This unit exposes students to the role and limits of law in addressing acute problems of socio-economic development and human rights facing a developing country like Nepal, which ranks among the world’s poorest countries. Through an interactive ‘field school’ conducted over two weeks inside Nepal, utilising innovative teaching methods, this unit will use the Nepalese experience to illustrate the complexity of developmental and human rights problems confronting developing countries.

The themes to be explored are likely to include:

• The transition from armed conflict to peace in the aftermath of a Maoist insurgency and the end of the monarchy in Nepal (including issues of transitional criminal justice, the drafting of a new constitution, and building a new legal and political system against the background of Nepalese legal traditions and foreign legal influences);

• The protection of socio-economic rights (including rights to food, water, housing, and livelihoods), minority rights (of ‘tribals’, and ‘dalits’ in the caste system), and the ‘right to development’ under constitutional and international law;

• The interaction between local disputes over natural resources, human displacement caused by development projects, environmental protection and climate change in the context of fragile Himalayan ecologies;
The legal protection of refugees (Tibetan or Bhutanese) in camp or mass influx situations, in the context of the limited resources of a developing country and the causes of, and solutions to, human displacement; and

• The experience of women in development and human rights debates, in light of a range of indicators of gender inequality in traditional Nepalese society.

The Himalaya Field School is an early semester one intensive unit and results are released at the end of semester one.

CONTENT OF THE UNIT

The different issues will be drawn together by ongoing reflection upon the common theme of the influence of, and resistance to, human rights and international law in developing countries. The unit will be conducted in conjunction with Kathmandu School of Law. The unique teaching methods will encourage creating thinking about complex legal problems through a combination of:

• Lectures (in English) provided by academic staff from Kathmandu School of Law and Sydney Law School;

• Structured site visits to interact with community and civil society organizations, human rights defenders, NGOs, government bodies (such as the National Assembly, Judicial Academy, law enforcement agencies, and relevant departments), international organizations (such as UN agencies such as UNHCR, UNICEF, UNIFEM, UNDP and so on), and aid donors; and

• Field study visits which immerse students in an investigation and close study of particular case studies, including: (a) a four day stay in a rural tribal village and (b) a visit to either Tibetan or Bhutanese refugee camps in regional Nepal.

The unit will also provide opportunities to explore Nepal’s cultural and natural heritage through visits to major temples and palaces, world heritage cities, and hill stations.

Classes will commence Monday 19th January and the program will conclude 5pm, Saturday 31st January.

Please note: Prof. Kinley and Ms. Chater will be departing from Nepal at the conclusion of the course on Saturday 31st January. Faculty support will therefore conclude when the program closes at 5pm, Saturday the 31st.

PRE-DEPARTURE BRIEFING

Students are required to attend a pre-departure briefing and lectures in Sydney, prior to departure. The briefing is scheduled 6pm, Tuesday 21st October.

EXPECT CHALLENGING CONDITIONS

Students are advised to expect that conditions in Nepal will be challenging and sometimes outside their comfort zone:

• Nepal often (ie, daily) experiences electricity shortages, exacerbated during the winter months - which may mean that things do not work – hot water for showers, heating appliances, computers and internet, televisions and other electronic equipment.

Back-up generators will be used where possible, but this cannot always be guaranteed.

• Road transport in Nepal can be difficult. Road travel can be slow, bumpy and dusty. Strikes are common and often result in roads being unpredictably blocked for protracted periods. Patience is often required; travel Scrabble can be handy to fill in time! The Field School will provide safe bus transport within the limits of what is available.

• Food in Nepal is often very basic (rice, dal, vegetables). The Field School will provide adequate healthy food but do not expect gourmet food! Be prepared for basic food.

• A reasonable level of basic fitness and stamina is required. Parts of the Field School will require walking for long periods (such as a one day trek to the tribal village stay) as well as tiring road journeys over long distances. (If you are a person with a relevant disability, you should alert the Academic Coordinator so that it can be determined whether reasonable accommodations can be made, within the limits of what is possible in a developing country).

Students with a condition that may affect their health or stamina or who may require specialised health services should seek medical advice from their treating health professional(s) before enrolling in the Field School.

• Be prepared for the weather in Nepal in January. Average daily temperatures range from 4-20 degrees Celsius in Kathmandu in January. Nights can be quite cold. There is generally little rainfall in January.

Students will be expected to respect the beliefs and customs of the Nepalese people and should be prepared to adapt accordingly. Specific advice about appropriate dress and basic etiquette will be provided before departure.

