

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

29 & 30 May, 2008
Monash University Prato Centre
ITALY



Program & Registration

Presented by:



MONASH University
Faculty of Law

Faculté de droit

Université 
de Montréal

Program updates will be
posted on our website
(www.conorg.com.au)
as they become available.

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.

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 Radboud University Nijmegen, The 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.

Invited Speakers

Professor Deborah Anker
Harvard Law School, Harvard University, USA

Professor François Crépeau
Faculty of Law, Université de Montréal, Canada

Professor Robin Creyke
College of Law, Australian National University, Australia

Professor Catherine Dauvergne
Faculty of Law, University of British Columbia, 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,
Radboud University Nijmegen, The 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

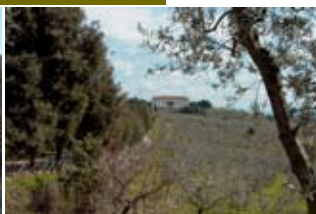
Professor Peter Showler
*Human Rights Research and Education Centre, University
of Ottawa, Canada, and former president of the IRB*

Rick Stainsby
UNHCR, Geneva

Rick Towle
Representative UNHCR, Australia

Dr Karin Zwaan
*Centre for Migration Law, Radboud University Nijmegen,
The Netherlands*

Conference Venue:
Monash University Centre in Prato
Palazzo Vaj, Via Pugliesi 26
Prato 59100, Italy



Host City: Prato, Italy

Prato is the second largest city in Tuscany with a population of around 180,000. Located a short distance from Florence, Prato is a hidden gem that offers the tourist many historical and artistic attractions. In the centre of the town, Prato offers a wealth of architectural heritage including the Emperor's Castle (built by the Emperor Frederick II), the Cathedral with its revered relic of the Madonna's sacred belt, Palazzo Pretorio, Datini's house, the Basilica of Santa Maria delle Carceri, the medieval churches of St Francis, St Dominic and St Augustine as well as a number of patrician palaces. These building and the city museums hold works of art by great masters of the 14th century and Renaissance.

Conference Venue

The Monash University Centre is located in the centre of Prato; 20 minutes from central Florence, and 15 minutes from the Florence international airport. The Monash Centre occupies the 1st floor of the 18th century Palazzo Vaj. The present owners, L'Arte della Lana or 'Wool Guild', purchased the building from the Vaj family in the 1920s. Between 1875 and 1999, the parts of the building which now house the Monash Centre were home to a prestigious club for local businessmen.

Conference Dinner

Delegates will enjoy the lovely surroundings of the Villa Medicea 'La Ferdinanda' at Artimino for the Conference Dinner on Thursday 29 May. Ferdinando I De' Medici took residency of this magnificent villa with his whole court in 1594. Today, the villa provides a tranquil setting for special functions. Delegates will be transported from the Monash University Prato Centre directly to the venue via bus.

Note: Delegates must be ready to depart the Monash University Prato Centre, Palazzo Vaj by 6.15 pm.

The dinner and drinks are included in the Full Conference registration fee. Students, partners and others are welcome to purchase tickets at AUD\$110 per person.

Provisional Program

Thursday, 29 May 2008

- 8:45am - 9:00am Welcome**
Susan Kneebone and France Houle
- 9:00am - 10:30am Plenary Session: Access to Refugee Status Determination Procedures**

Access to Asylum and State Jurisdiction: Interdictions, Interceptions and Offshore Processing
Deborah Anker

'Protection Elsewhere' or Protection against Refoulement?
The Michigan Guidelines
Michelle Foster

Harmonization, International Commitments and EU Legislative Measures: Consistency or 'Lowest Common Denominator'?
Elsbeth Guild and Karin Zwaan

10:30am - 11:00am Morning tea

- 11:00am - 12:30pm Plenary Session: Standards for Refugee Protection**

Incorporation and Interpretation of the Refugee Convention: National Law and International Obligations
Rodger Haines QC

