

YORK UNIVERSITY
FACULTY OF LIBERAL ARTS AND PROFESSIONAL STUDIES
SCHOOL OF PUBLIC POLICY AND ADMINISTRATION

**Course: AP/PPAS 4111 3.0 and GS/PPAL 6030 3.0, International
Refugee Protection Regime I: Critical Problems
(A Global Networked Learning (GNL) Course)**

Term: Fall 2022

Course Instructor: Professor James C. Simeon
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Consultation hours: Please make a Zoom appointment by email.

Time: Mondays, 14:30 - 16:30 (*via Zoom*)

Location: This is an online course that will be delivered synchronously *via Zoom* and asynchronous on eClass. You will be able to access Zoom through our eClass course website.

Land Acknowledgement

York University recognizes that many Indigenous Nations have longstanding relationships with the territories upon which York University campuses are located that precede the establishment of York University. York University acknowledges its presence on the traditional territory of many Indigenous Nations. The area known as Tkaronto has been care taken by the Anishinabek Nation, the Haudenosaunee Confederacy, and the Huron-Wendat. It is now home to many First Nation, Inuit, and Métis communities. We acknowledge the current treaty holders, the Mississaugas of the Credit First Nation. This territory is subject of the Dish with One Spoon Wampum Belt Covenant, an agreement to peaceably share and care for the Great Lakes region ([LA&PS Land Acknowledgement](#)).

Course Description

One of the major concerns in the world today is the plight of millions of people who have been forcibly displaced from their homes and who are seeking asylum abroad. The so-called “refugee crises” in the world today are characterized by an ever escalating number of persons who are being forcibly displaced from their homes due to non-international armed conflict and/or state oppression or inadequate state protection and who are seeking, consequently, refugee protection in other countries. As a Globally Networked Learning (GNL) course it is partnered with two other universities: Northwestern University, Evanston, Illinois, USA; and Tecnologico de Monterrey, Mexico City, Mexico. There will

be two common sessions, international work team interactions, and a common assignment across all three universities.

This course explores, through readings, lectures, group discussions, student presentations, and individual and group work assignments, along with the GNL common sessions, how the norms, institutions, processes and decision-making procedures that comprise the current state of the world's international refugee protection regime defends and upholds the rights of refugees around the world. Through a multi-disciplinary approach that utilizes historical, legal, sociological, political science, and public policy and administration conceptual, methodological, analytical, and theoretical academic and practical perspectives it seeks to illuminate the underlying forces and dynamics at the core of the critical issues and problems confronting the present international refugee protection regime for those who have been forcibly displaced and are seeking asylum and/or Convention refugee status from severe breaches to their human rights that amount to persecution.

Goals of the course: The course is designed to stimulate understanding and a critical assessment and thinking on the key issues and concerns confronting the international refugee protection regime today, from national, comparative, and international perspectives, as a foundation for assessing, evaluating, and devising possible solutions to address the essential issues, problems and concerns that effect the international refugee protection regime today. By the end of the course, students will be able to understand the potential as well as the limitations of the international refugee protection regime – as both a normative, as well as a practical, operating system – for the legal protection and the advancement of refugees' and other forced migrants' fundamental human rights and human dignity.

Learning Outcomes: By the end of the course, students should be able to:

- Define who is a refugee under international law, whether Mandate or Statutory and/or Convention or Territorial refugee.
- Critically assess the role of key international agencies or intergovernmental organizations (UNHCR, IOM, ICRC, ICVA and others) in the international refugee protection regime.
- Make a detailed presentation, using appropriate disciplinary insights, on a number of critical issues and concerns confronting the international refugee protection regime based on the assigned weekly readings and, accordingly, being able to communicate information, arguments, and analyses accurately and reliably, orally and in writing to an academic as well as a broad range of non-academic audiences.
- Describe and analyze the Refugee Status Determination (RSD) process, in general, and, in detail, for both the UNHCR and a particular state such as Canada, or any number of other possible states: United States, Mexico, Ecuador, Brazil, United Kingdom, France, Germany, Austria, The Netherlands, Norway, Sweden, Denmark, Switzerland, Poland, South Africa, Australia, New Zealand, and so on.
- Contribute to individual and group learning on the subject matter of the course by providing constructive observations, commentary, and reflections on their own and their colleagues' work in the course.

- Through an incremental and staged process of construction, formulate a clear research question and present a thorough analysis, with a coherent set of concise findings, in a research paper on a specific issue and/or problem confronting the international refugee protection regime today.
- Through a weekly dialogue and exchange demonstrate progressively developed skills in listening and engaging in constructive and mutually respectful discussion, debate and cogent argumentation on the weekly assigned readings.
- Acquire and develop cross-cultural skill sets and sensitivity through working with students in a number of other countries.
- Prepare to gain valuable research experience working on an ongoing continuous open ended research project that is helping to prepare a web based online research and teaching tool that is publicly accessible to anyone who has access to the Internet.

