

LAWPUBL413: Protecting Refugees and Forced Displacement in the 21st Century: Contemporary Law and Practice

Law
(15 points)

Course Prescription

Detailed study of contemporary law and practice relating to the protection of refugees and forcibly displaced people. The intersection of international law with other disciplines, including international relations, development, peace and security, and social studies, provides a broad base to understand applicable legal, political and social policies and discourse to protect displaced people in the twenty-first century.

Course Overview

The global challenges created by persecution, conflict, war, and climate change lead to record numbers of refugees and others forcibly displaced from their homes and countries. As states, individually and collectively, try to keep their own populations safe and the integrity of their borders secure, the humanitarian plight of displaced people is increasingly desperate. To meet these challenges, the traditional legal contours of states' responsibilities to protect displaced people are evolving, contradictory, and increasingly complex. This specialised elective course will:

- (a) trace the traditional legal principles and instruments developed to protect refugees;
- (b) examine contemporary forms of forced displacement in the 21st Century including internal displacement, statelessness, and environmental factors;
- (c) analyse the legal, political, and socio-economic instruments and approaches available to help displaced people; and
- (d) discuss future trends, models, and opportunities to manage these challenges.

The course will draw on international, regional, and national legal sources including refugee, international humanitarian, and human rights law and will examine in real case studies the social and geopolitical context in which these laws are situated. The course will equip students with a broad overview of contemporary law and policy relating to forced displacement and will situate New Zealand within a broader regional and global context.

Course Requirements

Prerequisite: 30 points at Stage II in Global Politics and Human Rights or LAW 201, 211, 231, 241

Capabilities Developed in this Course

- Capability 1: People and Place
- Capability 2: Sustainability
- Capability 3: Knowledge and Practice
- Capability 4: Critical Thinking
- Capability 5: Solution Seeking
- Capability 6: Communication
- Capability 7: Collaboration
- Capability 8: Ethics and Professionalism

Graduate Profile: [Bachelor of Laws](#)

Learning Outcomes

By the end of this course, students will be able to:

1. Recognise and critically analyse the legal foundations, principles and structures of the international system to protect forcibly displaced people. (Capability 1.2, 2.1, 3.1, 3.2 and 4.1)
2. Identify and discuss critically, the contemporary challenges to achieve an equitable distribution of responsibility and its effectiveness in protecting displaced people, particularly women and children. (Capability 3.1, 3.2, 4.1 and 5.1)
3. Articulate analyse and defend viable options to improve the international system of protection for displaced people in the 21st Century, and the place of New Zealand in that wider system. (Capability 3.2, 4.1 and 5.1)
4. Construct through self-directed and collaborative learning, creative reasoned positions on contemporary forced displacement challenges both globally and in the pacific region. (Capability 2.1, 3.2, 4.1, 4.2, 5.1, 6.1, 7.1 and 8.1)

Assessments

Assessment Type	Percentage	Classification
Quiz	10%	Individual Coursework
Assignment	70%	Individual Coursework
Practical case studies	20%	Group & Individual Coursework
3 types	100%	

Assessment Type	Learning Outcome Addressed			
	1	2	3	4
Quiz	✓			
Assignment	✓	✓	✓	✓
Practical case studies	✓	✓	✓	✓

The Course will be assessed by

(i) a short quiz (10%) in the early part of the Course and (ii) a 'take-home' summative written assignment of 3,500-5,000 words (70%) to be completed between 25 January and 8 February 2024; The third assessment will involve group preparation and presentation followed up by an individual response. (20%)

Workload Expectations

This is a standard 15-point course. There will be around 36 hours of lectures in this course. As a general guide, you should expect a workload of three hours outside of the classroom for each hour spent in class. The guideline for the total workload for this course is 150 hours.

Delivery Mode

Campus Experience

Attendance is expected at scheduled activities to complete components of the course. Students will be expected to attend all classes and to complete watch/read asynchronous materials before in-person classes. Lectures will be available as recordings. Other learning activities including discussions and presentations will not be available as recordings. Some asynchronous materials will be available before and after class. The activities for the course are scheduled as a Summer Intensive course.