A Hierarchy of Protection? The Single Procedure under the Qualification Directive
Maria-Teresa Gil-Bazo

State Security versus Protection of Individuals:
Application of the Exclusion clauses
Catherine Dauvergne

12:30pm - 1:30pm Lunch

- 1:30pm - 3:00pm Plenary Session: Strengthening Protection Capacity and Consistency in Refugee Status Determination: A Global Perspective**
Rick Stainsby and Rick Towle

3:00pm - 3:30pm Afternoon tea

- 3:30pm - 5:00pm Parallel Paper Sessions**

7:00 for 7:30pm Conference Dinner:
Villa Medicea "La Ferdinanda"
(Buses depart at 6.15pm)

Friday, 30 May 2008

- 9:00am - 10:15am Plenary Session: Effective and Fair or Dysfunctional Decision Making?**

The Standard of Proof - 'Well-founded Fear of being Persecuted' and State Responsibility
Susan Kneebone

The Need for Multidisciplinary Decision Making
François Crépeau and Delphine Nakache

10:15am - 10:45am Morning tea

- 10:45am - 12:30pm Plenary Session: Administrative Soft Law Instruments: Useful or Necessary?**

Inquisitorial versus Adversarial Practices
Robin Creyke

Helping Members to Make Decisions: The Use of Soft Law Instruments by the Canadian Immigration and Refugee Board
Peter Showler

The Federal Court's view on the Validity of IRB Guideline #7 (Concerning Preparation and Conduct of a Hearing in the Refugee Protection Division)
France Houle

12:30pm - 1:30pm Lunch

- 1:30pm - 3:00pm Parallel Paper Sessions**

3:00pm - 3:30pm Afternoon tea

- 3:30pm - 5:00pm Closing Plenary Session: Panel discussion The Best of 'Best Practices'**

Participants will include:

The Hon Anthony North (*Federal Court of Australia and International President of the IARLJ*),

The Hon Anne Mactavish (*Federal Court of Canada*),

Rodger Haines QC (*Refugee Status Appeals Authority, New Zealand*).

General Information

Accommodation

Prato and Florence offer a variety of accommodation options for differing needs and budgets. For convenience, we recommend that conference delegates stay in Prato for the duration of the conference. A list of accommodation options and their contact details are available at the Monash University Prato Centre web site: <http://www.ita.monash.edu/>

Delegates should make their own accommodation bookings directly with hotels or tour operators well in advance of the conference. As May is a busy period in Prato, early booking is advised.

Conference Registration Fees

- Conference Registration includes morning and afternoon teas and lunches on Thursday and Friday, and the conference dinner.
- A limited number of places are available for full-time, non-salaried students. The student rate is only available to those who submit evidence of their full-time, non-salaried status with their registration form; catering is as above but does not include the conference dinner.

	Until 7 March	After 7 March
Delegates	AUD\$495	AUD\$595
Full time non-salaried students (<i>verification required</i>)	AUD\$355	AUD\$455

Places at the conference are limited and will be allocated on a first come basis.

Applications for single day registrations for the conference will be considered in early April contingent on places remaining unfilled. If you wish to attend for a single day only, please contact us in early April to check on availability.

Please Note: If your funding for attendance is delayed, please register your intention to attend by sending/faxing the Registration Form with an explanatory note. Unless payment is received by 7 March, the higher registration rate will apply.

Cancellations

Cancellations must be advised in writing by 31 March 2008; there is a \$110 cancellation fee per registration. After that date, refunds will only be issued in exceptional circumstances, but substitute delegates will be accepted.

Visa and consular information

All foreign visitors entering Italy must be in possession of a passport or other travel documents endorsed and valid for Italy. For very few foreign nationalities, an entry visa to Italy is required. Australian passport holders do not require a visa. It is the responsibility of delegates to inform themselves of these visa requirements and make suitable arrangements. This must be done first from your home country. For further information, consult the Italian Embassy in your home country.

