



Queen Mary University of London

SCHOOL OF LAW 2024-2025: LLM MODULE SYLLABUS

Teaching in A24 and B24 is in two 5-week blocks with study week between them.

30 credits (10 weeks): Single semester.

15 credits: Semester A24– Blocks A or B (5 weeks).

Semester B24 - Blocks C or D (5 weeks).

Study Week falls within the two blocks (limited teaching/events/tutorials etc.).

Semester C24 – 5-week block only (15 credits only).

Module Code:	SOLM171
Module Title:	International Refugee Law
Number of Credits	30
Semester and Block Taught:	Semester: 1 Block: NA
Module Convenor:	<i>Name: Ellen Allde</i> <i>e.allde@qmul.ac.uk</i> Email to book office hours (please include questions you wish to discuss)
Assessment:	5000 word course essay
Assessment period:	See Module Description Book
Time and/or venue of taught classes:	Mondays 09-12, Laws 102
Additional Module Information:	Consult Module Page on QM+ for Weekly Updates

Teaching Team and Contact Details

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Module Overview

This module examines the international law dimensions of protecting refugees and other categories of forcibly displaced persons. It provides a comprehensive overview of the concepts and workings of international law, in general, and international refugee and human rights law, in particular, as they relate to the phenomenon of forced displacement. While international refugee and human rights law forms the backbone of the course, the module will also cover aspects of international criminal law and international humanitarian law as these apply to refugees and other forcibly displaced persons.

The module will start by studying the rationale and development of refugee law up to its codification in the 1951 Refugee Convention and 1967 Protocol. The institutions tasked with overseeing the implementation of these instruments will also be examined, with a particular focus on UNHCR and UNRWA. The study of substantive law, including State practice and case law of national and international courts and Treaty bodies, will follow thereafter in thematic blocs: 1) the refugee definition (inclusion, exclusion, and cessation of refugee status); 2) the status of Palestinian refugees; 3) the content of international protection and the principle of non-refoulement; 4) extended and complementary forms of protection; 5) the right to asylum and other 'durable solutions'; 6) access to protection and the impact of policies of non-entrée; 7) war and displacement; and 8) the ethical roots of refugeehood.

This module aims to raise awareness of the global and current phenomenon of forced migration and the challenge it poses from a legal perspective. The module will equip students with the necessary tools to understand how the international community's concern for forced migration translates into an evolving set of legal norms, mechanisms and procedures. The course aims at providing students with a conceptual framework and legal methodology for the analysis of forced migration under international law and related sub-systems. At the end of the course, students will be able to understand the potential and limits of international law, both as an operative and normative system, for the protection of refugees and other categories of forced migrants. They will be able to analyse and articulate informed legal arguments on forced migration and their regulation under international law, making use of the relevant sources.

Module Weekly Syllabus

	Subject	Activity (tbc)
Week 1:	Development of the 'International Refugee Law Regime' and differential treatment of mobility	Individual reading and discussion
Week 2:	Refugee Status Determination (Inclusion I)	Drafting Case Note

		and Asylum Interview Questions based on sample interview, discussion on use of AI in asylum determination
Week 3:	Refugee Status Determination (Inclusion II)	Group Presentations
Week 4:	Refugee Status Determination (Exclusion)	Drafting third-party legal intervention and discussion
Week 5:	Refugee Status Determination (Cessation and Removal)	Case law analysis and discussion
WEEK 6 - STUDY WEEK		
Week 7:	<i>Non-refoulement</i> and complementary protection	Debate
Week 8:	Regional definitions and Conflict-based mobility	Presentations
Week 9:	Palestinian Refugees and the UNRWA	Draft Advocacy Brief
Week 10:	International Protection and Solutions: Asylum, Returns and Resettlement	Practitioner Roundtable
Week 11:	Circumventing refugee law: 'Non-entry' policies, externalisation, and criminalisation	Drafting a scoping memo and presentations

Reading List

<p>Core Texts</p> <ul style="list-style-type: none"> - GS Goodwin-Gill and J McAdam, <i>The Refugee in International Law</i>, 4th Ed (Oxford University Press: 2021) - JC Hathaway and M Foster, <i>The Law of Refugee Status</i>, 2nd Ed (Cambridge: 2014)
<p>Additional Reading</p> <p>(Detailed guidance will be provided in the weekly seminar sheets via the QM+ e-learning</p>

platform of the module)