Course Texts

Alexander Betts and Paul Collier, *Refuge: Rethinking Refugee Policy in a Changing World*. Oxford: Oxford University Press, 2017.

Convention relating to the Status of Refugees, 28 July 1951, 189 U.N.T.S. 150.

Protocol relating to the Status of Refugees, 4 October 1967, 606 U.N.T.S. 267.

<http://www.unhcr.org/1951-refugee-convention.html>.

Office of the United Nations High Commissioner for Refugees, *Handbook on Procedures and Criteria for Determining Refugee Status and Guidelines on International Protection*, Reissued, Geneva, February 2019.

<https://www.unhcr.org/uk/publications/legal/5ddfcdc47/handbook-procedures-criteria-determining-refugee-status-under-1951-convention.html>

Procedural Standards for Refugee Status Determination Under the UNHCR's Mandate, 2011. <http://www.refworld.org/docid/42d66dd84.html>

Course Reading Materials as Assigned on a Weekly Basis and from time-to-time will also be posted on the eClass course website.

Suggested:

Ninette Kelley, *People Forced to Flee: History, Change and Challenge*. UNHCR, Oxford: Oxford University Press, 2022.

James C. Hathaway and Michelle Foster, *The Law of Refugee Status*. Second Edition, Cambridge: Cambridge University Press, 2014.

Tom Clark, *The Global Refugee Regime: Charity, Management and Human Rights*. 2nd Edition, Victoria, B.C.: Trafford Publishing, 2008.

Guy S. Goodwin-Gill and Jane McAdam with Emma Dunlop, *The Refugee in International Law*. Fourth Edition, Oxford: Oxford University Press, 2021.

James C. Hathaway, *The Rights of Refugees in International Law*. Cambridge: Cambridge University Press, 2005.

Evaluation

Research Proposal with an Annotated Bibliography	15% (Due October 3)
Experiential Education Research Assignment	10% (Due October 31)
GNL Assignment (2 Weekly Sessions)	20% (Various)
Two Seminar Presentations	10% (Various)
Seminar Participation (<i>via Zoom</i>)	10% (Ongoing)
Research Report/Paper	35% (Due December 5)

Grades

Course grades are awarded in accordance with York University's Senate policies for grading and grading schemes one for undergraduate students and another for graduate students.

For the undergraduate grading scheme see the following weblink,
<http://calendars.registrar.yorku.ca/2012-2013/academic/grades/>.

The Faculty of Graduate Studies uses the following system:

LETTER GRADE	GRADE DESCRIPTION	PERCENTAGE MARK
A+	Exceptional	90 – 100
A	Excellent	85 – 89
A-	High	80 – 84
B+	Highly Satisfactory	75 – 79
B	Satisfactory	70 – 74
C	Conditional	60 – 69
F	Failure	Below 60
I	Incomplete	
W	Withdrawn	

Assignment Submission: *Proper academic performance depends on students doing their work not only well, but on time.* Accordingly, assignments for this course must be received

on the due date specified for the assignment. Assignments are to be submitted online to the instructor. Please ensure that your assignment is received by the instructor.

Lateness Penalty: Assignments received later than the due date will be penalized **two grade point per day** that the assignment is late. Exceptions to the lateness penalty for valid reasons such as illness, compassionate grounds, etc., may be entertained by the Course Instructor but will require supporting documentation (e.g., a doctor's letter).

Academic Integrity

Cheating and plagiarism are extremely serious academic offenses that will result in severe sanctions. See SPARK: Student Papers and Academic Research Kit at <https://spark.library.yorku.ca/academic-integrity-what-is-academic-integrity/>.

All students are urged to visit the York University's Senate Policy on Academic Integrity that is found at <http://secretariat-policies.info.yorku.ca/policies/academic-honesty-senate-policy-on/>.

Research Ethics Review Process

York students are subject to the York University's Senate Policy on *Research Involving Human Participants*. See <https://secretariat-policies.info.yorku.ca/policies/ethics-review-process-for-research-involving-human-participants-policy/>.

In particular, students proposing to undertake research involving human participants (e.g., interviewing the director of a non-profit organization, public servants, staff at a government board, agency or commission, public office holders, having students complete a questionnaire, conducting a focus group, etc.) are required to submit an "Application for Ethical Approval of Research Involving Human Participants" **at least one month before** they plan to begin their research. *If you are in doubt as to whether this requirement applies to you, please contact me as soon as possible.* See <https://www.yorku.ca/research/human-participants/>.

