

Monash University, Faculty of Law and Université de Montréal, Faculty of Law present:

Best Practices for Refugee Status Determination: Principles and Standards for State Responsibility

Monash University Prato Centre, Italy
29 & 30 May, 2008



The purpose of this conference is to bring together a group of practitioners, academics, decision-makers and policy makers from common law and civil law jurisdictions, including the EU, to consider the question of 'best practices' for refugee status determination in the current global 'crisis' of asylum. As is well known, the trend in developed countries is to introduce increasingly restrictive measures on access to asylum procedures. This policy of avoidance of responsibility includes the following practices:

- 'Safe third country' concepts which promote the 'containment' of refugees in regions close to their country of origin.
- Interception and off-shore processing of asylum seekers.
- The promotion of efficiency and security at the expense of accuracy.

Collectively, these practices amount to an abdication of the responsibilities of signatories to the Refugee Convention.

This conference will examine and reassert the responsibilities of states to asylum seekers under international human rights law and under the Refugee Convention. It will provide a forum for the exchange of practical experiences from different jurisdictions and provide guidance to emerging jurisdictions such as South Africa, Israel and African nations.

It is intended that the conference proceedings will be published in a monograph.

The conference is being organized by Professor Susan Kneebone, Faculty of Law, Monash University, in partnership with Professor France Houle, Faculty of Law, Université de Montréal, and with the support of the following:

Professor François Crépeau, *Canada Chair in International Migration, Université de Montréal*

Professor Elspeth Guild, *Kingsley Napley, UK and University of Nimejen, Netherlands*

The Castan Center for Human Rights Law, *Faculty of Law, Monash University*

The two day conference will have a range of plenary sessions with the final session to comprise a panel of international refugee judges.

Plenary Sessions:

- Benchmarks for Quality Procedures
- Standards for Refugee Status Determination
- Access to Refugee Status Determination and Exclusion from Protection
- 'Effective and Fair Decision-Making' or Dysfunctional Decision Making?

Invited Speakers

confirmed to date:

Professor Deborah Anker

Harvard Law School, Harvard University, USA

Professor François Crépeau

Faculty of Law, Université de Montréal, Canada

Dr Michelle Foster

The Melbourne Law School, University of Melbourne, Australia

Dr Maria-Teresa Gil-Bazo

Newcastle Law School, University of Newcastle upon Tyne, UK

Professor Elspeth Guild

Kingsley Napley, UK, and Centre for Migration Law, University of Nijmegen, Netherlands

Rodger Haines QC

Refugee Status Appeals Authority, New Zealand

Professor France Houle

Faculty of Law, Université de Montréal, Canada

Professor Susan Kneebone

Faculty of Law, Monash University, Australia

Professor Delphine Nakache

Faculty of Law, University of Alberta, Canada

Rick Towle

Representative UNHCR, Australia



Faculté de droit

Université de Montréal

 **MONASH** University
Faculty of Law

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Call for Abstracts

Proposals for abstracts (30 minutes including 10 minutes for discussion) are invited.

Deadline for submission of abstracts is Friday, 7 December 2007.

Suggested topics / themes for Call for Abstracts or Panels

- **Access to refugee status determination** – primary decision-making, multidisciplinary decision-making (including mental health impacts), cross-cultural elements of decision-making including race, age and gender, provision of advice and representation, regulation of migration practitioners. Fast-track procedures and time-limits. Offshore processing and excision of territory.
- **Standards for refugee protection** – legislative definition of ‘refugee’ versus the Convention, application of the exclusion clauses, including cessation clauses, internal flight option, sur place claims, internal flight, non-state actors. Consistency of standards amongst states. Application of the *non-refoulement* standard. Complementary protection versus Convention protection.
- **Tribunal decision-making** – including training in relation to vulnerable applicants (for example, unaccompanied child applicants), evidentiary issues, standard of proof, collection and use of country information, adversarial and inquisitorial procedures, case management and fast tracking, constitutional status of tribunal, control of procedures, use of guidelines, fairness versus efficiency. Qualifications of decision-makers.
- **Appeals and Review** – access to effective appeals or judicial review, use of administrative discretions.

Please ensure that you comply with the following and forward no later than **Friday, 7 December 2007**. (*Details below*)

Abstracts must be:

- typed in Microsoft Word
- no more than 300 words
- submitted by email as an attachment

Abstracts should include:

- Name of conference
“Best Practices for Refugee Status Determination”
- Title of presentation
- Authors’ name(s), with name of presenting author underlined
- Authors’ organization(s)
- Corresponding author’s address and contact details (postal and email addresses, phone and fax numbers)

Please forward abstracts by email to:
info@conorg.com.au



To receive the Conference Registration Brochure, please visit our website (www.conorg.com.au)

or contact:

The Conference Organiser
146 Leicester Street
Carlton, Victoria, 3053
AUSTRALIA

Phone: (03) 9349 2220

Int: ++ 613 9349 2220

Fax: (03) 9349 2230

Int: ++ 613 9349 2230

Email: info@conorg.com.au

Please Note:

The acceptance of abstracts is contingent on registration for the conference.

The language of the conference will be English.