

**RESTRUCTURING REFUGE AND SETTLEMENT: RESPONDING TO THE
GLOBAL DYNAMICS OF DISPLACEMENT**

**Conference organized by The Canadian Association for Refugee and Forced
Migration Studies (CARFMS), Hosted by the Centre for Refugee Studies (CRS)**

**Osgoode Hall Law School
York University, Toronto, Ontario, Canada
May 16-18, 2012**

PRELIMINARY PROGRAM

Wednesday May 16

3:00pm – 6:00pm Registration

6:00pm – 7:00pm 2012 CARFMS Annual Conference Opening Ceremonies

**Lisa Philipps, Associate Vice-President Research, Office of the
Vice-President Research and Innovation, York University,
Toronto, Ontario**

**CARFMS Conference Public Official Opening Address:
Dr. Volker Türk, Director, Division of International
Protection, UNHCR, Geneva, Switzerland
Location: Moot Court**

**Professor Barbara Crow, Associate Dean (Research), Faculty
of Liberal Arts and Professional Studies, York University,
Toronto, Canada**

7:00pm 2012 CARFMS Annual Conference Welcome Reception
Location: Gowlings Hall

Thursday May 17

8:00am – 9:00am Registration and Coffee
Location: Gowlings Hall

9:00am – 9:30am Opening Remarks: Conference Organizers
Location: Moot Court

9:30am – 10:30am **Keynote Address: Lorne Waldman, Barrister & Solicitor,
President, Canadian Association of Refugee Lawyers (CARL)
Location: Moot Court**

10:30am – 11:00am Morning Break - Location: Gowlings Hall

11:00am- 12:30pm

Panel 1: Restructuring refuge: “International Crimes,” refugee protection and the new Canadian refugee status determination system – Restructurer le refuge: “Crime international”, protection des réfugiés et le nouveau système canadien de détermination du statut de réfugié

Location: Room 1003

Chair: *Brian Goodman, Chairperson, Immigration and Refugee Board of Canada*

James C. Simeon, Using Public International Law to decide who has committed a crime against peace, a war crime, or a crime against humanity in the refugee status determination process in Canada

Joseph Rikhof, Refugee law and international and domestic regulation of criminal conduct

Jennifer Bond, Widening the net, narrowing the nuance, and misapplying the label: The troubled relationship between criminal law and Article 1(F)

Nancy Weisman, The Application of the Law Relating to Crimes Against Humanity at the Immigration and Refugee Board

Panel 2: Restructuring migrants’ settlement and refugee resettlement: Role of community organizations and services

Chair: *Professor Morgan Poteet, Mount Alison University*

Location: Room 2002

Angela Contreras-Chavez, In defense of Public Legal Education and Information Services for Migrant Workers in British Columbia: Reflections by Frontline Service Providers Volunteering at Office for Migrants

Jill Hanley, Sonia ben Soltane, Policy Demands for the Rights of Undocumented Migrants: Strategies of Community Organizations in Montreal and Brussels

Emily Bates, Inland Protection and Refugee Resettlement in Canada: The Normalization of the "Refugee Queue"

Panel 3: New approaches and challenges to settlement

Location: Room 1002

Chair: *Professor David Cantor, Director, Refugee Law Initiative, (RLI) University of London*

Ven. Pinnawala Sangasumana Thero, Resettlement of Internally Displaced Sinhala Community of Yakawewa in Kebithigollewa: Geographical Perspective of Issues and Challenges

Kopalapillai Amirthalingam, Livelihoods of IDPs in Eastern Sri Lanka: A longitudinal study

Pius Ryan, Meredith Anne Verma, Caroline Lai, Lana Deeter, Kristjen Hull, Coralee Curby, Diana Jahnsen, Restructuring Settlement: A continuum of policy change in Education

Panel 4: Borderless Higher Education for Refugees (Part 1)

Location: Room 1001

Chair: *Professor Don Dippo, York University*

Organizers: Wenona Giles, Marangu Njogu, Olive Mugenda, Irene Njogu, Philip Landon, Catherine Wangeci K-Thuo

Maureen K'opiyo, Philip Landon, The Dadaab Context

Catherine Wangeci K-Thuo, African Virtual University & Borderless Higher Education for Refugees

