

TAMIL NADU DR. AMBEDKAR LAW UNIVERSITY, CHENNAI
M. L. DEGREE COURSE – INTERNATIONAL HUMANITARIAN AND REFUGEE LAW
Course outline

UNIT I. Origin and Development of International Refugee Law:

1. Development of the Concept of “Refugee” and Refugee Organization.
2. Arrangements under the League of Nations.
3. International Refugee Organization .
4. Institution of the office of the High Commissioner of Refugees.
5. 1951 Refugee Convention and its 1967 Protocol.
6. Convention Definition with its essential ingredients.
7. Expanding Dimensions of the Definition.
8. Exclusion and Cessation Clauses.

UNIT II. Refugee protection and Durable Solutions:

1. Right of Asylum.
2. Principle of *Non-Refoulement*.
3. Expulsion under Article 32 of the 1951 Convention.
4. Exceptions to *Non-Refoulement* Article 33 (2).
5. Other Convention Rights.
6. “Persons in Need of Protection”- (IRPA, 2002, Canada)
7. Voluntary Repatriation.
8. Local Integration
9. Third Country Settlement.

UNIT III. - Emerging Issues in International Refugee Law And Regional Developments:

1. Burden Sharing.
2. Compensation to the Refugees to be paid by the Country of Origin.
3. UNHCR Interventions with Internally Displaced People.
4. Temporary Refuge.
5. Safety Zones/Safe Haven Concepts.
6. Vulnerable groups: Women, Children.
7. OAU Convention in Africa.
8. European and Latin American Developments-Schengen and Dublin Conventions-Cartagena Declarations.
9. Asian Developments-AALLCO Declaration.
10. Model National Law on Refugees in South Asia and the Regional Declaration.

UNIT IV. - Refugee Protection in India:

- a. Refugees in India.
- b. *Ad Hoc* Arrangements dependent upon Administrative Convenience- Laws Applicable to Refugees in India including the Constitutional Provisions.
- c. Judicial Approach to Refugee Protection in India.
- d. Internally Displaced Persons - Evolution of the concept of IDPs - Guiding Principles on Internally Displaced - National policy in India

- e. Role of Institutions and NGOs- NHRC Refugee Protection, Internally displaced - Role of national and International NGOs

UNIT V. International Humanitarian Law

- a. Evolution of International Humanitarian Law
- b. Geneva Conventions and Protocols
- c. Geneva Conventions Act, 1961
- d. ICRC, Indian Red Cross
- e. Role of International and National NGOs

Prescribed Books:

1. Guy S Goodwin Gill, *The Refugee in International Law*, Clarendon Press, Oxford, 1996.
2. James C Hathaway, *The Law of Refugee Status*, Butterworths, Toronto, 1991.
3. B S Chimni (Ed.), *International Refugee Law: A Reader*, Sage Publications, New Delhi, 2000.

Reference Books:

1. Manik Chakrabarty, *Human Rights and Refugees*, Deep and Deep Publications, New Delhi, 1998.
2. Howard Adelman (Ed.), *Indo-Chinese Refugee Movement: The Canadian Experience*, Operation Life Line, Toronto, 1980.
3. UNHCR, *The State of World Refugee: A Humanitarian Agenda*, Oxford University press, Oxford, 1997.
4. Daniele Joly, *Refugees: Asylum in Europe*, Minority Rights Publications, London, 1992.
5. Prafulla K Chakrabarty, *The Marginal Men: The Refugees and the Left Political Syndrome in West Bengal*, Lumiere Books, West Bengal, 1990.
6. Paul Hockings, *Ancient Hindu Refugees*: Vikas Publishing House, New Delhi, 1980.
7. Gil Loescher, *Beyond Charity: International Co-operation and the Global Refugee Crisis*, Oxford University Press, Oxford, 1993.
8. Peter H Koehn, *Refugee From Revolution: US Policy and Third World Migration*, Westview Press, Boulder, 1991.
9. Robert F Gorman, *Refugee Aid and Development*, Greenwood Press, Westport, 1993.
10. Edward Newman and Joanne Van Selm, *Refugees and Forced Displacement: Internal Security, Human Vulnerability and the State*, Manas Publications, New Delhi, 2004.
11. Anthony H Richmond, *Global Apartheid: Refugees and Racism in the New World Order*, Oxford University Press, Toronto, 1994.
12. Ivor C Jackson, *Refugees and Human Rights: The Refugee Concept in Group Situations*, Martinus Nijhoff Publishers, The Hague, 1999.
