Course Outline

COURSE: LAWS 4605A Topics in International Law: International Refugee Law

PREREQUISITES: LAWS 2908, LAWS 2601 and Fourth-Year Honours standing

TERM: Winter 2019

CLASS: Day & Time: Mondays 11:30am - 2:30pm
Room: Please check with Carleton Central for current room location

INSTRUCTOR: Zeina Bou-Zeid, PhD

CONTACT: Office: D598 Loeb Building
Office Hrs: Wednesdays 12:00pm - 1:00pm
Fridays 10:00am to 11:00am or by Appointment
Email: zeina.bouzeid@carleton.ca
Phone: (613) 520-2600 ext: 2591

CALENDAR COURSE DESCRIPTION

Topics vary from year to year and are announced in advance. May include transnational environmental issues; the international law of armed conflict, peacekeeping and neutrality; the law of international treaties and transnational agreements; state responsibility under international law.

COURSE OBJECTIVE AND CONTENT

It has now been 65 years since the creation of the Refugee Convention, however, in 2016 the Office of the United National High Commissioner for Refugees calculated that there an unprecedented 65.6 million forcibly displaced persons, 22.5 million of which are refugees. The staggering amount of displaced persons has left many wondering if the international law of refugee protection contained in universal and regional treaties, rules of customary international law, national laws, state practices and international organizations (the UNHCR), can address or decrease modern day refugee movements.

The primary purpose of this course is to explore the international law of refugee protection, its failures and challenges. We will examine the causes of forcible displacement, the impact on refugees (displacement, confinement, and exclusion) and the response of the international community and national states.

LEARNING OBJECTIVES

- Explore the definitions of refugees, asylum seekers, forced migrants and non-refoulement.
- Explore the role of the UNHCR in international politics.
- Examine and understand the underlying causes of refugees and forced migration.
- Examine and understand the role of the international community in responding to refugees and forced migrants.
- Explore the various responses to refugees, including detention, resettlement, and the fortification of borders.
- Examine the various responses of refugee-hosting states.
REQUIRED READINGS

Course readings will be placed on RSV in the library and can be accessed through CULearn (View Course in Ares).

COURSE EVALUATION
(All components must be completed in order to get a passing grade)

<table>
<thead>
<tr>
<th>Assignment</th>
<th>Due Date</th>
<th>Value</th>
</tr>
</thead>
<tbody>
<tr>
<td>Attendance &amp; Participation</td>
<td>ongoing</td>
<td>10%</td>
</tr>
<tr>
<td>Class Discussant</td>
<td>Dates TBD (sign up with Professor)</td>
<td>10%</td>
</tr>
<tr>
<td>Critical Commentary 1</td>
<td>February 8 (CULearn 9:00pm)</td>
<td>15%</td>
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<tr>
<td>Critical Commentary 2</td>
<td>March 22 (CULearn 9:00pm)</td>
<td>15%</td>
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<tr>
<td>Essay Proposal and Outline</td>
<td>March 1 (CULearn 9:00pm)</td>
<td>10%</td>
</tr>
<tr>
<td>Final Essay</td>
<td>April 9 (CULearn 9:00pm)</td>
<td>40%</td>
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Class Participation & Attendance: This class is structured around discussions and class participation. The success of this course depends on informed and lively student leadership and participation. Regular attendance in class is necessary, but not sufficient, to constitute class participation. You are absolutely expected to do the readings carefully before class and come prepared to discuss them. You will be expected to bring questions and contributions to each class. Your analysis of the readings should reflect a critical analysis of the materials and address problems you detect in the readings. The professor will be monitoring the level of class participation by each student throughout the course.

Class Discussant: Each week 3-4 students will be required to prepare to lead the class in a discussion of the theme of that day. Being responsible for the discussion involves becoming familiar with the readings in detail and with the current debates surrounding the topic in question. Students should not summarize the readings, but instead provide analysis, context and/or critique and inspire further class discussion. A sign-up sheet will be available from the Professor during the first few classes.