FEE INFORMATION

The unit is offered as on a Commonwealth supported (CSP) and full-fee basis; the tuition fee rate you are charged will be the same as your regular 2015 liability status. Eligible CSP students can elect to defer their tuition fee payment using HECS-HELP. Eligible postgraduate, full-fee undergraduate and JD students may apply to defer their tuition fee payment using FEE-HELP.

FEE-HELP & HECS-HELP do not cover accommodation and general living expenses and cannot be used to defer payment of the fee for in-Country expenses.

OS-HELP

The Australian Government provides loans to assist eligible students to undertake accredited studies overseas. The scheme is known as OS-HELP. To be eligible for OS-HELP assistance for overseas study in both Asia and non-Asia destinations, you must be enrolled in a Commonwealth student place (CSP). Eligible students may apply for up to $7,500. For further information please refer to the Sydney University Study Abroad and Exchange webpage and the Federal Government’s Study Assist website http://studyassist.gov.au
Two fees are payable to the University of Sydney:
1. The University of Sydney tuition fee (which varies depending on your enrolment)
2. A fee covering in-Country expenses

The tuition fee covers tuition costs in Nepal and Sydney. This fee is set by the University of Sydney and is based on the standard fee rate.

The fee for expenses in Nepal covers:
- Adequate accommodation;
- Three meals per day;
- Airport transfers on arrival (for students arriving on 17 or 18 January 2015 only);
- Field study visit to rural tribal village (four days);
- Visits to sites such as National Assembly, Judicial Academy, National Human Rights Commission, government agencies, the Australian Embassy, NGOs, and other organizations;
- Cultural / sight-seeing visits to some of the following sites: Durbar Square; world heritage temples in Bhaktapur and Patan; Pashupatinath Hindu temple on the Bagmati river; Boudhanath Buddhist stupa; Swayambunath hill temple; Narayanhiti Royal Palace; Nagarkot hill station.
- Administrative and logistical overheads.

2015 FEES FOR IN-COUNTRY EXPENSES

<table>
<thead>
<tr>
<th>ACCOMMODATION TYPE</th>
<th>FEE PER PERSON ($AUD)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Twin share</td>
<td>$1,700</td>
</tr>
</tbody>
</table>

2015 TUITION FEE SCHEDULE

Please note that the following tuition fee rates are for Juris Doctor students, postgraduate students, and full-fee paying undergraduate students only. The tuition fee will be incorporated in your 2015 fee invoice.

Full Fee Domestic students

<table>
<thead>
<tr>
<th>Student Type</th>
<th>Credit points</th>
<th>Tuition fee ($AUD)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Undergraduate</td>
<td>6</td>
<td>$4,575</td>
</tr>
<tr>
<td>Juris Doctor</td>
<td>6</td>
<td>$4,500</td>
</tr>
<tr>
<td>Postgraduate</td>
<td>12</td>
<td>$8,350</td>
</tr>
</tbody>
</table>

**If you are a Commonwealth supported undergraduate student, the tuition fee you will be charged will be at the normal CSP rate.

International students

<table>
<thead>
<tr>
<th>Student Type</th>
<th>Credit points</th>
<th>Tuition fee ($AUD)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Undergraduate</td>
<td>6</td>
<td>$5,450</td>
</tr>
<tr>
<td>Juris Doctor</td>
<td>6</td>
<td>$5,250</td>
</tr>
<tr>
<td>Postgraduate</td>
<td>12</td>
<td>$10,000</td>
</tr>
</tbody>
</table>

**2015 RATES UNAVAILABLE AT TIME OF PUBLISHING

ASSESSMENT

LAWS6974 Development, Law & Human Rights (PG 12cp): 1x take home assessment (30%) plus 1 x 8,000 word essay (70%). Essay due date: 30 March 2015

LAWS5178 (JD 6cp): Take home assessment (50%) plus 4,000 word research essay (50%). Essay due date: 30 March 2015

LAWS3478 (UG 6cp): Take home assessment (50%) plus 4,000 word research essay (50%). Essay due date: 30 March 2015

Take home assessment will be released 23rd February and is due 2nd March 2015.

In addition, all students must complete a number of compulsory learning activities or exercises during the Field School in Nepal. Please note that assessment may be subject to change.

ACCOMMODATION

Accommodation is provided from 17 January to 1 February 2015 (i.e. you are expected to checkout 1st February 2015). Students will be accommodated together in suitable sleeping facilities in Kathmandu and Melamchi. Accommodation will most likely be provided on a twin share basis. Three meals a day are provided. Please note that accommodation will be adequate but basic by Australian standards – Nepal is a poor developing country, and students should adjust expectations accordingly.

