF)**
- Tutor: **Adrien Cabantous**

## **Project 6: Supporting strategic litigation concerning the rights of migrants at sea**

In this project, students carry out an inventory of strategic litigation in France concerning the rights of migrants to support Intérêt à Agir in the development of a litigation strategy. Students work on the issues of the regime of evidence in cases concerning the rights of foreigners and produce research relating to the responsibility of States regarding shipwrecks at sea.

- Partner: **Intérêt à Agir**
- Tutors: **Jill Alpes** and **Bastien Charaudeau**

## **Project 7: Access to healthcare: vulnerable foreigners with coverage in the Ile-de-France region**

This project seeks to study the determinants and reasons for non-recourse and non-coverage by common law health systems of vulnerable foreign people, even though they have rights to health coverage, whether it is AME or CSS. The results of the project will feed into Médecins du Monde's advocacy and the programme's reflections on its operational intervention strategy in terms of activities.

The project aims to:

- produce an inventory of the treatment of vulnerable foreign people with health coverage in the Ile-de-France region by common law health systems (health centers, town practices, hospitals)
  - analyze the health determinants, difficulties, and obstacles to accessing health for these people
  - formulate recommendations to promote access to health for these people
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- Partner: **Médecins du Monde - CAO A programme Paris 12<sup>e</sup>**
  - Tutor: **Louise Hombert**