Course Overview

Global Refugee Regimes introduces students to the key notions, norms, and narratives of human mobility. It engages in discussions on the commonalities and differences between various forms of spatial mobility from legal, sociological, and normative perspectives. The course will further participants’ understanding of how refugees and other categories or migrants are conceptualized, as well as why and how responses are securitized. Examining the social worlds of refugees in different scenarios in the global North, as well as in the global South, the course elaborates on the different policy and legal regimes in both, the international and the domestic spheres. The latter include regimes that aim at immigration control and deterrence, immigrant integration, and refugee protection, but also at establishing refugee camps and promoting voluntary repatriation or resettlement. This includes reflections on the Syrian crisis migration and EU asylum law and policies. Discussions are based on international and domestic laws and policies, as well as on the implementation challenges and shortcomings. Throughout the course, discussions emphasize the agency of refugees and the importance of gender to understand laws, refugee experiences and policy effects.

Key learning goals

At the end of the course, students will

- Have acquired substantial understanding of:
  - Key definitions and conceptual differences of various forms of human mobility.
  - International norms on refugees and forced migration.
  - Social worlds of refugees in different scenarios in the global North and South.
  - Legal and policy responses to forced migration in the global North and South.
  - Social worlds of migrants in different scenarios in the global North and South.
  - The role of migrants’ agency and gender differences when assessing the impact of migration and related policies.
  - Media narratives, representation of migration issues and securitization of human mobility.
- Be able to apply frameworks and approaches to a variety of forced migration scenarios and differentiate between the needs and capabilities of different groups.
- Have enhanced analytical writing capabilities and techniques of media analysis.
Course Assessment

The final grade for this course will be made of the following components:

1) 2 response papers: 35%  
2) Group research: 35%  
3) Class attendance: 5%  
4) Class participation: 25%

Response Papers: Students will write two short response papers to the weekly readings of their choice. These papers of not less than 600 and not more than 800 words (excluding references) have to be submitted before the day of the respective class via email. Response papers should substantially discuss a specific issue that attracts students' interest in the assigned reading material by either comparing how the different texts relate to the chosen issue or by using additional literature to discuss the issue. This should consider the six guiding principles below and the separate guidelines for response papers (please consult the guidelines that are uploaded on CourseWorks and follow the instructions). Of the two papers that you write, the paper with the highest grade will count 20%, the other counts 15% of the final grade.

Group Research Project: In groups of 3-4 students, students will engage in meaningful research about refugee regimes. Group research projects can focus on

- Legal and policy regimes that govern refugees. In addition to the analysis of legal and policy documents this should involve more in-depth primary research, i.e. through expert interviews (interviews with refugees and migrants generally require approval by the university’s Internal Review Board (IRB), which makes them impractical for short projects).
- Substantive content analysis of media reports, parliamentary debates or official discussions at the United Nations General Assembly on issues related to refugees and migration.

The concrete topic will be discussed with the course instructor and approved in advance. To this end, after an initial discussion in week 7 (March 2), student teams will elaborate a draft outline of the project that spells out the key questions, their relevance, the state-of-the art and the research methodology. A two-page outline for the research project is due to be submitted by email by March 7. In session 12, student groups will present their preliminary findings to each other and final research reports (4,000-5,000 words) have to be submitted by email no later than May 1. For the detailed instructions, please consult the separate guidelines that are uploaded on CourseWorks.

For the assessment of the research, I will evaluate the research and writing skills (including your writing style, grammar, correct referencing style, spelling mistakes, and the structure of the paper), the quality of the primary research, use of quality literature and incorporation of references and ideas from the literature into the text, the value and clarity of ideas you present and stringency of argumentation. As these are group projects I will also ask for peer evaluations that I will consider in the grading process. For more information and the specific formatting requirements, please see the detailed guidelines for the research papers.

Class Attendance: Discussions of the reading material in class are critical for this course. Hence, your attendance is too. If you cannot make a class for important reasons please inform me at least one hour before the class begins that you’ll be unable to attend. If you are unable to make it it is your responsibility to get informed about our discussion and the learning progress.

