

LAWS70366 International Refugee Law

Credit Points:	12.5
Level:	7 (Graduate/Postgraduate)
Dates & Locations:	2015, Parkville This subject commences in the following study period/s: July, Parkville - Taught on campus.
Time Commitment:	Contact Hours: The total class time is between 24 and 26 hours. Total Time Commitment: The pre-teaching period commences four weeks before the subject commencement date. From this time, students are expected to access and review the Reading Guide that will be available from the LMS subject page and the subject materials provided by the subject coordinator, which will be available from Melbourne Law School. Refer to the Reading Guide for confirmation of which resources need to be read and what other preparation is required before the teaching period commences.
Prerequisites:	None
Corequisites:	None
Recommended Background Knowledge:	Applicants without legal qualifications should note that subjects are offered in the discipline of law at an advanced graduate level. While every effort will be made to meet the needs of students trained in other fields, concessions will not be made in the general level of instruction or assessment. Most subjects assume the knowledge usually acquired in a degree in law (LLB, JD or equivalent). Applicants should note that admission to some subjects in the Melbourne Law Masters will be dependent upon the individual applicant's educational background and professional experience.
Non Allowed Subjects:	None
Core Participation Requirements:	The Melbourne Law Masters welcomes applications from students with disabilities. The inherent academic requirements for study in the Melbourne Law Masters are: The ability to attend a minimum of 75% of classes and actively engage in the analysis and critique of complex materials and debate; The ability to read, analyse and comprehend complex written legal materials and complex interdisciplinary materials; The ability to clearly and independently communicate in writing a knowledge and application of legal principles and interdisciplinary materials and to critically evaluate these; The ability to clearly and independently communicate orally a knowledge and application of legal principles and interdisciplinary materials and critically evaluate these; The ability to work independently and as a part of a group; The ability to present orally and in writing legal analysis to a professional standard. Students who feel their disability will inhibit them from meeting these inherent academic requirements are encouraged to contact the Disability Liaison Unit: www.services.unimelb.edu.au/disability/
Coordinator:	Prof Michelle Foster
Contact:	For more information: Email: law-masters@unimelb.edu.au (mailto:law-masters@unimelb.edu.au) Phone: +61 3 8344 6190 Website: www.law.unimelb.edu.au/masters (http://www.law.unimelb.edu.au/masters)
Subject Overview:	This subject provides an introduction to the international legal regime for the protection of refugees. The essential premise of the subject is that refugee law should be understood as a mode of human rights protection, the viability of which requires striking a balance between the needs of the victims of human rights abuse and the legitimate aspirations of the countries to which they flee. The primary objective of the subject is to enable students to develop a comprehensive understanding of the international legal definition of a refugee – the basis for being granted protection in 147 countries, including Australia. Principal topics include: # Principles of treaty interpretation applied to refugee law # Alienage

	<ul style="list-style-type: none"> # Genuine risk # Serious harm # Failure of state protection # Nexus to civil or political status # Needs and deserves protection.
Learning Outcomes:	<p>A student who has successfully completed this subject will:</p> <ul style="list-style-type: none"> # Have an advanced and integrated understanding of the international development of refugee law and knowledge of the different international instruments governing refugee law at the international level # Have an advanced understanding of the key questions involved in the definition of a refugee, and the different approaches taken to these issues in the comparative jurisprudence # Be able to critically examine, analyse, interpret and assess the effectiveness of the international legal regime for refugee protection # Be an engaged participant in debate regarding the way in which international refugee law interacts with the Australian domestic legal system # Have a sophisticated appreciation of how comparative material may be used in refugee cases in Australia # Have the cognitive and technical skills to generate critical and creative ideas relating to the future of the international refugee regime # Have the cognitive and technical skills to independently examine, research and analyse existing and emerging legal issues relating to international refugee law # Have the communication skills to clearly articulate and convey complex information regarding international refugee law to relevant specialist and non-specialist audiences # Be able demonstrate autonomy, expert judgment and responsibility as a practitioner and learner in the field of international refugee law.
Assessment:	Take-home examination (100%) (11-14 September) or 10,000 word research paper (100%) (28 October) on a topic approved by the subject coordinator A minimum of 75% attendance is a hurdle requirement.
Prescribed Texts:	Specialist printed material will be made available from Melbourne Law School. James C Hathaway and Michelle Foster, <i>The Law of Refugee Status</i> , Second edition (Cambridge University Press, 2014).
Breadth Options:	This subject is not available as a breadth subject.
Fees Information:	Subject EFTSL, Level, Discipline & Census Date, http://enrolment.unimelb.edu.au/fees
Links to further information:	www.law.unimelb.edu.au/subject/LAWS70366/2015
Notes:	This subject has a quota of 30 students. Please refer to the website www.law.unimelb.edu.au/masters/courses-and-subjects/subjects/subject-timing-and-format (http://www.law.unimelb.edu.au/masters/courses-and-subjects/subjects/subject-timing-and-format) for further information about the management of subject quotas and waitlists.
Related Course(s):	Master of Public Administration Master of Public Administration (Enhanced)