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‘Safe Country of origin’ concept: Illustration of amalgamation between asylum and immigration?

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Abstract

‘Safe country of origin’ is a concept used and applied in asylum law, whether at national or European Union level. It has been recently put to the front of the stage with a call of the United Nation High Commissioner to remove Ukraine from the national lists of safe countries of origin, due to the demonstrations and events that took place there the last months.

Close from others concepts also applied in asylum law, such as ‘safe third country’ or ‘first country of asylum’, it is however considered as the most controversial of them. The ‘politicisation’ of the qualification and the low safeguards for asylum seekers from ‘safe’ countries are the main critics addressed to that notion.

This thesis focuses on this concept. It aims at discussing how this concept is applied in practise, choosing to analyze in detail a national application. For different reasons explained later in the document, the country chosen is France. And yet, in the context of the progressive establishment of a Common European asylum System, the comprehension of this concept at the European Union Level must also be discussed. The main idea is to test the hypothesis according to which the concept would be used as a way of management of migration flows.

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