Learning Resources

Course materials are made available in a learning and collaboration tool called Canvas which also includes reading lists and lecture recordings (where available).

Please remember that the recording of any class on a personal device requires the permission of the instructor.

Students will be expected to complete watch/read asynchronous materials before in-person classes and be prepared to discuss themes and questions identified for each Session.

Highly recommended readings for this course:

- (i) The Office of the United Nations High Commissioner for Refugees (UNHCR): People Forced to Flee: History, Change and Challenge (OUP, 2022)
- (ii) James C Hathaway and Michelle Foster, The Law of Refugee Status, Second edition (CUP, 2014)

Student Feedback

At the end of every semester students will be invited to give feedback on the course and teaching through a tool called SET or Qualtrics. The lecturers and course co-ordinators will consider all feedback and respond with summaries and actions.

Your feedback helps teachers to improve the course and its delivery for future students.

Class Representatives in each class can take feedback to the department and faculty staff-student consultative committees.

New course.

Academic Integrity

The University of Auckland will not tolerate cheating, or assisting others to cheat, and views cheating in coursework as a serious academic offence. The work that a student submits for grading must be the student's own work, reflecting their learning. Where work from other sources is used, it must be properly acknowledged and referenced. This requirement also applies to sources on the internet. A student's assessed work may be reviewed for potential plagiarism or other forms of academic misconduct, using computerised detection mechanisms.

Class Representatives

Class representatives are students tasked with representing student issues to departments, faculties, and the wider university. If you have a complaint about this course, please contact your class rep who will know how to raise it in the right channels. See your departmental noticeboard for contact details for your class reps.

Inclusive Learning

All students are asked to discuss any impairment related requirements privately, face to face and/or in written form with the course director, lecturer or tutor.

Student Disability Services also provides support for students with a wide range of impairments, both visible and invisible, to succeed and excel at the University. For more information and contact details, please visit the [Student Disability Services' website](http://disability.auckland.ac.nz) <http://disability.auckland.ac.nz>

Special Circumstances

If your ability to complete assessed coursework is affected by illness or other personal circumstances outside of your control, contact a Student Academic and Support Adviser as soon as possible before the assessment is due.

If your personal circumstances significantly affect your performance, or preparation, for an exam or eligible written test, refer to the University's [aegrotat or compassionate consideration page](https://www.auckland.ac.nz/en/students/academic-information/exams-and-final-results/during-) <https://www.auckland.ac.nz/en/students/academic-information/exams-and-final-results/during->

exams/aegrotat-and-compassionate-consideration.html.

This should be done as soon as possible and no later than seven days after the affected test or exam date.

Learning Continuity

In the event of an unexpected disruption, we undertake to maintain the continuity and standard of teaching and learning in all your courses throughout the year. If there are unexpected disruptions the University has contingency plans to ensure that access to your course continues and course assessment continues to meet the principles of the University's assessment policy. Some adjustments may need to be made in emergencies. You will be kept fully informed by your course co-ordinator/director, and if disruption occurs you should refer to the university website for information about how to proceed.

Student Charter and Responsibilities

The Student Charter assumes and acknowledges that students are active participants in the learning process and that they have responsibilities to the institution and the international community of scholars. The University expects that students will act at all times in a way that demonstrates respect for the rights of other students and staff so that the learning environment is both safe and productive. For further information visit [Student Charter](https://www.auckland.ac.nz/en/students/forms-policies-and-guidelines/student-policies-and-guidelines/student-charter.html) <https://www.auckland.ac.nz/en/students/forms-policies-and-guidelines/student-policies-and-guidelines/student-charter.html>.

Disclaimer

Elements of this outline may be subject to change. The latest information about the course will be available for enrolled students in Canvas.

In this course students may be asked to submit coursework assessments digitally. The University reserves the right to conduct scheduled tests and examinations for this course online or through the use of computers or other electronic devices. Where tests or examinations are conducted online remote invigilation arrangements may be used. In exceptional circumstances changes to elements of this course may be necessary at short notice. Students enrolled in this course will be informed of any such changes and the reasons for them, as soon as possible, through Canvas.