



**NATIONAL LAW UNIVERSITY AND JUDICIAL ACADEMY, ASSAM**

**PROGRAMME: LL.M.**

**DETAILS OF COURSE OFFERED**

**EVEN SEMESTER – ACADEMIC YEAR 2022-23**

SL. No	COURSE CODE	COURSE TITLE	L	T	P	CR	CH
1.	2.3 HR SP-III	LAW RELATING TO REFUGEES, INTERNALLY DISPLACED PERSONS AND STATELESS PERSONS	2			2	2

**A. CODE AND TITLE OF THE COURSE: 2.3 HR SP-III LAW RELATING TO  
REFUGEES, INTERNALLY DISPLACED PERSONS AND STATELESS  
PERSONS**

**B. COURSE CREDIT: 2 (TOTAL MARKS 100)**

**C. MEDIUM OF INSTRUCTION: ENGLISH**

**D. COURSE COMPILED BY: DR. GITANJALI GHOSH**

**E. COURSE INSTRUCTOR: DR. GITANJALI GHOSH**

## **1. OBJECTIVE OF STUDY**

The objectives of the course are as follows:

- To provide students with an understanding of the development of international refugee law
- To introduce students to the concepts of refugees, internally displaced persons and stateless persons
- To elucidate on the rights of the refugees, internally displaced persons and stateless persons
- To discuss the contemporary crisis situations pertaining refugees, internally displaced persons and stateless persons

## **2. COURSE LEARNING OUTCOME**

At the completion of the course, it is expected that the students shall:

- Comprehend the subject matter of the course
- Be able to analyze contemporary international humanitarian and refugee law problems in the light of the concepts learnt
- Be able to articulate their ideas on the subject matter of the course and produce at least one research paper of publishable quality
- Desire to take up international law for further studies

## **3. DETAILED STRUCTURE OF THE COURSE**

### **Module 1**

#### **Evolution of Refugee law**

International aliens law  
International protection of minorities  
League of Nations codifications of refugee rights  
Convention relating to the Status of Refugees  
Post-Convention sources of refugee rights

#### **Structure of entitlement under the Refugee Convention**

Definition of Refugee  
Attachment to the asylum state  
General standard of treatment  
Exceptional standards of treatment  
Prohibition of discrimination between and among refugees  
Restrictions on refugee rights

#### **Rights of Refugees**

Rights of refugees physically present  
Rights of refugees lawfully present

Rights of refugees lawfully staying

### **Durable Solutions**

Voluntary repatriation

Local integration

Resettlement

## **Module 2**

### **Stateless persons**

State sovereignty, nationality and statelessness

Statelessness as an international legal concept and the challenge of identification

Preventing statelessness

Reducing statelessness

Protecting stateless persons

1954 Convention relating to the Status of Stateless Persons

Statelessness, migration and forced displacement

## **Module 3**

### **Internally displaced persons**

Defining internally displaced persons

Legal regime governing internally displaced persons

Guiding Principles on Internal Displacement

Institutional framework of protection for the internally displaced

#### **4. PRESCRIBED READINGS**

- JAMES C. HATHAWAY, *THE RIGHTS OF REFUGEES UNDER INTERNATIONAL LAW* (Cambridge University Press 2005).
- GUY S. GOODWIN-GILL AND JANE MCADAM, *THE REFUGEE IN INTERNATIONAL LAW* (3<sup>rd</sup> ed. OUP 2011).
- MICHELLE FOSTER AND HÉLÈNE LAMBERT, *INTERNATIONAL REFUGEE LAW AND THE PROTECTION OF STATELESS PERSONS* (OUP 2019).
- CATHERINE PHUONG, *THE INTERNATIONAL PROTECTION OF INTERNALLY DISPLACED PERSONS* (Cambridge University Press 2005).