## Contents

Abbreviations  

Introduction  

**PART 1**  

**Criminalising Movement**  

1. New Experiences in Investigating and Prosecuting Migrant Smuggling: From the Italian Approach to the European Dimension  
   *Simona Ragazzi*  

2. Criminalising Solidarity? Smugglers, Migrants and Rescuers in the Reform of the ‘Facilitators’ Package’  
   *Chiara Maria Ricci*  

   *Kinga Janik*  

**PART 2**  

**(Non-)Access to Protection**  

4. Balancing the SAR Responsibilities of States and Shipmasters  
   *Richard L Kilpatrick, Jr and Adam Smith*  

5. Crossing the Mediterranean Sea: EU Migration Policies and Human Rights  
   *Evelien Wauters and Samuel Cogolati*  

6. Legal Narratives of the EU External Action in the Field of Migration and Asylum: From the EU-Turkey Statement to the Migration Partnership Framework and Beyond  
   *Daniela Vitiello*
PART 3
A Union of Solidarity?

7 The European Border and Coast Guard in Need of Solidarity: Reflections on the Scope and Limits of Article 80 169
Herbert Rosenfeldt

8 The Dublin Saga and the Need to Rethink the Criteria for the Allocation of Competence in Asylum Procedures 196
Marcello Di Filippo

9 Uniformity, Responsibility and Solidarity in the Common European Asylum System (CEAS): A ‘Constitutional’ Solution 236
Francesco Cherubini

PART 4
The Politics and Policies of Coercion

10 The EU Refugee Crisis and the ‘Third-Phase’ Asylum Legislation – The End of the Harmonization Approach or Its Revival? 255
Giulia Vicini

11 EU and US Border Policy: Externalisation of Migration Control and Violation of the Right to Asylum 282
Sabrineh Ardalan

12 ‘Recasting’ Detention of Asylum Seekers: Human Rights Law, EU Law and Its Application in Bulgaria 319
Vladislava Stoyanova

Index 339