It is anticipated that the accommodation provided in Kathmandu will be the Bhaktapur Guest House. Bhaktapur is approximately 9km from Thamel (the tourist centre of Kathmandu). Bhaktapur is an ancient Newar city and is listed as a World Heritage Site by UNESCO for its rich culture, temples, and wood, metal and stone artworks.

Persons of different genders may share rooms only if they are married couples. Students are required to observe the rules of the accommodation provider. Any breakage or damage to property is the responsibility of the student causing the damage and must be paid for prior to departure.
Please note that a deposit is payable by each student on arrival for room keys and will be refunded on departure. All students must stay in the accommodation provided by the Field School. This is a requirement of the course.

TRAVEL
Participants are responsible for their own travel arrangements to and from Kathmandu. Students are strongly advised not to make travel bookings until you have received official notification from Sydney Law School that you have been accepted into the program.

The Field School will continuously review conditions in Nepal to be satisfied that it is safe for the Field School to be conducted. In its assessment, the Field School will be guided by its local partner, Kathmandu School of Law, which has extensive knowledge and expertise about local conditions; the previous experiences of the Sydney Centre for International Law of working with Kathmandu School of Law in Nepal; the travel advice of the Department of Foreign Affairs and Trade; and relevant University of Sydney policies. The Program will be cancelled, and all students fees refunded, if it is determined that it is not possible to safely proceed with the Field School. Students are advised, however, that they are ultimately responsible for making their own decisions about participating in the Field School.

AIRPORT TRANSFERS
Kathmandu School of Law will endeavour to provide transport between Tribhuvan International Airport in Kathmandu and the Field School on 17 and 18 January 2015 only. Airport transfers will also be provided following the completion of the Field School. If you wish to leave Nepal at a later time your will be required to make your own way to the airport by taxi.

Please note that there may be unusual circumstances in which it is not possible for Kathmandu School of Law to provide airport transfers. In such circumstances all students will be provided with clear travel instructions in English.

INSURANCE
During the course students are covered by the University of Sydney, Student Travel Insurance Policy. Please note the policy is limited in its coverage eg personal travel, loss of personal items and routine medical costs are not covered. Further information can be found at: http://sydney.edu.au/audit_risk/insurance/travel/student.shtml

The Faculty strongly recommends that all students should purchase additional travel insurance.

Please note that your travel insurance policy should provide comprehensive coverage for medical expenses incurred overseas, including medical evacuation, and personal liability coverage. You should also ensure you are covered for cancellation costs in the event that the program is cancelled. It is strongly recommended that you purchase your travel insurance when you purchase your flight ticket. If you plan on taking a laptop, please ensure that you have arranged appropriate insurance.

Any students with pre-existing medical conditions must obtain a letter from their treating doctor which should then be supplied to Audit and Risk Management (cc. Sonya Chater) advising:
1. Details of the condition
2. Management of the condition
3. Suitability for travel to Nepal

Further information:
General Insurance and Claims Officer
Vlad Nesic
Phone: +61 2 9351 4127
Email: vlad.nesic@sydney.edu.au

HEALTH
It is recommended that you consult your doctor with respect to vaccinations. Please note that some vaccinations may need to be administered well in advance of departure in order to be effective.

IMPORTANT: students with food allergies or respiratory problems are advised to consult their medical practitioner before applying. The University of Sydney is unable to verify or control, the use of any ingredients or food production techniques used for meals provided throughout the program.

VISAS
Most students will require visas. Students are responsible for obtaining visas from the Nepalese Consulate in Sydney. Forms and information are available online at http://nepalconsulate.org.au/?p=10. Visas are also available upon arrival at the airport in Kathmandu, but it is strongly recommended that you arrange a visa in advance. The Nepalese Embassy has advised the Field School that students should obtain a tourist visa. It is recommended that you obtain a 30 day multiple entry visa ($85 as at August 2014).

The University of Sydney accepts no responsibility if a student is unable to obtain a visa, or if a student obtains the incorrect visa.

HOW TO APPLY
APPLICATION FORM
A maximum of 30 students will be accepted into the program with an initial 15 places held for postgraduate students currently enrolled with Sydney Law School. Please note: Applicants are strongly urged to submit applications without delay to avoid disappointment.

1. A completed application form must be submitted.
2. When completing the application form you will be directed to an online payment system to pay a $500 non-refundable deposit.
3. Applications will only be processed upon successful payment of the deposit; they will be processed in order of receipt of deposit and will be subject to eligibility.
4. Successful applicants will be notified and will be enrolled by student administration. Unsuccessful applicants will receive a refund of their deposit. Do not confirm your travel arrangements until you have received official confirmation.

