

FACULTY OF LAW, UNIVERSITY OF VICTORIA
2011-12 COURSE REGISTRATION – PRELIMINARY COURSE INFORMATION¹

COURSE	Law 323 Refugee Law
UNIT VALUE	1.5 Units (3 hours of instruction per week)
INSTRUCTOR	Donald C. Galloway
TERM OFFERED	Spring 2012
CLASS TIMES	See Schedule
PREREQUISITES/CO-REQUISITES	None

COURSE DESCRIPTION

The course will introduce students to the Canadian legal framework for refugee protection. It will examine both the regulations and guidelines that define the selection of refugees overseas and the case law and regulatory law governing status determination in Canada. The impact of proposed reforms will also be considered. The course will place the Canadian legal regime in a broad context by examining forced migration as a global phenomenon, by examining the development of international instruments that impose obligations of state protection and by offering a comparative analysis of refugee protection

COURSE OBJECTIVES

To familiarize students with:

The international regime for refugee protection and the role of the United Nations High Commissioner for Refugees; the search for durable solutions.

Determinations of eligibility to make a refugee claim in Canada; the Safe Third Country Agreement with the United States.

The procedure of making a claim before the Immigration and Refugee Board; the detention of refugee claimants; determinations of credibility; the role of legal counsel; the availability of an appeal; applications to the Federal Court for judicial review; the legal definition of a refugee and each of its components, (Persecution, Well-founded Fear, Grounds of Persecution, State Protection, Internal Flight Alternative); the clauses that exclude individuals from the definition; Other grounds of protection based on the Convention against Torture ; Pre-Removal Risk Assessments and applications for humanitarian relief.

The law and politics of refugee reform; recent and proposed amendments to the process of refugee determination.

The resettlement of refugees overseas; private sponsorship.

To introduce students to:

Comparative approaches to refugee protection (the Pacific Solution, Fortress Europe)

TEACHING METHODOLOGY

Lectures and class discussions

METHOD(S) OF EVALUATION

The method of evaluation will be dependent on enrolment. Should enrolment exceed 25, the method of evaluation will be a 100% final examination. Should the enrolment be 25 or less, students will be required to complete two exercises that will require their critical engagement with the issues raised in the course

March 9, 2011

¹ The information in this document is provided for course registration purposes only and is **subject to change**. More detailed course information about course content and evaluation will be provided upon the commencement of the course. Students seeking additional information about the course prior to its commencement may contact the instructor or, if no instructor is listed, the Manager of Academic Administration and Student Services (lawmaass@uvic.ca).