Religious Observance Accommodation

York University is committed to respecting the religious beliefs and practices of all members of the community, and making accommodations for observances of special significance to adherents. Should any of the dates specified in this syllabus for an in-class presentation or the due date for an assignment pose such a conflict for you, **please let me know within the first three weeks of class.**

For your information, please note that to arrange an alternative date or time for an examination scheduled in the formal examination periods (April/May), students must

complete a Religious Accommodation Agreement, which is available online at the Religious Observance page at <https://w2prod.sis.yorku.ca/Apps/WebObjects/cdm.woa/wa/regobs>.

Student Accessibility Services

York University's Senate has adopted a Policy Regarding Academic Accommodation for Students with Disabilities which provides that the University "shall make reasonable and appropriate accommodations and adaptations in order to promote the ability of students with disabilities to fulfill the academic requirements of their programs." There are a number of different resources available to assist students with disabilities at York University. For further information you may wish to contact the Student Accessibility Services at <https://accessibility.students.yorku.ca/>.

Students who feel that there are extenuating circumstances which may interfere with the successful completion of any course requirements are encouraged to discuss the matter with me as soon as possible to make appropriate arrangements.

Students with physical, learning or mental disabilities who require accommodation in teaching style or evaluation methods should discuss this with me early in the term so that appropriate arrangements can be made.

Student Conduct

Students are expected to maintain the highest standards of moral and ethical conduct and proper decorum at all times while enrolled at York University. Students and instructors are expected to maintain a professional relationship characterized by courtesy and mutual respect and to refrain from actions disruptive to such a relationship. Moreover, it is the responsibility of the instructor to maintain an appropriate academic atmosphere in the classroom, and the responsibility of the student to cooperate in that endeavor. Further, the instructor is the best person to decide, in the first instance, whether such an atmosphere is present in the class. A statement of the policy and procedures involving disruptive and/or harassing behavior by students in academic situations is available on the York University website at <https://secretariat-policies.info.yorku.ca/policies/disruptive-andor-harassing-behaviour-in-academic-situations-senate-policy/>.

Students should also be mindful of the York University "Code of Student Rights and Responsibilities (CSRR)" that is also available on the York University website, <http://oscr.students.yorku.ca/student-conduct>.

Weekly Schedule and Required Readings

PART I

Course Introduction and the Fundamentals

Week 1 - September 12 - *Welcome, General Introduction, Overview and Scheduling Presentations and First GNL Session*

Efithia Voutira and Giorgia Dona, “Editorial Introduction - Refugee Research Methodologies: Consolidation and Transformation of a Field,” *Journal of Refugee Studies*, (2007) Vol. 20, No. 2, pp. 163-171.

https://www.researchgate.net/publication/249248801_Refugee_Research_Methodologies_Consolidation_and_Transformation_of_a_Field.

A. Demuth, ‘Some Conceptual Thoughts on Migration Research’ in B. Agozino (ed.), *Theoretical and Methodological Issues in Migration Research* (Aldershot: Ashgate Publishing, 2000), 21–58.

https://www.academia.edu/42144564/Andreas_Demuth_Some_Conceptual_Thoughts_on_Migration_in_Agozino_Biko_Theoretical_and_methodological_issues_in_migration_research_Aldershot_Ashgate_2000_pp_21_58.

A. Pécoud, P. de Guchteneire, ‘Migration without Borders: An Investigation into the Free Movement of People’, *Global Migration Perspectives*, No. 27, (Geneva: Global Commission on International Migration, 2005).

<http://www.refworld.org/docid/42ce52364.html>.

Aaron Mills, “What is a Treaty? On Contract and Mutual Aid,” in John Borrows and Michael Coyle, eds., *The Right Relationship: Reimagining and Implementation of Historical Treaties*. (Toronto: University of Toronto Press, 2017)

<https://ebookcentral.proquest.com/lib/york/reader.action?docID=4825649>.

[York Libraries available online.]

Tom Clark, Chapter 1, Introduction and History (Suggested reading)

Week 2 - September 19 - *The History of the International Refugee Protection Regime*

J. Hathaway, “A Reconsideration of the Underlying Premise of Refugee Law,” *Harvard International Law Journal*, vol. 31, no. 1 (Spring 1990), pp. 129–147.

https://heinonline-org.ezproxy.library.yorku.ca/HOL/Page?lname=&public=false&collection=journals&handle=hein.journals/hilj31&men_hide=false&men_tab=toc&kind=&page=129

G. Loescher, ‘The Origins of the International Refugee Regime’, in *Beyond Charity: International Co-operation and the Global Refugee Crisis* (Oxford: Oxford University Press, 1993), pp. 32–55.