5. The balance of the in-Country fee must be received by 31st October 2014.

Please note, receipt of the online deposit does not imply acknowledgement or acceptance of your eligibility for the unit. Eligibility will be checked before an offer is confirmed.

CROSS-INSTITUTIONAL STUDENTS

Cross-institutional applicants are advised to contact their home institution to confirm that the course can be credited to their degree. Students are required to obtain written permission from their home institution before applying and paying the non-refundable deposit. Cross-institutional students should email law.offshore@sydney.edu.au for further details.

Preference will be given to Sydney Law School students, University of Sydney students participating on a cross-disciplinary students basis, followed by cross institutional and non-degree students.

REFUND POLICY

1. In the event that the Himalaya Field School is cancelled, students will receive a 100% refund of tuition fees and in-Country expenses.

2. Upon application, all students must pay a deposit of A$500 which will only be refunded if your application is unsuccessful.

3. Students who withdraw from the program prior to close of business on 30 September 2014 will receive a full refund of any tuition fees and in-Country expenses paid, less the A$500 deposit.

4. Students who withdraw from the program after close of business on 31 October 2014 and before the census date will receive a full refund of tuition fees paid and no refund of the fee for in-Country expenses.

5. 100% tuition fee liability or FEE-HELP debt will be incurred after the census date. No refund of either tuition fees or in-Country expenses is payable for unit of study withdrawals received after this date.

Applications to withdraw from the program must be received in writing and submitted to Sonya Chater. The Law School requests that candidates intending to withdraw from the program do so no later than 31 October 2014.

CONDITIONS OF ENROLMENT

Undergraduate Students:
The unit is offered as a 6 credit point elective (LAWSS194 Development, Law & Human Rights) to JD applicants who must have completed the first year of a JD program. Sydney JD students must ensure they have made satisfactory progress in their core units to be eligible to enrol (usually a minimum of 48 credit points at the commencement of summer school). Cross-institutional students who have made sufficient progress in the Juris Doctor at their home institutional are also eligible to apply.

Units of Study and arrangements for these, including staff allocated, as stated in any publication, announcement or advice of the University are an expression of intent only and are not to be taken as a firm offer or undertaking.

The University reserves the right to discontinue or vary such units, arrangements or staff at any time without notice. The University reserves the right to cancel your enrolment in the following circumstances:

1. Provision of false or misleading information;
2. Failure to pay outstanding loans, fines and/or fees;
3. Payment by a cheque which is dishonoured or by a credit card authorisation which your credit provider refuses to pay.

Students are strongly advised not to make travel bookings until you have received official notification from Sydney Law School that you have been accepted into the program.

All students must obtain comprehensive travel insurance which provides coverage for medical expenses incurred overseas, including medical evacuation, personal liability coverage, and cancellation costs. The University of Sydney will not pay any amounts in respect of travel or other costs incurred by a student in the event that the program is cancelled at any time or if the student is unable to obtain a visa or if for any reason a student is unable or decides not to participate in the program.

FURTHER ENQUIRIES

Administrative Enquiries:
Sonya Chater
Offshore Unit of Study Coordinator
E: law.offshore@sydney.edu.au
T: +61 2 9351 0275

Please contact Sonya with all administrative enquiries, including application and fee related matters.

Course Coordinator (Academic enquiries only)
Professor David Kinley
e: david.kinley@sydney.edu.au
**SAMPLE SCHEDULE**

**This is an indicative guide only. The 2015 program is yet to be finalised and it will certainly vary to the schedule below**