Sammy Tumuti, Josephine Gitome and Stephen Nyaga, Kenyatta University & Borderless Higher Education for Refugees

Negin Dahya, Aida Orgocka, Beryl Pilkington, York University and Borderless Higher Education for refugees

Samson Nashon, Jackson Too, University of British Columbia/Moi University and Borderless Higher Education for Refugees

Panel 5: Restructuring settlement and refuge: Role of international organizations, agencies and the civil society

Location: Room 1014

Chair: *Kees Wouters, Legal Counsel, Division of International Protection, UNHCR, Geneva, Switzerland*

Deniz Eroglu, The increasing role of civil society organizations in asylum policies of Turkey

Esra Kaytaz, Afghani Forced Migrants in Turkey

Maciej Fagasinski, Intra or international solidarity? The European Union's role in responsibility sharing for refugees and persons in need of international protection.

Robert Batarseh, The Canadian Refugee and Humanitarian Resettlement Program: A Study of Group Processing

Panel 6: Rethinking Settlement Services in a Changing Policy Environment

Location: Room 2003

Organizer: Erika Gates-Gasse, OCASI

Darlyn Mentor, Director, Settlement Programs, Citizenship and Immigration Canada

Catherine Finlay, Director, Immigration Programs Branch, Ministry of Citizenship and Immigration

Kay Blair, Executive Director, MicroSkills

Huda Bukhari, Manager, Settlement Services, Canadian Centre for Victims of Torture

12:30pm – 1:30pm Lunch – **CARFMS Annual General Meeting – Location: 1014**

1:30pm – 3:00pm

Panel 1: Restructuring refuge: Asylum seekers, irregular migration and State responses

Location: Room 2001

Chair: *Hon. Justice James O'Reilly*

Satvinder Juss, State Responses and Human Mobility: Application of the Dublin II Regulations

Bethany Hastie, *Illegal People or Illegal Practices? The Criminalization of Irregular Migration in the 21st Century*

Eftihia Voutira, *From refugee settlers to irregular migrants. Understanding the changing social realities of forcible displacements*

Heather Johnson, *Boats and Borders: interception, interdiction and shifting norms in state response to refugee migration*

Panel 2 : Protection of refugee and IDPs: Narratives, discourse and representations

Location: Room 2002

Chair: *Chief Judge Kashim Zannah, High Court of Justice, Maiduguri, Nigeria*

Laurence Juma, *The Narrative of Vulnerability and Deprivation in Protection Regimes for the Internally Displaced Persons (IDPS) in Africa: An Appraisal of the Kampala Convention*

Leili Golafshani, *Pacific Solution: Gendered Narratives of Asylum Seeker*

Melissa Stachel, *"Muslims are almost second class citizens:" The Representations of Somalis in the Media and the Effects on Somali*

Mayssa Zouaghi, *"Lost in Translation": Violence, Displacement and Mediation in the Sudanese Civil War and Refugee Narratives*

Panel 3: Restructuring settlement and refuge: Challenges, new approaches and theories

Location: Room 2003

Chair: *Professor Christina Clark-Kazak, Glendon College, York University*

Linda Bakker, *Integration of the four largest refugee groups in the Netherlands: the impact of the asylum procedure on socio-economic integration.*

Maria O'Sullivan, *Resettlement, Offshore Processing and Deterrence - Lessons from Australia*

Christophe Sevigny, *Starting From Refugees Themselves: Sketch for an Institutional Ethnography of Refugee Resettlement*

Juan Pablo Serrano Frattali, Juridical, Political and Social Stigmatization of Colombian Refugees.

Panel 4 : Borderless Higher Education for Refugees (Dadaab): Fieldwork Report (Part 2)

Location: Room 1001

Co-Chairs: *Professor Don Dippo and Dr. Marangu Njogu*

Discussants: Joseph Mensah and Jacqueline Strecker

Rebecca Houwer, Pedagogical research literature review and fieldwork

Irene Njogu, The relationship between teacher quality and school performance, a case of Dadaab

Joseph Kurauka, Challenges for gender equity in education within Dadaab Refugee Camp

Danielle Bishop, Contextual research literature review and fieldwork

Panel 5 : Theoretical issues and recent trends in Canadian immigration policy and migrants' settlement– Questions théoriques et développements récents dans les politiques d'immigration au Canada et établissement de migrants

Location: Room 1002

Chair: *Professor Nanette Neuwahl, Université de Montréal*

Martin Provencher, Les statuts légaux alternatifs à la citoyenneté des migrants : poison ou panacée ?