Critical Commentary 1 & 2: Students are being asked to submit 2 Critical Commentary papers based on the readings for a particular class. Your analysis should go beyond mere summaries. Your commentaries should include the key arguments or issues that you have identified in the class readings and your opinion. Each Commentary should be between 4-6 pages (double-spaced).

Critical Commentary #1: Due: February 8 on cuLearn by 9:00pm
This paper will be based on the readings from one of the following classes: Class 2-5.

Critical Commentary #2: Due: March 22 on cuLearn by 9:00pm
This paper will be based on the readings from one of the following classes: Class 8-10.
Essay Proposal and Outline: Students are asked to submit a brief paper proposal (approximately 5 pages). The proposal should provide a summary of the topic, your tentative thesis, central arguments and an annotated bibliography.

Final Essay: Students must submit an original term paper of 15-17 pages. You may choose a paper topic from the course readings or make a choice based on an area of your particular interest. Suggested paper topics and additional instructions will be provided in class.

All Assignments must be completed in order to pass the course.

Standing in a course is determined by the course instructor subject to the approval of the Department and of the Faculty Dean. This means that grades submitted by the instructor may be subject to revision. No grades are final until they have been approved by the Department and the Dean.

Late Penalties: Late assignments will be penalized by 5% per day (including weekends). If an Assignment is handed in more than seven days late, it will be accepted towards course completion but will receive zero marks.

Extensions for Assignments: Students can request an extension on Assignments for serious illness or family and personal emergencies. They will be required to provide official supporting documentation. Students requesting an extension MUST contact the Course Instructor prior to the assignment deadline.

Extensions will not be granted for computer problems of any kind. I urge you to back up your work as you go along: email a draft to yourself whenever you finish a segment of work on it or copy it to a USB thumb-drive or an external hard drive. A cold or the flu is not a sufficient reason for an extension. Competing workloads in other courses is not a sufficient reason for an extension. Work schedule or family schedule conflicts are not sufficient reasons for an extension.

Citations & Writing Quality: Students must provide meticulously correct citations compliant with the Canadian Guide to Uniform Legal Citation, 8th edition (the McGill Guide) in Assignments. Marks will be deducted in each assignment if citation is not fully correct. Marks will also be allocated for effective writing.
# CLASS SCHEDULE & READINGS

## Week 1. January 7

**Introduction: Defining Refugees and Forced Migration**

- Introductions and Syllabus
- What is a Refugee?; What is Forced Migration?
- What is the UN 1951 Convention on the Status of Refugees?

**Required Readings**


## Week 2. January 14

**History and Evolution of the Global Refugee Rights Regime**

- History of Forced Migration
- State Controls and Borders

**Required Readings**


## Week 3. January 21

**International Law of Refugee Protection**

- Content of refugee protection under the 1951 Convention and the 1967 Protocol
- Criteria for granting protection: alienage, well-founded fear, persecution, grounds of persecution and exclusion from the Convention
- International Human Rights and Forced Migration

**Required Readings**

### Week 4: January 28

**Securitization of Forced Migration**

- Constructing refugees as a security threat
- Militarizing Borders and Containing “Threats”
- Interdiction, Safe Third Country, Country of First Asylum

**Required Readings**


### Week 5: February 4

**Humanitarian Intervention: Government Responses & NGO’s**

- Response of UNHCR
- Other organizations
- Humanitarian Alliances

**Required Readings**


**Critical Commentary Due February 8 on CULearn at 9:00pm**

### Week 6: February 11

**Guest Speaker**

- Nadia Williamson: UNHCR Canada

**Winter Break: February 18 - 22
No Class or Office Hours**

### Week 7: February 25

**Protracted Refugee Situations and Spaces of Protection**

- Protracted refugee situations
- Refugee camps and settlements

**Required Readings**

- Film: Human Flow (watched in class)

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<tr>
<th>Essay Proposal and Outline Due March 1 on CULearn by 9:00pm</th>
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### Week 8: March 4

**Durable Solutions**

- Local integration
- Resettlement
- Repatriation

**Required Readings**


### Week 9: March 11

**Forced Migration in Europe**

**Required Readings**

### Week 10: March 18  Ongoing Challenges: Climate Change and Human Trafficking

**Required Readings**


**Critical Commentary Due March 22 on CULearn at 9:00pm**

### Week 11: March 25  Ongoing Challenges: Gender and Disability

**Required Readings**


### Week 12: April 1  Course Overview

- Course Review
- Final Essay Questions

**Final Paper Due: April 9, 2019 on CULearn by 9:00pm**

### Academic Accommodations:

You may need special arrangements to meet your academic obligations during the term. For an accommodation request the processes are as follows:

**Pregnancy obligation:** Please contact me with any requests for academic accommodation during the first two weeks of class, or as soon as possible after the need for accommodation is known to exist. For more details, visit the Equity Services website: [carleton.ca/equity/wp-content/uploads/Student-Guide-to-Academic-Accommodation.pdf](http://carleton.ca/equity/wp-content/uploads/Student-Guide-to-Academic-Accommodation.pdf)

**Religious obligation:** write to me with any requests for academic accommodation during the first two weeks of class, or as soon as possible after the need for accommodation is known to exist. For more details, visit the Equity Services website: [carleton.ca/equity/wp-content/uploads/Student-Guide-to-](http://carleton.ca/equity/wp-content/uploads/Student-Guide-to-
Academic Accommodations for Students with Disabilities: If you have a documented disability requiring academic accommodations in this course, please contact The Paul Menton Centre (PMC) at 613-520-6608 or pmc@carleton.ca for a formal evaluation. If you are already registered with the PMC, contact your PMC coordinator to send me your Letter of Accommodation at the beginning of the term, and no later than two weeks before the first in-class scheduled test or exam requiring accommodation (if applicable). After requesting accommodation from PMC, meet with me as soon as possible to ensure accommodation arrangements are made. Please consult the PMC Website for their deadline to request accommodations for the formally-scheduled exam (if applicable) www.carleton.ca/pmc

Plagiarism:
Plagiarism is presenting, whether intentional or not, the ideas, expression of ideas or work of others as one's own. Plagiarism includes reproducing or paraphrasing portions of someone else's published or unpublished material, regardless of the source, and presenting these as one's own without proper citation or reference to the original source. Examples of sources from which the ideas, expressions of ideas or works of others may be drawn from include but are not limited to: books, articles, papers, literary compositions and phrases, performance compositions, chemical compounds, art works, laboratory reports, research results, calculations and the results of calculations, diagrams, constructions, computer reports, computer code/software, and material on the Internet. Plagiarism is a serious offence.

More information on the University’s Academic Integrity Policy can be found at: https://carleton.ca/registrar/academic-integrity/

Survivors of Sexual Violence

As a community, Carleton University is committed to maintaining a positive learning, working and living environment where sexual violence will not be tolerated, and survivors are supported through academic accommodations as per Carleton's Sexual Violence Policy. For more information about the services available at the university and to obtain information about sexual violence and/or support, visit: carleton.ca/sexual-violence-support

Accommodation for Student Activities

Carleton University recognizes the substantial benefits, both to the individual student and for the university, that result from a student participating in activities beyond the classroom experience. Reasonable accommodation must be provided to students who compete or perform at the national or international level. Please contact your instructor with any requests for academic accommodation during the first two weeks of class, or as soon as possible after the need for accommodation is known to exist. https://carleton.c/ senate/wp-content/uploads/Accommodation-for-Student-Activities-1.pdf

For more information on academic accommodation, please contact the departmental administrator or visit: students.carleton.ca/course-outline
Department Policy

The Department of Law and Legal Studies operates in association with certain policies and procedures. Please review these documents to ensure that your practices meet our Department’s expectations.

http://carleton.ca/law/current-students/