<https://books-scholarsportal-info.ezproxy.library.yorku.ca/en/read?id=/ebooks/ebooks0/oxford/2009-11-30/2/0195102940#page=3>
HV 640 L62 1993 (On Reserve, Scott Library)

Statute of the Office of the United Nations High Commissioner for Refugees,
 UN General Assembly Resolution, A/RES/428 (V), 14, 14 December 1950.
<http://www.unhcr.org/protect/PROTECTION/3b66c39e1.pdf>

Patrick Wolfe, "Settler colonialism and the elimination of the native," *Journal of Genocide Research*, 2006, Vol. 8, No. 4, pp. 387-409. https://www.tandfonline-com.ezproxy.library.yorku.ca/doi/full/10.1080/14623520601056240?_ga=1x8pev9*_ga*MTA0MTY2NTgyMy4xNTY0MDEzMTY3*_ga_0HYE8YG0M6*MTY2MDU4MDI1Ni4xLjEuMTY2MDU4MDI5My4w.

Ninette Kelley, Part I: The Roots of Asylum, *People Forced to Flee* (Suggested Reading)

Tom Clark, Chapter 3, Refugee, States and the UN World Order (Suggested Reading)

PART II

Who is a Refugee? International Refugee Law and Practice, International Institutions, Structures and Processes

***Week 3 - September 26 – 1951 Convention and 1967 Protocol**

A. Shacknove, "Who is a Refugee?" *Ethics*, vol. 95, no. 2 (January 1985), p. 274.
<https://www.jstor.org/stable/2380340>.

C. Rousseau, F. Crepeau, P. Foxen, and F. Houle, "The Complexity of Determining Refugeehood: A Multidisciplinary Analysis of the Decision-making Process of the Canadian Immigration and Refugee Board," *Journal of Refugee Studies*, vol. 15, no. 1 (March 2002), pp. 43-70.
<https://papyrus.bib.umontreal.ca/xmlui/bitstream/handle/1866/1369/Complexity%20of%20Determining%20Refugeehood.pdf?sequence=1&isAllowed=y>.

Petra Molnar Diop, "The 'Bogus' Refugee: Roma Asylum Claimants and Discourses of Fraud in Canada's Bill C-31," *Refuge: Canada's Journal on Refugees*, (2014), Vol. 30, No. 1, pp. 67-80.
<http://pi.library.yorku.ca/ojs/index.php/refuge/article/viewFile/38604/35018>.

Betts & Colliers, Part 1: Why is there a crisis?, Chapter 1, Global Disorder.

Ninette Kelley, Part II: Protecting More Broadly, *People Forced to Flee* (Suggested Reading)

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Tom Clark, Chapter 8, Refugee, Status and the 1951 Convention (Suggested Reading)

Recommended Reading: J.Y. Carlier, D. Vanheule, K. Hullmann, and C. Pena Galiano (eds), *Who Is a Refugee? A Comparative Case Law Study*. The Hague: Kluwer, 1997.

K 3274 W48 1997 (On Reserve Scott Library)

Week 4 – October 3 – *1969 OAU Convention, 1984 Cartagena Declaration, EU Qualifications and Procedures Directives**

Convention Governing the Specific Aspects of Refugee Problems in Africa, 10 September 1969, 1001 U.N.T.S. 45.

<http://www.unhcr.org/basics/BASICS/45dc1a682.pdf>

Cartagena Declaration on Refugees, 22 November 1984, OAS/Ser.L./V/II.66, doc. 10, rev. 1.

<http://www.unhcr.org/basics/BASICS/45dc19084.pdf>

DIRECTIVE 2011/95/EU OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL of 13 December 2011 on standards for the qualification of third-country nationals or stateless persons as beneficiaries of international protection, for a uniform status for refugees or for persons eligible for subsidiary protection, and for the content of the protection granted (recast).

<http://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:32011L0095&from=EN>.

DIRECTIVE 2013/32/EU OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL of 26 June 2013 on common procedures for granting and withdrawing international protection (recast)

<http://eur-lex.europa.eu/legal-content/EN/TXT/HTML/?uri=CELEX:32013L0032&from=EN>.

Betts & Collier, Part 1: Why is there a crisis? Chapters 2, The Time-Warp.

***Research Proposal, with Annotated Bibliography, Assignment is due.**

Week 5 - October 8 -14 – *Reading Week – No Classes*

Betts & Collier, Part II: The Rethink, Chapter 4, Rethinking Ethics: The Duty of Rescue

***Week 6** - October 17 – *The UNHCR and Supervising International Refugee Law*

W. Kälin, 'Supervising the 1951 Convention on the Status of Refugees: Article 35 and Beyond', in E. Feller, V. Türk, and F. Nicholson (eds), *Refugee Protection in International International Refugee Protection Regime I: Critical Problems*
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Law: UNHCR's Global Consultations on International Protection. Cambridge: Cambridge University Press, 2003, pp. 613–666.

<http://www.unhcr.org/publ/PUBL/419dc0b84.pdf>

M. Barutciski, “A Critical View on UNHCR’s Mandate Dilemmas,” *International Journal of Refugee Law*, vol. 14, nos. 2–3 (April 2002), 365–381.

https://heinonline-org.ezproxy.library.yorku.ca/HOL/Page?collection=journals&handle=hein.journals/intjrl14&id=2&men_tab=srchresults

UNHCR, “Refugee Protection: A Guide to International Refugee Protection,” December 2001, Ch. 2.

<http://www.unhcr.org/publ/PUBL/3d4aba564.pdf>

UNHCR, ‘Agenda for Protection’, October 2003.

<http://www.unhcr.org/protect/PROTECTION/3e637b194.pdf>

Betts & Collier, Part 1: Why is there a crisis? Chapters 3, The Panic.

Tom Clark, Chapter 6, A Closer Look at the Lead Actor: UNHCR (Suggested Reading)

Week 7 – October 24 - *The Role of Regional and National Courts and Second GNL Session

Protocol on the Statute of the African Court of Justice and Human Rights

<https://au.int/en/treaties/protocol-statute-african-court-justice-and-human-rights>.

Helene Lambert, “Transnational law, policy harmonization and refugees in the European Union,” Chapter 1 in *The Limits of Transnational Law: Refugee Law, Policy Harmonization and Judicial Dialogue in the European Union*, Guy S. Goodwin-Gill and Helene Lambert, Cambridge University Press, 2010, pp. 1-16.

<https://www-cambridge-org.ezproxy.library.yorku.ca/core/books/limits-of-transnational-law/9DE207F3D4F926017292F8BEC769CE96>

KJE 969 L56 2010 (On Reserve at the Scott Library)

W. van Hovell, “The Goals of the Common European Asylum System,” in *The Future of Asylum in the European Union: Problems, Proposals and Human Rights*. Flora A. N. J. Goudappel and Helena S. Raulus eds. The Hague: T.M.C. Asser Press, 2011., pp. 65-72.

<https://link-springer-com.ezproxy.library.yorku.ca/book/10.1007%2F978-90-6704-802-6>

KUE 5202 A8 F88 2011 (On Reserve at the Scott Library)

L. Franco and J.S. de Noriega, ‘Contributions of the Cartagena Process to the Development of International Refugee Law in Latin America’, in *Memoir of the Twentieth Anniversary of the Cartagena Declaration on Refugees* (Bogota: UNHCR, 2004), pp. 81–107.

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<https://www.acnur.org/fileadmin/Documentos/archivo/3868.pdf>..

“Current challenges for International Refugee Law, with a focus on EU Policies and EU Cooperation with UNHCR” Directorate-General for External Policies of the Union, Policy Department, Briefing Paper, European Parliament, December 2013.

[http://www.europarl.europa.eu/RegData/etudes/note/join/2013/433711/EXPO-DROI_NT\(2013\)433711_EN.pdf](http://www.europarl.europa.eu/RegData/etudes/note/join/2013/433711/EXPO-DROI_NT(2013)433711_EN.pdf).

Betts & Collier, Part II: The Rethink, Chapter 5, Rethinking Havens: Reaching Everyone

Week 8 – October 31 – *International and Regional Courts**

Eric A. Posner and Miguel F. P. de Figueiredo, “Is the International Court of Justice Biased?” *The Journal of Legal Studies*, Vol. 34, No. 2 (June, 2005), 599-630.

<http://www.ericposner.com/Is%20the%20International%20Court%20of%20Justice%20Biased.pdf>

Brian Golrick, “Human Rights and Refugees: Enhancing Protection Through Human Rights Law,” Working Paper No. 30, *New Issues in Refugee Research*, UNHCR, October 2000.

<http://www.unhcr.org/research/RESEARCH/3ae6a0cf4.pdf>

Tom Clark, Chapter 9, *The Role of the Human Rights System* (Suggested Reading)

***Experiential Education Assignment is due.**

PART III

Critical Problems: Mass Influx, Mixed Migration Flows, Protracted Refugees, and Burden Sharing Among States

Week 9 – November 7 – *The International Refugee Protection Regime in the Global North*

Andrew Brouwer and Judith Kumin, “Interception and Asylum: When Migration Control and Human Rights Collide,” *Refuge: Canada’s Periodical on Refugees*, Vol. 21, No. 4, December 2003, 6-24.

<https://refuge.journals.yorku.ca/index.php/refuge/article/view/21305/19976>.

E. Thielemann, ‘Towards Refugee Burden-Sharing in the European Union State Interests and Policy Options’, *Ninth Biennial International Conference of the European Union Studies Association*, 31 March–2 April 2005.