Class Participation: I expect students to actively participate in class discussions. Active participation requires sufficient reading in advance of the seminar to enable clear arguments and informed opinions related to the topic under discussion. In addition to having read the course readings I expect that you have taken notes and that you have reflected on key aspects before we meet. This way, our discussions will be meaningful and we can all benefit from each other’s insights. I will evaluate how prepared you come to class, how much of original critically thinking you bring to the discussion and how you discuss competing concepts and theories with other students.

Current Quarter: The last 10-15 min of each class are dedicated to current events. You can suggest topics that you see on the news, blog posts or other information sources. These items don't have to be connected to the main topic of the weekly session (but they can). Please upload new ideas at http://bit.ly/29XtpZm by Monday 23:59pm before our class and provide brief key questions. Everyone can cast their 'vote' for any number of articles that are of interest to them by 23:59pm on Tuesday. (Remember that you have to be signed into your CU account to edit the document.)
Guiding Principles

Throughout the course, students are encouraged to scrutinize the reading material by critically considering the following six guiding principles.

1. **Policy responses and their legitimacy**: What legal and policy responses have been adopted by what institutions and at what levels (international, regional, national, sub-national, local)? What issues do these responses address and what are their shortcomings? What can you say about the commonalities and differences between groups and categories that are treated differently (or lumped together)? What role does time play in the responses and their legitimacy?

2. **Assessing the impact**: What is the impact of different forms of migration and mobility on individuals, their families, communities of origin, transit and destination? How does the movement and mobility of people affect our understanding of political community, social membership, and citizenship?

3. **Migrants’ agency**: Where do we find agency on the part of migrants and refugees and how do people make use of their choices? In what ways do migrants engage in transnational activities? What are the key determinants for migrant women and men to exercise more or less power over their situation? How do policies and narratives reflect or neglect agency?

4. **Gender sensitive analysis**: In what way play gender differences a role when analyzing the phenomenon at hand, especially, regarding the determinants and the impacts? Are there gender-specific potentials, vulnerabilities, or needs that should be considered? Is the representation of the refugee phenomena under scrutiny skewed toward specific narratives of men, women or gender roles in general? What policy options exist?

5. **Specific versus generalizable knowledge**: To what extent are the described concepts, processes, and effects generalizable and where are they determined by, and limited to, specific framing conditions and situation-specific parameters?

6. **Adopting a researcher’s mindset**: What are the empirical questions we have to explore to adequately discuss the claims made in the political sphere (or by scholars)? What are the underlying (often not explicitly stated) assumptions about migrants, refugees, asylum seekers and displaced persons? What language, research, and narratives would be appropriate to address these issues head-on?
## Course overview

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Course Plan

Week 1:  Trends, Notions and Determinants of Human Mobility

What are important definitions of and differences in key notions of migration (statistical vs. other definitions (migrant, diaspora, mobility, refugee, IDP))? What are major flows and stocks of international migration? What are the key questions, analytical categories, and disciplinary tools of migration and forced migration studies? Is it justified to differentiate between the two areas of study? If yes, when and why? What are key disciplinary perspectives on migration and forced migration? What are key theories of migration and determinants of migration flows? What are shortcomings of many theories and why does it matter? What are key obstacles for legal and political recognition of the involved phenomena?


Supplementary reading:


Week 2:  Gender, Human Rights and Transnational Perspectives on Refugees and Displacement

Why are a gender-sensitive lens, a ‘human-rights based approach,’ a focus on individuals’ agency and a transnational perspective important for understanding human mobility? How is this neglected in many accounts of the involved phenomena?


Supplementary reading:

Week 3: Who is a refugee?

What are the international and domestic legal definitions and standards for being recognized as refugees? What differences exist and what are the underlying values? Specifically, what are the challenges of recognizing persons fleeing non-state persecution and gender-based violence?

- Key Refugee Conventions (please read them!):


Supplementary reading:


- Cartagena Declaration on Refugees. 1984.

Week 4: Deterrence Policies and Refugee Status Determination in the Global North

With what policies do states deter asylum-seekers from claiming asylum? What does Orchard (2014) mean when he describes today's refugee regime as a 'non-entrée regime'? What are processes of refugee admission in countries of the ‘Global North’? Why is it important to focus on processes and procedures? What objectives can admission policies have? What are current trends in the granting access to asylum seekers and refugees? And why does gender matter?


