

LAWS 3097 REFUGEE LAW

Credit Points 10

Coordinator Jason Donnelly ([https://directory.westernsydney.edu.au/search/name/Jason Donnelly/](https://directory.westernsydney.edu.au/search/name/Jason%20Donnelly/))

Description Refugee Law is a critical and dynamic subject that focuses on the legal frameworks and policies that govern the protection of refugees globally. This subject delves into the principles of international refugee law, including the definition of refugees, their rights, and the obligations of states under the 1951 Refugee Convention and its 1967 Protocol. Students will explore contemporary challenges in refugee protection, such as cross-border movements, statelessness, and non-refoulement. The subject also examines Australia's refugee policies in the context of international standards, fostering a deep understanding of the legal, ethical, and humanitarian issues surrounding refugees and asylum seekers.

School Law

Discipline Law, Not Elsewhere Classified.

Student Contribution Band HECS Band 4 10cp

Check your fees via the Fees (https://www.westernsydney.edu.au/currentstudents/current_students/fees/) page.

Level Undergraduate Level 3 subject

Pre-requisite(s) LAWS 2008

Learning Outcomes

After successful completion of this subject, students will be able to:

1. Interpret the foundational principles of international refugee law (incl. refugee definition, rights, state obligations under the 1951 Convention & 1967 Protocol)
2. Analyse current challenges in refugee protection, including issues related to cross-border movements, statelessness, and the principle of non-refoulement.
3. Evaluate the validity of protection visa applications, including criteria for assessment and the legal framework governing these applications.
4. Critically analyse the five grounds for refugee protection and the legal interpretation of 'persecution', including how these are applied in various contexts.
5. Critically examine Australia's refugee policies, comparing them with international standards and discussing their legal, ethical, and humanitarian implications.
6. Analyse the legal complexities involved in specific aspects of refugee law, including sur place claims, the obligation to disregard certain conduct in Australia, exclusionary provisions, complementary protection, and the concept of modifying behaviour for protection.

Subject Content

- Introduction.
- Protection visa application validity.
- Country.
- The five refugee protection reasons for persecution.
- 'Persecution'.
- Available effective protection measures.
- Modifying behaviour.
- Sur place claims.

- Obligation to disregard certain conduct in Australia.
- Exclusionary Provisions.
- Complementary Protection.

Assessment

The following table summarises the standard assessment tasks for this subject. Please note this is a guide only. Assessment tasks are regularly updated, where there is a difference your Learning Guide takes precedence.

| Type | Length | Percent | Threshold | Individual/ Group Task | Mandatory |
|-------------------|-------------|---------|-----------|---------------------------|-----------|
| Quiz | 1 hour | 20 | N | Individual | N |
| Essay | 2,500 words | 40 | N | Individual | N |
| Professional Task | 2,000 words | 40 | N | Individual | N |

Teaching Periods

Summer (2025)

Online

Online

Subject Contact Jason Donnelly ([https://directory.westernsydney.edu.au/search/name/Jason Donnelly/](https://directory.westernsydney.edu.au/search/name/Jason%20Donnelly/))

View timetable (https://classregistration.westernsydney.edu.au/odd/timetable/?subject_code=LAWS3097_25-SUM_ON_2#subjects)