<http://aei.pitt.edu/3001/01/Thielemann-EUSA-Austin-2005.txt>

Betts & Collier, Part II: The Rethink, Chapter 6, Rethinking Assistance: Resorting to Autonomy

Tom Clark, Chapter 5, Dispersed Refugees: Settlement and Asylum (Suggested Reading)

Week 10 – November 14 – *The International Refugee Protection Regime in the Global South*

B.S. Chimni, “The Geopolitics of Refugee Studies: A View from the South,” *Journal of Refugee Studies*, vol. 11, no. 4 (December 1998), pp. 350–357, 365–368.

<https://academic-oup-com.ezproxy.library.yorku.ca/jrs/article/11/4/350/1587519?searchresult=1>.

(Access through the York University Libraries, through the online academic journals.)

Jeff Crisp, “Africa’s Refugees: Patterns, Problems, Policy Challenges,” Working Paper No. 28, New Issues in Refugee Research, UNHCR, August 2000.

<http://www.unhcr.org/research/RESEARCH/3ae6a0c78.pdf>

Betts & Collier, Part II: The Rethink, Chapter 7, Rethinking Post-Conflict: Incubating Recovery

Tom Clark, Chapter 7, Supporting Actors of the UNHCR Plus Regime (Suggested Reading)

***Week 11** - November 21 – *Mass Influx Situations*

Ann Vibeke Egli, *Mass Refugee Influx and the Limits of Public International Law*, The Hague: Martinus Nijhoff Publishers, 2002, pp. 40–54, 72–87, 118–138.

https://books.google.ca/books/about/Mass_Refugee_Influx_and_the_Limits_of_Public_International_Law?id=p_PQGJyHmsC&printsec=frontcover&source=kp_read_button&redir_esc=y#v=onepage&q&f=false

[KZ 6530 E38 2002](#) (On Reserve, Scott Library)

Global Consultations on International Protection, “Protection of Refugees in Mass Influx Situations: Overall Protection Framework,” UNHCR, EC/GC/01/4, February 19, 2001.

<http://www.unhcr.org/protect/PROTECTION/3ae68f3c24.pdf>

“The scope of international protection in mass influx” (EC/1995/SCP/CRP.3) Executive Committee of the High Commissioner's Programme, 46th session Sub-Committee of the Whole on International Protection, 26th meeting, June 2 1995.

<http://www.unhcr.org/excom/EXCOM/3ae68cc018.html>

Betts & Collier, Part II: The Rethink, Chapter 8, Rethinking Governance: Institutions that Work.

Week 12 - November 28 – *Mixed Migration Flows – Irregular and Secondary Migration*

Alice Bloch and Milenia Chimienti, “Irregular Migration in a Globalizing World,” *Ethnic and Racial Studies*, Vol. 34, No. 8, August 2011, pp. 1271-1285.

<https://www.tandfonline.com/doi/full/10.1080/01419870.2011.560277>

Franck Duvell, “Pathways into Irregularity: The Legal and Political Construction of Irregular Migration,” *European Journal of Migration and Law*, (2011) Vol. 13, pp. 275-295.

<https://heinonline-org.ezproxy.library.yorku.ca/HOL/Page?handle=hein.journals/ejml13&id=1&size=2&collection=journals&index=journals/ejml>

UNHCR, Refugee Protection and Mixed Migration: A 10-Point Plan of Action, January 1, 2007. <http://www.unhcr.org/protect/PROTECTION/4742a30b4.pdf>

Betts & Collier, Part III: History, The Rethink, Chapter 9, Back to the Future.

Tom Clark, Chapter 2, Refugee Populations: Where, Why and What to Do? (Suggested Reading)

Week 13 - December 5 – *Refugee Encampment – Protracted Refugees**

Jeff Crisp, “No Solution in Sight: The Problem of Protracted Refugee Situations in Africa,” *Refugee Survey Quarterly*, 22:4, 2003, 114-150.

<https://pdfs.semanticscholar.org/832b/908e4fe26436b21876bdc2a92b4844acfe5.pdf?ga=2.30018431.1545075483.1597092771-1570072610.1597092771>.

James Milner and Professor Gil Loescher, "Responding to protracted refugee situations: Lessons from a decade of discussions," *Forced Migration Policy Briefing 6*, Refugee Studies Centre, Oxford Department of International Development, University of Oxford, January 2011.

<https://www.rsc.ox.ac.uk/files/files-1/pb6-responding-protracted-refugee-situations-2011.pdf>.

Tom Clark, Chapter 4, Refugees in Camps and Mass Movements (Suggested Reading)

Ninette Kelley, Part III: Solutions – An Uneven Record, *People Forced to Flee* (Suggested Reading)

***Final Research Papers are due.**

Additional required readings may be assigned and provided electronically.