<table>
<thead>
<tr>
<th>DATE</th>
<th>9.00 -11.45</th>
<th>11.00-12.30</th>
<th>13.30-15.00</th>
<th>15.30-17.30</th>
</tr>
</thead>
<tbody>
<tr>
<td>17 Jan Sat</td>
<td>ARRIVE KATHMANDU</td>
<td></td>
<td></td>
<td>Guided tour of Bhaktapur city View traditional Bhaktapur dancing</td>
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<tr>
<td>18 Jan Sun</td>
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<tr>
<td>19 Jan Mon</td>
<td>8-9am Welcome, USYD and KSL 9-9.30 Briefing on Expectations and housekeeping matters Lecture 1: Introduction to ‘Development’ Prof David Kinley, Sydney Lecture 2: Introduction to Nepalese Legal System and Governance Prof Dr. Yubaraj Sangroula, KSL and former Attorney-General of Nepal Lecture 3: Law and Impunity in Nepal During the Maoist Conflict Asst. Prof. Kapil Aryal, KSL</td>
<td>Lecture 4: Post-Conflict Constitutionalism, Law Reform and Justice Prof Dr. Yubaraj Sangroula, KSL and former Attorney-General of Nepal</td>
<td>5:00pm for 6:00pm Site Visit 3: Reception at the Australian Embassy, Kathmandu</td>
<td></td>
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<tr>
<td>20 Jan Tue</td>
<td>Site Visit 1: International Committee of the Red Cross, Kathmandu Site Visit 2: National Human Rights Commission Lecture 5: International Law and the ‘Right’ to Development Prof David Kinley Duties and Development Prof David Kinley Site Visit Lecture 7: Donor Perspectives on Development</td>
<td></td>
<td>Site Visit Lecture 7: Donor Perspectives on Development</td>
<td>Return to Bhaktapur. Afternoon free period</td>
</tr>
<tr>
<td>21 Jan Wed</td>
<td>Lecture 5: International Law and the ‘Right’ to Development Prof David Kinley Duties and Development Prof David Kinley Site Visit Lecture 7: Donor Perspectives on Development</td>
<td>Site Visit 4: UNICEF Office, Kathmandu Site Visit 5: UNDP Office, Kathmandu</td>
<td></td>
<td></td>
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<tr>
<td>22 Jan Thu</td>
<td>Lecture 8: Human Rights in Development – Prof David Kinley Lecture 9: The Rule of Law and Development – Prof David Kinley</td>
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<tr>
<td>DATE</td>
<td>9.00 -11.45 (break 10.45-11.00)</td>
<td>11.00-12.30</td>
<td>13.30 - 15.00 (break 3.00-3.30)</td>
<td>15.30-17.30</td>
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<tr>
<td>23 Jan Fri</td>
<td>Lecture 10: Human Rights in Developing Countries – Professor Yubaraj Sangroula</td>
<td>Meet KSL students</td>
<td>(Guest) Lecture 11: NGO Perspectives on Law &amp; Justice: Advocacy Forum, INSEC, CELRRD Mr. Sudeep Gautam, Director, CELRRD</td>
<td>15.30-16.00 Logistical Briefing on Melamchi Field Trip Students should prepare and pack for Melamchi</td>
</tr>
<tr>
<td>24 Jan Sat</td>
<td>MELAMCHI FIELD TRIP: DEVELOPMENT &amp; RURAL LIVELIHOODS Travel to Melamchi by minibus (75km from Kathmandu) Lecture 12: Overview of Melamchi case study and key issues Prof David Kinley Short river walk and orientation Meeting and group discussion with local community leaders – Dr Yubaraj Sangroula</td>
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<tr>
<td>25 Jan Sun</td>
<td>Briefing on socio-legal interviewing methods and field work Prof. David Kinley Walk to indigenous villages along Melamchi River Small group interview exercises with indigenous villagers Moderated group debriefing and discussion of interviews Prof. David Kinley</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>26 Jan Mon</td>
<td>Site Visit 6: Melamchi water supply project office, Melamchi town Lecture 13: Indigenous/Minority/Dalit Rights Professor David Kinley Lecture 14: Environmental Law and Justice in Nepal Mr. Amarjibi Ghimire, Associate Professor Reflective Journal Swap Exercise #2</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>DATE</td>
<td>9.00 -11.45</td>
<td>11.00-12.30</td>
<td>13.30 - 15.00</td>
<td>15.30-17.30</td>
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<tr>
<td></td>
<td>(break 10.45-11.00)</td>
<td></td>
<td>(break 3.00-3.30)</td>
<td></td>
</tr>
</tbody>
</table>
| 27 Jan Tue| Hill walk to the ‘School in the Sky’  
This will take between 1.5 and 3 hours depending on your fitness level and eagerness  
Ceremony and discussion with students and teachers  
Interviews with rural hill families  
Return to Melamchi town |             |               |             |
| 28 Jan Wed| Debriefing on group interviews from the hill walk  
Depart Melamchi by minibus  
Walk to Bhagwati (Kali) temple, lookout, and bid Buddha at Dhulikel  
The walk is uphill and takes approximately 45 minutes each way  
Return to Bhaktapur Guest House |             |               |             |
| 29 Jan Thu| Lecture 15: The Legal Protection of Socio-Economic Rights  
Prof David Kinley and Assoc. Prof. Geeta Pathak Sangroula, Executive Director, KSL | Lecture 16: The Right to Housing and Urban Slums  
Prof David Kinley | Site Visit 7: Visit to LUMANTI, the NGO focusing on the rights of squatters in Kathmandu  
Nepal Mahila Ekta Samaj (Nepali women’s NGO) | Return to Bhaktapur Guest House |
| 30 Jan Fri| Site Visit 8: UNHCR Office, