Japan acceded the Refugee Convention in 1982, but the refugee recognition rate is 0.4%. The challenge of the refugee protection is not only Non-signatory States but also the Signatory State. On 19th February 2021, the Japanese government proposed the Daft Immigration and Refugee Recognition Act. Some of the proposed provisions seem violation of the State obligation under Refugee Convention. For instance, crimmigration and robust forced deportation are main proposals which will allow to deport to the country of origin even during the refugee status recognition process. If the person concerned denies to be deported, s/he will put into the prison. According to the proposal, it would be effective procedure to reduce the prolonged immigration detention. However, the UN Working Group on Arbitrary Detention clearly stated that current immigration detention in Japan is contrary to Article 9 of the International Covenant on Civil and Political Rights(ICCPR) in 2020.

The refugee protection regime should not be politicised, but the government publicly states that Japan needs make sure “peace and safety” for the Olympic 2020 (now 2021). The decision-makers and adjudicators need to comply with Asylum law at any time. The author, therefore, compares Asylum law, decision-making and adjudication between Europe and Japan, and intends to raise the critical questions for the participants what is the "peace and safety" in international human rights standard?

Keywords: Decision-making, adjudicator, refugee convention, domestic law, Europe, Japan

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The Italian reform of the judicial system in the asylum procedure: Speeding up the application processes or weakening refugees' rights to defence? [REC]

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In our paper, we will be focusing on the role of the court of law in the refugee status determination (RSD) process, in Italy. We will be discussing, especially, the innovations introduced by the Minniti’s Act (n.13/2017), only partially entered into force on 17 August 2017, and their effects on the judicial system in relation to asylum. While the Italian judicial system provides for three stages of proceedings, the Minniti’s Act abrogated the second instance of judgment in relation to the RSD procedure creating, in so doing, a discrimination between Italian and Third country nationals. Furthermore, the new decree replaces the claimant's hearing with the video-recording of the interview held at the TC that the judge is expected to watch to make his decision. We believe that through these changes, the act weakened the balancing role which, before it, the courts exerted in relation to the Territorial Commissions (TCs), the administrative bodies responsible for the RSD, affecting the fairness of appeals and refugees’ right to the defence. Also, we argue that, whether analysed in the light of the subsequent Salvini’s reform which abolished the Humanitarian Protection the Minniti’s decree appears to be a piece of a wider political strategy designed to empty the rights provided by the 1951 Refugee Convention. After briefly touching the main problems which besotted the Italian RSD process before Minniti’s Act, we will first mention some positive improvements of the act, then we will further discuss the problems outlined above. Finally, we will draw our conclusions and recommendation.

Keywords: Decision making, legal and court procedure, access to justice, technology in asylum appeal processes, Italy

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**An existing role, an emerging function? The complex process and consequences of interpreters’ professionalization at the French National Court of Asylum**

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Communication challenges in asylum settings, including interpreting issues, have been extensively studied in a variety of European contexts. If their crucial importance on refugee status determination processes is obvious to scholars and interpreting services providers, it is also recognized by the asylum institutions themselves. Indeed, European directives gathered in the Common European Asylum System (CEAS) strongly contribute to shaping national and administrative norms into a standardized approach of interpreting concerns in adjudicating refugee claims.

However, ethnographic works have depicted a great diversity of practices despite those seemingly unifying norms. In France, at the National Court of Asylum – the administrative court which examines appeals made against negative decisions by the first asylum adjudication instance (OFPRA) – interpreters are thus granted different degrees of agency, depending on the judges. It is consequently necessary to analyze the role of the interpreter, which is simultaneously the object of an increasing normative corpus and shaped by decision-making agents at the institutional level, and the way it influences decisions over asylum claims.

To this end, we would like to present insights from our current doctoral research. In a sociolinguistic perspective, we conduct both a socio-history and an ethnography of interpreting practices in the French asylum adjudication institutions. Taking into account the particularities of each of these instances, we aim to understand the complex process towards the professionalization of interpreting, and thus at shining an original light over asylum adjudicating in France.
Keywords: Public service interpreting, French Cour Nationale du Droit d’Asile (CNDA), asylum adjudication, sociolinguistics, administrative context, France

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