Supplementary reading:

- UNHCR Handbook on Procedures and Criteria for Determining Refugee Status (UNHCR 1979) [Focus on Introduction and Part one, for the rest, skim].

Week 5: Regimes of Refugee Integration in the ‘Global North’

What does ‘integration’ of migrants and refugees mean and what specific measures have been enacted to facilitate their integration? What public policies have been put into place to ‘govern’ refugees and migrants, their social welfare, and integration? What challenges exist?


Supplementary reading:

Week 6: The Securitization of Refugees

When do we speak of ‘securitization’ of an issue? To what extent are migration issues viewed as threats to security and what actors promote such perspectives? What approaches exist to de-securitize forced migration topics?


Supplementary reading:
Week 7: Session on Group Research Projects

During this session students will form groups to work on group research projects. You can form a group of 3-4 students before but often groups emerge during this session. To prepare for this session, everyone needs to write down 1-2 research ideas: an overarching question, subsidiary research questions, the relevance of this research, and the methodology involved.

Projects should fall into one of the following two broad categories:

- Legal and policy regimes that govern refugees anywhere in the world. In addition to the analysis of legal and policy documents this should involve more in-depth primary research, i.e. through expert interviews (interviews with refugees and migrants generally require approval by the university’s Internal Review Board (IRB), which makes them impractical for short projects).

- Substantive content analysis of media reports, parliamentary debates or official discussions at the United Nations General Assembly on issues related to refugees and migration. What are dominant representations of “the refugee” in media and by advocates? What narratives and underlying emotions are connected to these representations? Are mainstream representations ‘accurate’ or what are their shortcomings? How do certain representations and narratives related to the public opinion about displacement, immigration, security and connected issues?

Week 8: Moral Regimes: Ethics of Refugee Admissions and Asylum

What are the key moral arguments made to admit refugees and other migrants? What are the underlying assumptions and who is defining the rights in access to space? To what extent are normative perspectives addressed in research and policy discussions on (forced) migration? What real developments, activities, and time-related factors are viewed as being significant from an ethical perspective and why? What are the differences between moral rights to access a geopolitical space and moral claims after being admitted?


**Supplementary reading:**


Week 9: European Union Asylum Regime and the Syrian Refugee Crisis

What are key components of the Common European Asylum System? What are the policy responses to the Syrian refugee crisis in Europe? Why is Europe struggling to cope with the refugee crisis? What does this mean for refugee governance in the region, the EU, and globally?

- Velluti, Samantha. 2014. Reforming the Common European Asylum System - Legislative Developments and Judicial Activism of the European Courts. Heidelberg: Springer. (Chapter 3 and 5)
- Stavropoulou, Maria. 2016. Refugee protection in Europe: time for a major overhaul? Forced Migration Review 51. (The short piece is in the file with all articles from FMR 51)

Supplementary reading:
- Browse the short articles in the Forced Migration Review 51.
- For the texts of the EU directives: https://ec.europa.eu/home-affairs/what-we-do/policies/asylum_en.
- For a brief overview on the difference between directives, regulations and other EU law: https://europa.eu/european-union/law_en.

Week 10: Refugee Regimes in the ‘Global South’ I: Encampment and Life in Refugee Camps

What are the arguments for and against encampment of refugees and what actors favor which arguments? How do we assess life in refugee camps from the perspectives of human security and capabilities? What are specific needs and vulnerabilities of women and children?

In this class, we will play a simulation game, in which a fictive host state, refugees, and the UNHCR negotiate whether refugees should live in a refugee camp or not. More details on the simulation and the respective roles will be shared closer to the class.

- Watch 3 video stories of your choice from www.dadaabstories.org (tab: camp life; explore camp life).
Supplementary reading:


**Week 11: Refugee Regimes in the ‘Global South’ II: Protracted Situations and Durable Solutions**

What are protracted situations and what are their root causes? What durable solutions are discussed and how do you assess these solutions from normative and practical perspectives? What are legal aspects of durable solutions and what are the limitations of using law to end protracted displacement?