Ekaterina Krivenko, New Spaces of Hospitality and Sovereignty: Some thoughts on the operation of the Canadian private sponsorship

S. Gopikrishna, Strategies for improving the existing Canadian settlement model through ensuring compatibility with newcomer assumptions and expectations.

Minakshi Dasprashar, Restructuring settlement policies for refugees and highly skilled migrants: Analysis through Practical Experience and Case studies.

Panel 6: Restructuring refuge : Statuses and Theoretical issues

Location: Room 1003

Chair: *Judith Gleeson, Judge of the Upper Tribunal (Immigration and Asylum Chamber), United Kingdom*

Michael White, Walking the tightrope - balancing rights and national security

Tom Clark, International rights judgments and new forms of refuge

Joris van Wijk, Asylum and the International Criminal Court

Habtamu Simesh, Eritrean refugees at Ethiopia's Universities: the theory of 'realism' revisited

Panel 7: The Trends and Challenges Confronting Asylum Seekers in Japan

Location: Room 1014

Chair: *Dr. Idil Atak, McGill University*

Masanao Murakami, Issues confronting asylum seekers in Japan from both a national and an international perspectives: Refugee status determination system in Japan

Yukari Ando, Jurisprudence regarding asylum seekers in Japan: "persecution" and "deportation" meet international standard?

Chie Komai, Practical issues dealing with detention, provisional release and social assistance in Japan

3:00pm – 3:30pm Afternoon Break – Gowlings Hall

3:30pm – 5:00pm

Panel 1 : Balancing rights and security. Human smuggling and recent legal developments and practices in Canada – Établir un équilibre entre les droits humains et la sécurité. Le trafic de migrants et les développements normatifs et les pratiques récents au Canada

Location: Room 1002

Chair: *Professor Steve Meile, Faculty of Law, University of Minnesota*

Sharryn Aiken, Human smuggling and Canadian refugee law: A critique

Julie Kaye, Human Trafficking, National Security, and Humanitarian Principles in Canada

Bobby Thomas Cameron: Children seeking asylum: detention and deportation in Canada

Nadine Saadé, L'application de la clause d'exclusion de la définition de réfugié en droit administratif canadien; la réaffirmation de la souveraineté canadienne face aux obligations internationales

Panel 2: Restructuring settlement and refuge: Social age and risk of discrimination

Location: Room 2003

Michaela Hynie, Wesley Oakes, Opportunities or Inconsistencies? A Social Age Analysis of Ontarian Health Service Provision for Refugees and Immigrants

Christina Clark-Kazak, Johanna Reynolds, Restructuring Canadian Refugee and Settlement Policy to Reduce Age Discrimination? A Social Age Analysis of the Canadian Immigration and Refugee Protection Act and its Regulations

Panel 3: Freedom of movement, forced migration and legal migration : An economic analysis

Location: Room 1003

Chair: *Professor Delphine Nakache, University of Ottawa*

Abdul Nazari, Illegal Migration as a result of War and Poverty in Afghanistan

Daniel Sam, The Challenges of Forced Migration in the context of realizing the Millennium Development Goals in the Sub- Saharan Africa

Stéphanie Hachez, L'Union européenne: nouvelles avenues pour la migration économique

Reem Shamsudeen Shamsudeen, Does “Development” Exclude – A Critical Analysis

Panel 4: Return and refugee resettlement : Trends, challenges and theoretical issues

Location: Room 2001

Chair: *Kees Wouters, Legal Counsel, Division of International Protection, UNHCR, Geneva, Switzerland*

Howard Adelman, Refugee Return versus Resettlement

Prakash Adhikari, Durable Solutions and the Logic of No Return

Sue-Ann Hess, Hurricane Katrina and the Right of Return in the United States

Laura Robbins-Wright, Explaining the Global Undersupply in Refugee Resettlement: A cross-national time series analysis

Roundtable Discussion: Developing Online Research and Teaching Materials and a Practitioners ' Forum for Refugee and Forced Migrations Studies

Location: Room 1001

Chair: *Professor Satvinder Juss, School of Law, King's College London, United Kingdom*