COURSE ASSIGNMENTS

SEMINAR PRESENTATIONS

(10% of the Final Grade)

Each student will be expected to make **two** in-class seminar presentations. One will be on one of the required weekly course readings and another will be on their research paper topic. The two seminar presentations are equally weighted (5% each).

SEMINAR PARTICIPATION

(10% of the Final Grade)

This is a combined honors fourth year and graduate seminar course that requires the students' engaged participation. *Attendance is mandatory and attendance will be taken for each of our Zoom classes.* Students are expected to attend, to listen, and to participate in each Zoom seminar class. Seminar participation will be assessed on an individual as well as a collective basis. That is to say, there will be an individual seminar participation grade and an overall collective class seminar participation grade and each component of the grade will be assessed separately. The purpose of seminar and individual and group participation in the seminar will be to promote learning and understanding of the assigned weekly readings and the overall subject matter of our course on the international refugee protection regime and the various critical problems and issues that confront it today. In short, the overall objective of this seminar class is to promote *individual* and *collective learning* on the assigned weekly readings and topics.

Ten percent (10%) of the seminar participation grade will be assigned for active individual "quality" participation based on the assigned weekly readings that stimulate or provoke active learning in class, through participation in discussions, debates, asking or raising relevant questions, providing reasonable answers to questions that are posed, stimulating a relevant exchange and/or general conversation, and so on. I will take notes of the students' interventions and participation in class discussions and keep track of "quality" interventions that are stimulating and contributing to either *individual* or *group* learning.

RESEARCH PROPOSAL AND ANNOTATED BIBLIOGRAPHY GUIDELINES

(10% of the Final Grade)

The research proposal may be conceived as a road map that provides direction for researching and writing your term paper for the course. The more detailed and developed the guiding road map, the less difficult it should be to write your research paper.

You may select any topic of interest from Week 1 through to Week 13 in the course outline that is related to one of the commonly recognized critical issues or problems related to the international refugee protection regime. No more than one student may do the same topic listed in our course outline's required weekly readings. A class list will be circulated for students to select their research paper topics.

The textbook and other reading materials that are assigned for our course should provide you with a good start to gather research materials and ideas for your research paper. Your *research question* should aim to have a focussed concern, problem, issue, controversy, debate or dilemma that is central to your research topic. Avoid vague and general issues or concerns.

The research proposal assignment will require library research, in as much as that is possible under the current lockdown of campus facilities, and web-based online research and you must include an *annotated bibliography* that includes the works you have consulted thus far in your research. An annotated bibliography is a list of sources (i.e., books, journal articles, etc.) with summaries or annotations, describing or analyzing the contents of each source. The annotations for each source are generally no longer than a single paragraph. For further information on how to prepare an annotated bibliography visit the York Libraries website at <http://researchguides.library.yorku.ca/c.php?g=679425&p=4789888>.

The length of the research proposal should be no less than about **ten pages**, including your *annotated bibliography*. The annotated bibliography should have no fewer than five books and/or academic journal articles, government and/or UN documents or reports, etc., and should not include any of the required and/or recommended readings for our course.

EXPERIENTIAL EDUCATION RESEARCH ASSIGNMENT

(10% of the Final Grade)

This assignment requires the selection of two concepts and/or methodological approaches and/or theoretical frameworks that could be directly related to your research paper topic. The assignment will also allow you to participate in an ongoing research project in the field of refugee and forced migration studies, the Canadian Association for Refugee and Forced Migration Studies (CARFMS) Online Research and Teaching Tool (ORTT), <http://rfmsot.apps01.yorku.ca/home/>. On the completion of this assignment you will be given the option of having your work submitted to the ORTT for possible inclusion on the ORTT website. This will require the completion and submission of a consent form.

For each concept and/or methodological approach and/or theoretical framework selected, you are required to prepare a two-page paper based on the following template:

- 1. definitions***
- 2. examples and/or illustrations***
- 3. other useful sources***
- 4. bibliography***
- 5. case law, if relevant***
- 6. other related terms***

Please consult the CARFMS - ORTT website and the Glossary of Terms, Key Concepts, Methodological Approaches and Theoretical Frameworks that provide clear examples of

this template and what is expected for this assignment. (*NB: Do not use Wikipedia or any other non-authoritative sources for this assignment.*)

For each concept, method, theory selected:

- use no less than three different definitions of the concept/method/theoretical framework from three different reputable and reliable online or hard copy sources;
- there should be at least four examples (that clearly describe and explain the phenomena) and/or illustrations (that is, audio and/or visual materials such as photos, films, maps, diagrams, graphs, and charts, etc.);
- there should be a minimum of four other useful sources;
- for the bibliography, you should refer to no less than six references from highly authoritative and reliable sources;
- cite no less than two pertinent and relevant leading refugee law cases from the most senior levels of the court system, preferably, in Canada, the Federal Court of Appeal and the Supreme Court of Canada, if the terms, concepts, methodologies and/or theoretical approaches selected lend themselves to case law. For this part of the assignment you may wish to consult the UNHCR's *Refworld* at <http://www.refworld.org/>.