- F. Albanese, L. Takkenberg, *Palestinian Refugees in International Law*, (Oxford University Press: 2020)
- F. Albanese, *UNRWA and Palestine Refugee Rights: New Assaults, New Challenges*, (Institute for Palestine Studies, 2018)
- S. Akram and N. Al-Azza, *Closing Protection Gaps: A Handbook on Protection of Palestinian Refugees in States Signatories to the 1951 Refugee Convention*, (BADIL: 2015)
- A. Betts, 'The Normative Terrain of the Global Refugee Regime', (2015) *Ethics and International Affairs* 29(4)
- B. Burson and D. Cantor (eds), *Human Rights and the Refugee Definition: Comparative Legal Practice and Theory*, (Brill: 2016)
- D. Cantor and J. Durieux (eds), *Refuge from Inhumanity? Refugee Protection and the Laws of War* (Nijhoff: 2014)
- B. Çalı, L. Bianku and I. Motoc (eds), *Migration and the European Convention on Human Rights*, (Oxford University Press: 2021)
- V. Chetail, 'Armed Conflict and Forced Migration: A Systematic Approach to International Humanitarian Law, Refugee Law, and International Human Rights Law' in *The Oxford Handbook of International Law in Armed Conflict* (eds) Andrew Clapham and Paola Gaeta, (Oxford University Press: 2014)
- B.S. Chimni, 'The Geopolitics of Refugee Studies: A View from the South', (1998) *Journal of Refugee Studies*
- C. Costello, M Foster, J McAdam, *The Oxford Handbook of International Refugee Law*, (Oxford University Press: 2021)
- C. Costello, *The Human Rights of Migrants and Refugees in European Law*, (Oxford University Press: 2015)
- C. Danisi, M. Dustin, N. Ferreira, N. Held, *Queering Asylum in Europe: Legal and Social Experiences of Seeking International Protection on grounds of Sexual Orientation and Gender Identity*, (Springer, 2021)
- M. Foster, *International Refugee Law and Socio-Economic Rights*, (Cambridge University Press: 2009)
- JC Hathaway, *The Rights of Refugees under International Law* (Cambridge University Press: 2021)
- UNHCR, *Handbook on Procedures and Criteria for Determining Refugee Status under the 1951 Convention and the 1967 Protocol relating to the Status of Refugees*, (2019)
- S. Juss, *Research Handbook on International Refugee Law*, (Edward Elgar, 2019)
- L. Jubilit, M. Espinoza and G. Mezzanotti, *Latin America and Refugee Protection*, (Berghahn Books, 2021)
- J. McAdam, *Complementary Protection in International Refugee Law*, (Oxford University Press: 2007)
- V. Moreno-Lax, *Accessing Asylum in Europe: Extraterritorial Border Controls and Refugee Rights under EU Law*, (Oxford University Press: 2017)
- V. Moreno-Lax and E. Papastavridis, 'Boat Refugees' and Migrants at Sea: A Comprehensive Approach, (Brill: 2016)
- S. Motz, *The Refugee Status of Persons with Disabilities*, (Brill: 2021)
- K. Musalo, J. Moore, R. Boswell, and A. Daher, *Refugee Law and Policy: A Comparative and International Approach* (Carolina Academic Press: 2018), and 2023 Supplement (Carolina Academic Press)

- L Oette, S Williams-Elegbe, O. Lwabukuna, *Refugees, Returnees and Internally Displaced Persons in Africa* (Cambridge University Press: 2021) *Journal of African Law*
- D. Schmalz, *Refugees, Democracy and the Law: Political Rights at the Margins of the State*, (Routledge: 2022)
- M. Sharpe, *The Regional Law of Refugee Protection in Africa*, (Oxford University Press, 2018)
- J. Simeon, *Terrorism and Asylum*, (Brill, 2020)
- J. Simeon, *Critical Issues in International Refugee Law: Strategies Towards Interpretative Harmony*, (Cambridge University Press: 2010)
- S. Singer, *Terrorism and Exclusion from Refugee Status in the UK*, (Brill, 2015)