Title: **The Politics of Inclusion and Exclusion of Third-Country Nationals in the EU - legal, social, and political challenges (the workshop is full!)**

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The Politics of Inclusion and Exclusion of Third-Country Nationals in the EU - legal, social, and political challenges

It is hard to think of any issue today that is as sensitive and burdened with emotion than immigration. No day passes without a new 'story' in the news reminding the public of the dramatic occurrences in the Mediterranean Sea, no day without statements from officials and politicians on how to solve the 'immigration crises' Europe is suffering through at the moment. Equally, immigration, or the presence of immigrants from other countries, in receiving societies is increasingly discussed and seen as a threat to social coherence, welfare, and security. Often, people fall into extremes and plead for utopian reactions to what they see as 'mass-immigration' into their habitat, such as to completely ban immigration from certain parts of the world. This is the overall framework within which, laws and regulation seeking to govern immigration are adopted, implemented, and applied.

An easy way to make discussions about immigration even tenser is to link them to the European Union and its rules and regulations. Immediately, immigration and the regulation of it then turns into an issue closely linked to national sovereignty. The decision who is allowed to cross the national border and to stay in a country is often perceived as the expression of national sovereignty.

Currently, EU rules and regulations, not only govern the free movement of persons on the EU's internal market, the status of EU Citizens, but also entry and residence of the majority of non-EU citizens, also known as third-country nationals. There are extensive EU rules on asylum and the treatment of asylum seekers. The EUs common outer borders are governed by EU law and so is the 'fight against illegal immigration' at that very border. All these measures or the EU drastically limit the room for Member States to install their own policies governing migration and asylum. In a time when some national governments want to make immigration regulation stricter, EU regulation functions as a minimum norm and limits the Member States. This leads to tensions not only between the EU and the national level, but also between third-country nationals and national authorities in situations when the latter do not apply EU norms and regulations correctly resulting in the denial of EU rights to individuals.

The application of this legislation by the EU and/or Member States inevitably will amount to more inclusion or exclusion of third-country nationals vis-à-vis the receiving societies depending on how one will interpret, implement, and apply said regulation. Key references are the latest deliberations of the EU institutions under the European Agenda on Migration and the recent Valletta Summit on Migration.

The Session will chart the mechanisms of this inclusion and exclusion from various perspectives and for a variety of groups of non-EU citizens, also building upon the research underpinning the edited collection Morano-Foadi/Malena, *Integration for Third-Country Nationals in the European Union. The Equality Challenge*, 2012 (http://www.e-elgar.com/shop/integration-for-third-country-nationals-in-the-european-union?___website=uk_warehouse).