Weather

The weather in northern Italy in May is usually warm. Delegates are advised that on occasions greater variations occur and provision for both cooler and much warmer temperatures is advised.

Getting to Prato

Prato is 15 minutes by taxi from Florence (Firenze) airport. For instructions on how to get to Prato, visit the Prato Civic Net site (<http://www.po-net.prato.it/home.en.php>).

Language

The language for this conference will be English.

Insurance

Conference registration fees do not include insurance of any kind. It is recommended that you take out personal travel and medical insurance which includes loss or damage of personal possessions, including loss of hotel payments and registration fee through cancellation at the time you register for the conference and book your travel. The conference organisers cannot take any responsibility for participants failing to arrange their own insurance.

Confirmation of registration

Registration will be confirmed via email upon receipt of payment. Please check your confirmation letter and advise us immediately of any changes.

More Information

The Conference Organiser Pty Ltd
146 Leicester St, Carlton, Victoria Australia 3053
Phone: (03) 9349 2220 Int: ++61 3 9349 2220
Fax: (03) 9349 2230 Int: ++61 3 9349 2230
Email: info@conorg.com.au

DISCLAIMER: At the time of printing, all information contained in this brochure is correct; however, the organising committee, its sponsors and its agents cannot be held responsible for any changes to the final structure or content of the programs, or any other general or specific information published in this brochure. In the event of industrial disruption or other unforeseen circumstances that disrupt the running of the conference, the organising committee, its sponsors and its agents accept no responsibility.

Registration Form

ABN: 22 099 354 060 (The Conference Organiser Pty Ltd)

Please note: All fees are in Australian dollars. This form is a tax invoice when completed. All fees are GST free.

Section A: Personal Details

Prof/Dr/Mrs/Ms/Mr:
(First Name) (Last Name)

Organisation:

Address:
 Post Code:

Phone: (.....) Fax: (.....)

Mobile: Email:

Special requirements (dietary, disability etc.):

Section B: Conference Registration

	Until 7 March	After 7 March	
Delegates	\$495	\$595	
Full time non-salaried students <i>(verification reqd.)</i>	\$355	\$455	▶ Conference Registration \$

Section C: Conference Dinner

Conference Dinner (Full Registrants)

The Conference Dinner is included in the conference registration fee. Please tick the box if you will be attending; **failure to indicate will be registered as non-attendance.**

I will attend the Conference Dinner

Additional tickets for the Conference Dinner are available for students, partners and others who wish to attend.

I enclose payment for additional Guest Dinner and Drinks tickets @ \$110ea. ▶ **Conference Dinner \$**

Section D: Payment Summary

Conference Registration \$
 Conference Dinner \$
TOTAL \$

Please note: Payments from outside Australia must be by credit card (Mastercard or Visa only) or by bank draft or order (in Australian dollars drawn on an Australian bank); personal cheques or payments in other currencies cannot be accepted.

SEND FORM WITH PAYMENT TO:
The Conference Organiser
146 Leicester Street
Carlton, VICTORIA 3053

Fax: Australia: (03) 9349 2230
International: +613 9349 2230

I enclose my cheque made payable to "The Conference Organiser Pty Ltd" **OR**

Please debit my credit card \$ (AUD). Mastercard Visa
(Please note: We only accept Mastercard and Visa.)

Number: _____

Name on card:

Expiry:/..... Signature:

Receipts will be emailed to delegates on receipt of payment.

Privacy Statement: Your personal information on the registration form will be used by The Conference Organiser Pty Ltd and the conference committee to administer the conference and to notify you of similar future events. Your name and organisation will appear on the list of delegates to be included in the Book of Abstracts. For those with special requirements, your name may be disclosed to the conference venue for access and catering requirements. Should you not wish for your details to be used for these purposes, please contact The Conference Organiser as soon as possible.