James Simeon, Presentation of the ORTT and Practitioners Forum

Sanja Begic, How to use the ORTT

Nanette Neuwahl, Involvement of University of Montréal's Law Faculty in the development of the ORTT. Using ORTT as a teaching tool at undergraduate level

Giorgia Dona, Eftihia Voutira, Partnership with IASFM - Using ORTT as a teaching tool at graduate level

Anne-Sophie L'Espérance, Jocelyn Kane, Contribution to on-going development of the ORTT

Friday May 18

8:00am – 9:00am Registration and Coffee – Location: Gowlings Hall

9:00am – 10:30am **Keynote Address: Debbie Douglas, Executive Director, Ontario Council of Agencies Serving Immigrants (OCASI)**
Location: Moot Court

10:30am – 11:00am Morning Break – Location: Gowlings Hall

11:00am – 12:30pm

Panel 1: Restructuring refuge: Critical issues in Canadian refugee determination

Location: Room 1003

Chair: *Brian Goodman, Chairperson, Immigration and Refugee Board of Canada*

Sean Rehaag, Judicial review of refugee determinations in Canada's federal court

Donald Galloway, The burden of proving Who You Are: Refugee Protection and Identity

Pia Zambelli, New approaches to refugee status determination in Canada

Angus Grant, The erosion of refuge: security proceedings and the refugee determination process in Canada

Panel 2: Restructuring settlement: Right of return and local experiences

Location: Room 1002

Chair: *Professor David Cantor, Director, Refugee Law Initiative, (RLI) University of London*

Katie Kuschminder, Sonja Fransen, Settlement of Returning Refugees: Repatriation to Burundi

Gökçe Bayindir Goularas, Un exemple historique de la migration forcée : L'échange des populations entre la Grèce et la Turquie

Anh Ngo, Legacy of Cold War logics: Vietnamese Canadians integrated as enduring refugees

Panel 3: Comparative analysis in restructuring refuge and settlement

Location: Room 1014

Chair: *Dr. Janet Cleveland, McGill University*

Olivia Kokushubila Iwabukuna, Migration, refuge and settlement policies in South Africa: law, society and service (de)livery

Tendayi Achiyume, International Human Rights, Xenophobia and Refugee Protection: Lessons from South Africa

Chizuru Nobe Ghelani, Emergence of "refugees" in Japan: Media analysis of Indochinese/ Vietnamese arrival between 1975-1981

Michael White, A human rights approach to settlement - the New Zealand experience

Panel 4: Restructuring resettlement: the Canadian experience

Location: Room 2001

Chair: *Professor Heather Johnson, Trent University*

Morgan B. Poteet, Central American Refugee Male Youth and Belonging in Toronto

David Murray, Learning Queer Here: Integration and Adaptation Experiences of LGBT Refugees in Toronto

Valérie Preston, Resettling Refugees and Asylum Seekers: What Can We Learn from Their Housing Experiences in Montreal, Toronto and Vancouver?

Ranu Basu, Multiplying Spaces of Subalterity in Education: From Ideological Realms to Strategizing Outcomes

Panel 5: Social Age and Education

Location: Room 2003

Don Dippo, Negin Dahya, Social Age and Education: A Focus Group Discussion with WUSC Students from Dadaab

Martha K. Ferede, It Takes a University: Social and Academic Integration of Refugees Resettled Directly into Canadian Universities

Panel 6: Restructuring refuge and settlement: Governance and human rights

Location: Room 2002

Chair: *James C. Simeon, Deputy Director, Centre for Refugee Studies, York University*

Khamael Al-Faris, The political, economic, and social context of immigration policy

Habtamu Simesh, Ethiopia's Educational Praxis toward Eritrean Refugees amidst Deadlocked Peace Process

Silvia Scarpa, Unsuccessful Asylum Seekers Who Have Formed a Family in the Host Country: Do they Have a Right to Stay?