- Fagen, Patricia. 2011. Refugees and IDPs after Conflict, Why They Do Not Go Home, Special Report, United States Institute of Peace.

Supplementary reading:


**Week 12: Group Presentations on Research Projects**

In this session, we will have presentations and discussions of the group research projects, highlighting the key findings, limitations, and challenges during the processes and the relevance of the results. A panel of experts will provide you with critical inputs and feedback for the group research papers.

In preparation of the discussion, all groups have to submit a one-page summary of the preliminary draft paper by April 12 (23.59pm). Please also read the other groups’ one-pagers so as to provide them with comments and questions.
**Week 13: The Future of Global Refugee Regimes**

The last session discusses the emerging Global Compact for Refugees and the proposed Comprehensive Refugee Response Framework. What is it? What is missing? Why do you think that is?

The session also ties the various aspects of Global Refugee Regimes during the semester together. Please review your notes from the classes through the semester. What concepts, interlinkages, normative approaches or facts stand out for you? Thus, what are your “take-away” points from the semester?

- UNHCR. 2017. The road to the Global Compact for Refugees.
- Action Committee. 2016. 1st Consolidated civil society feedback on the zero-draft of the outcome document and the Global Compact on responsibility-sharing for refugees.

**Supplementary reading:**

Resources

The university provides many resources to help students achieve academic excellence. These resources include:

- **University Libraries**: [http://library.columbia.edu](http://library.columbia.edu), in particular, use the valuable search engine: [https://clio.columbia.edu](https://clio.columbia.edu).

- **University Disabilities Services**: Reasonable disability accommodations are adjustments to policies, practices and procedures that “level the playing field” for students with disabilities, as long as such adjustments do not lessen academic or programmatic requirements. Accommodation plans and services are designed to match the disability-related needs of each student, and are determined according to documented needs and the student's program requirements. Accommodations are determined case by case, after Disability Services (DS) considers both the student's needs as described in their disability documentation and the technical academic standards of their course or program. In order to request accommodations, students must complete the DS registration process. For more information, see [https://health.columbia.edu/disability-accommodations-and-services](https://health.columbia.edu/disability-accommodations-and-services).

Principles of Academic Honesty

In October 2003, the Faculty adopted the following principles of academic honesty by which students are expected to abide. These principles are the cornerstone of educational integrity at Columbia Law School. They also reflect the legal profession’s special obligations of self-regulation. Students are expected to familiarize themselves with these principles during initial orientation and before taking an examination or submitting any work for credit toward a degree. Academic dishonesty — attempted or actual — will not be tolerated. Academic dishonesty includes, but is not limited to:

- **Plagiarism**: Failure to cite or otherwise acknowledge in any paper, exercise, or project submitted for credit ideas or phrases gained from another source such as published text, another person’s work, or materials on the Internet unless the source is obvious from the context given.
- **Self-Plagiarism**: The submission of one piece of work in more than one offering or in any two exercises for credit without the explicit permission of the instructors involved.
- **Preparation by another**: The submission of work as one’s own that has been prepared by or purchased from another.
- **Cheating**: To give, receive, take assistance, or make unauthorized use of information from written material, another person, his or her paper, or from any other source (except as explicitly allowed by the instructor) before or during an examination or other written exercise.
- **Violation of instructions**: Failure to abide by the explicit directions or instructions of an instructor with regard to a performance for credit.
- **Falsification of work product**: Falsification or misrepresentation of data, evidence, or other reportable observations in any course or other exercise for credit.
- **Impermissible collaboration**: The violation of the rules on acceptable collaboration on projects, papers, exercises, or examinations set by a faculty member or Law School committee.
- **Tampering with materials**: Removing, hiding, or altering library materials or stealing another person’s materials.
- **Facilitation of academic dishonesty**: Facilitating academic dishonesty by enabling another to engage in such behavior.
- **In further clarification and recognition of the standards of academic conduct to be met, students sign the following language of certification, Student Certification of Examination Performance, when submitting any exam, and Student Certification of Written Work when submitting work for credit.**