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Contested human rights in EU migration governance

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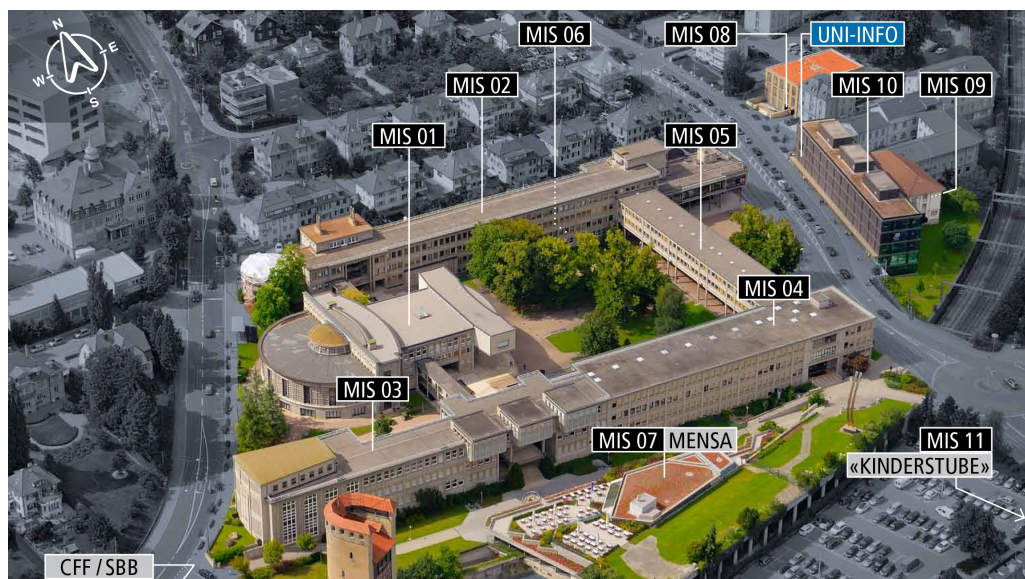
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Europe's external borders have been the site of intense human rights struggles over the last decade. While States are inventing ever new practices to circumvent their human rights responsibility, human rights activists seek to expand State jurisdiction to effectively hold European governments responsible for human rights violations at their borders and on the high seas. At the same time, the rise of populist movements and increasing xenophobia have made expansive human rights interpretation to the benefit of migrants increasingly suspicious in public discourse. The question arises: Does the expansion of migrants' human rights and State responsibility bear features of 'human rights overreach' in the sense that human rights encroach too much on State sovereignty, which may ultimately decrease the acceptance of human rights themselves? Or is it a necessary 'outreach' of human rights, that is, an adaptation of human rights to new practices of border protection in order to ensure human rights' effectiveness?

Anuscheh Farahat studied Law in Frankfurt a.M., Paris X (Nanterre) and Berkeley. Following this, she was a research fellow at the Max Planck Institute for Comparative Public Law and International Law in Heidelberg and led an Emmy-Noether-Research Group on "transnational solidarity conflicts" at Goethe University Frankfurt a.M. Since 2019, Anuscheh Farahat is a professor of Public Law, Migration Law and Human Rights Law at Friedrich-Alexander University Erlangen-Nürnberg. In 2023 she became a fellow to the Max Planck Institute for Social Anthropology in Halle, where she leads a project on the topic of „JUST MIGRATION – Labour migration regimes in transnationalised contexts“. Her research focuses on the intersection between Migration Law and Human Rights Law as well as on Constitutional Law, with a special interest in comparative approaches and conflicts of solidarity.



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