The key terms, concepts and/or theoretical frameworks need not be listed on the CARFMS – ORTT website. Terms, concepts, methodologies and theoretical frameworks not listed on the website will also be considered, but, will have to be approved by the instructor in advance.

To avoid duplication, students must select different concepts, methods or theoretical frameworks. No student can do the same concepts, methodological approaches or theoretical frameworks. Accordingly, students will be required to submit the concepts, methods or theoretical frameworks that they have chosen to work on by no later than **November 1st**.

GNL INTERNATIONAL TEAM ASSIGNMENT

(20% of the Final Grade)

There will be two Globally Networked Learning (GNL) sessions that everyone will be required to participate in with students at two universities, one in the US and the other in Mexico. Students will be assigned to international teams to work on their case study assignments. There will be three staged assignments for each of the two GNL sessions with our partner universities. Further details will be available for the assignments for these two weekly GNL sessions that will be worth 10 percent for each session and 20 percent in total.

Separate handouts will be provided that explain these assignments in detail. The GNL sessions will be during week one, September 12-15, and week seven, October 24-28. There will be a separate common course website for the GNL portions of the course.

RESEARCH PAPER GUIDELINES

(35% of the Final Grade)

The research paper must be professional in all aspects. As such, it must have a cover page, title, table of contents, a number of sections (such as, introduction, research question, problem/issue, literature review, analysis, conclusion, etc.), bibliography, and, if you wish, appendices. You are encouraged to use a few visual aids or illustrations – graphs, charts, photos, diagrams and tables, when appropriate – and these must be clearly labeled and referenced. The research paper should be a holistic work that demonstrates considerable research and reflection, and strong writing skills. For further online information on preparing research papers visit York Libraries website eResources at

<http://researchguides.library.yorku.ca/c.php?g=679777&p=4794593#21339321>.

The research paper must be at least 15 typed pages in length using double-spacing or about 6,000 words, not including your bibliography or any appendices. Grades will be deducted for punctuation and grammatical errors. You should have the paper read (edited) by others before submitting it. Professional writing instructors are available here at York University to assist you at every stage in this assignment. <http://writing-centre.writ.laps.yorku.ca/>.

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Web-Based Information Sources

Considerable information on the international refugee protection regime is available to students and others from web-based sources. Below is a small sample of web linked sites

International Refugee Protection Regime I: Critical Problems
School of Public Policy and Administration, York University
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that students in the area of international refugee law, refugee policy and administration and the international refugee protection regime might wish to be familiar with.

UNHCR, The UN Refugee Agency

<http://www.unhcr.org/cgi-bin/texis/vtx/home>

refworld

<http://www.refworld.org/>

IOM – International Organization for Migration

<http://www.iom.int/jahia/jsp/index.jsp>

Refugees International

<http://www.refugeesinternational.org/>

European Council on Refugees and Exiles

<http://www.ecre.org/>

U.S. Committee for Refugees

<http://www.refugees.org/>

British Refugees Council

<http://www.refugeecouncil.org.uk/>

Canadian Council for Refugees

<http://www.ccrweb.ca/eng/engfront/frontpage.htm>

Norwegian Refugee Council

<http://www.nrc.no/>

Student Action for Refugees

<http://www.star-network.org.uk/>

International Committee of the Red Cross (ICRC)

<https://www.icrc.org/en/homepage>

Amnesty International

<http://www.amnesty.ca/>

Critical Issues in International Refugee Law

(See the Resources web link on the CIIRL II home page.)

<http://www.yorku.ca/ciirl/>

Forced Displacement, Protection Standards and the Supervision of the 1951 Convention and its 1967 Protocol and Other International Instruments

<http://www.yorku.ca/fdpss/>

International Refugee Protection Regime I: Critical Problems
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War Crimes and Refugee Status Research Workshop

<http://www.yorku.ca/wcrs/>

CARFMS, Online Research and Teaching Tool in Refugees and Forced Migration Studies

<http://rfmsot.apps01.yorku.ca/home/>

Article 1F Policy and Practice Conference

<http://www.yorku.ca/artonef/>

Sudan/South Sudan Symposium

<http://www.yorku.ca/sooss/>

Indo-Chinese Refugee Movement Web Platform

<http://indochinese.apps01.yorku.ca/>

Terrorism and Asylum Workshop

<https://rli.sas.ac.uk/about-us/news/rli-terrorism-and-asylum-workshop-report-published>

Serious International Crimes, Human Rights, and Forced Migration Symposium

<http://sichrfms.info.yorku.ca/>

Project Save the World

<https://tosavetheworld.ca/>