Surie von Czechowski, The Possibility of Escape: Vulnerability in the Necro-Political Imagination

Panel 7: Settlement of refugees and migrants with disabilities or health problems

Location: Room 1001

AKM Ullah, Refugees and immigrants with HIV/AIDS in Canada: Stigma, discriminations and vulnerabilities

Danielle Grigsby, Developing an Anti-oppressive Approach to Settlement Services for Refugees with Disabilities

John Burchill, The Experiences of Public Health Nurses Working with Refugees and Asylum Seekers in Central London

12:30pm – 2:00pm Lunch + Projection of a movie on forced migration
Location: Moot Court

2:00pm – 3:30pm

Panel 1: Restructuring refuge: Challenges of irregular migration – Restructurer le refuge: Défis de la migration irrégulière

Location: Room 1001

Louis-Philippe Jannard, La gestion des flux migratoires mixtes au Costa Rica : le migrant « vulnérable » face aux catégories légales

Sofiane Bouhdiba, The Jasmine revolution and the Lampedusa' refugee crisis

Monica Abdelkader, Transitional states and forced migrants: the impact of the 'Arab Spring' revolution on the lives of the forcefully displaced in Egypt

Panel 2: Exclusion and marginalization of vulnerable refugees and migrants: the situation of women and children

Location: Room 1002

Daniel Sam, Vulnerabilities of women and girls in the context of relationship between men and women during forced migration

Anna Pielin, Stateless- The Case of Children of Cambodia and India

Sinmi Akin Aina, *In the Shadows of Marginality: An Analysis of the 2006 Kenyan Refugee Act and Urban Refugee Women*

Suzanne Hurley, *Women's Rights, Culture and Conflict: Implementing Gender Policy in Amboko Refugee Camp, Chad*

Panel 3: Refugees and State protection: Recent trends in Canada and in Europe. Critical analysis – Les réfugiés et la protection étatique: les développements récents au Canada et en Europe. Une analyse critique

Location: Room 1003

Annamaria Enenajor, *States of Exception, Homines Sacri and the Limits of Human Rights: What Agamben Tells us About Non-Refoulement in Canada*

Anne-Sophie L'Espérance, *Extradition and Refugees: Reconciling Canada's Obligations with Respect to Non-Refoulement*

Alice Chaix, *Portée et limites du principe de non refoulement de l'article 33 de la Convention relative au statut des réfugiés dans le contexte du traitement extraterritorial des demandes de statut de réfugié*

Panel 4: Restructuring settlement and refuge : Situation of asylum seekers, temporary workers and Romas in Canada

Location: Room 2001

Chair: *Angus Grant, Immigration Lawyer*

Eugénie Dépatie-Pelletier, *Forced work conditions in Canada? The socio-legal effects of employer-tied work permit for temporary foreign workers in « low-skill » occupations*

Sophie Dorais, *State protection in Canada : a juridical perspective*

Stephen Meili, *Do human rights treaties help asylum seekers? Canadian refugee jurisprudence and practice since 1990.*

Julianna Beaudoin, Cynthia Levine-Rasky, Paul St. Clair, *Roma asylum seekers in Canada*

Panel 5 : Recent developments in refugee protection and detention of asylum seekers in Canada

Location: Room 2002

Chair: *Kees Wouters, Legal Counsel, Division of International Protection, UNHCR, Geneva, Switzerland*

Benjamin Perryman, Questioning Kadenko: Is State Protection Proportional to the Level of Democracy?

Janet Cleveland, The impact of detention on asylum seekers's mental health : Current situation and Bill C-4

Delphine Nakache, Detention of asylum seekers in Canada

Panel 6: Migration and access to higher education in Canada and in the European Union

Location: Room 2003

Idil Atak, Access to education as a fundamental right: challenges in Canada and in Europe

Nanette Neuwahl, The recruitment of international students : the procedure and the future perspective for establishment

Maia Korotkina, Recognition of qualifications: obstacles to the professional integration and future perspectives

3:30pm – 5:00pm

Plenary session: Assisting and Protecting People Fleeing Violence and Conflict: Special panel session on "generalized violence" with the participation of the United Nations High Commissioner on Refugees (UNHCR)

Location: Moot Court

Chair: *Professor Emeritus Howard Adelman, Founding Director of the CRS, York University*

Participants: Dr. Kees Wouters, Division of International Protection, UNHCR

Barbara Jackman, Barrister & Solicitor, Jackman & Associates

Janet Dench, Canadian Council for Refugees (CCR)

Justice James O'Reilly, Federal Court (Canada)

5:30pm-6 :00pm **Conference Rapporteur Conference Summary -- Closing remarks**

Location: Moot Court