

Course Outline

COURSE: LAWS 4607A – Immigration and Refugee Law

TERM: Winter 2012

PREREQUISITES: LAWS 2005 [1.0] (no longer offered) or LAWS 2502

CLASS: Day & Time: Wednesdays, 11:35 – 14:25
Room: Please check with Carleton Central for current room location

INSTRUCTOR: Anette Sikka
(Contract)

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Office : B442 Loeb – Contract Instructors' Office
Office Hrs: By appointment only

"Students with disabilities requiring academic accommodations in this course must contact a coordinator at the Paul Menton Centre for Students with Disabilities to complete the necessary Letters of Accommodation. After registering with the PMC, make an appointment to meet and discuss your needs with me in order to make the necessary arrangements as early in the term as possible, but no later than two weeks before the first assignment is due or the first test requiring accommodations. For further information, please see: http://www.carleton.ca/pmc/students/accom_policy.html . If you require accommodation for your formally scheduled exam(s) in this course, please submit your request for accommodation to PMC by **March 7, 2012 for Winter Exams**. For Religious and Pregnancy accommodations, please contact Equity Services, x. 5622 or their website: www.carleton.ca/equity

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COURSE OBJECTIVE

Students will examine the legal rules, processes, and policies that govern the eligibility of citizens, permanent residents and foreign nationals to enter, remain in, work in and study in Canada. They will examine the domestic and international context in which these processes have developed and the political and social consequences of the Canadian structure. Students will also examine the international and domestic laws that define Canada's refugee protection system.

COURSE DESCRIPTION

The class will be based on lectures, discussions and in-class activities. A variety of learning tools will be employed including viewing of videos, invited speakers, and case-based learning. Each student is expected to do the background readings for each class and to be prepared to engage in discussion and analysis of the relevant issues.

METHOD OF EVALUATION

20% - Participation (Including “in-class” exercises and “take home” class assignments)

30% - Mid-term examination

50% - Final take-home examination

Assignments completed in class or assigned for the following class will be considered part of the students' Participation mark. The **mid term take home examination** will be posted on WebCT **February 15th** and will be **due before 5pm February 19th**, covering the topics discussed until that point. The final **take home examination** will be distributed at the **end of class April 5th** and will be **due electronically on April 10th at 4pm**.

Note: Late assignments will be marked down **one half-letter grade for each day submitted after the due date**. Computer failure and heavy workload will not be acceptable excuses for late assignments.

COURSE MATERIALS AND TEXT

Students require **Waldman, L., *Canadian Immigration and Refugee Law Practice*** (LexisNexis 2012 Edition) which will be available at Octopus Books. In addition, materials and assignments will be posted on the class WebCT. Students will also be required to access the following online resources:

Legislation

Immigration and Refugee Protection Act [IRPA] and the Immigration and Refugee Protection Regulations [the IRPA Regulations]. Available at: <http://laws.justice.gc.ca/en/I-2.5/index.html>

Court Decisions

Federal Court Decisions (1990-present): http://www.fct-cf.gc.ca/index_e.html

Supreme Court Decisions (1985-present): <http://www.lexum.umontreal.ca/csc-scc/en/index.html>

Government Sources

Immigration and Refugee Board: http://www.irb-cisr.gc.ca/en/INDEX_E.htm

Citizenship and Immigration Canada: <http://www.cic.gc.ca/english/index.asp>

CIC Operational Manuals: <http://www.cic.gc.ca/english/resources/manuals/index.asp>

CBSA: www.cbsa-asfc.gc.ca

Human Rights Sources

Canadian Council for Refugees: <http://www.ccrweb.ca/eng/engfront/frontpage.htm>

Amnesty International Human Rights Library: <http://www.amnesty.org/ailib/>

Human Rights Watch: <http://www.hrw.org/>

United Nations High Commissioner for Refugees <http://www.unhcr.org/pages/49c3646c4b2.html>

United States Department of State Reports (DOS): <http://www.state.gov/index.cfm>

CLASS SCHEDULE (Subject to Modification)

<u>January 4th:</u>	Introduction Overview of Immigration System, Legislation, Decisions and decision makers
<u>January 11th:</u>	historical context of immigration, <i>guest speaker Chantal Tie</i> <i>Student Profile Due</i>
<u>January 18th:</u>	Temporary Admissions: Visitors, Students, and Temporary Foreign Workers
<u>January 25th:</u>	Temporary Residence Permits, Trafficking in Persons, Smuggling of Migrants
<u>February 1st:</u>	Introduction to Permanent Admissions: Family Class Sponsorship
<u>February 8th</u>	Permanent Admissions: Family Class Sponsorships continued., Inadmissibility and Removal <i>Take home Assignment due</i>
<u>February 15th:</u>	Inadmissibility and Removal continued Skilled Professionals, Economic Classes.
MID-TERM TAKE HOME EXAMINATION POSTED 5PM FEBRUARY 15th, DUE ELECTRONICALLY BEFORE 5pm February 17th	
<u>February 22nd:</u>	Winter Break – No Classes
<u>February 29th:</u>	Appeals, Judicial Review, Staying in Canada on Humanitarian and Compassionate Grounds
<u>March 7th:</u>	Refugees – Introduction Definitions
<u>March 14th:</u>	Inland Determination Process, Enumerated grounds, social group
<u>March 21st:</u>	State protection, flight alternatives
<u>March 28th:</u>	Persons in need of protection, pre removal risk Assessments, exclusions
<u>April 4th:</u>	Review class

**FINAL TAKE HOME EXAMINATION DISTRIBUTED END OF CLASS APRIL 4TH,
DUE ELECTRONICALLY APRIL 9TH 4PM.**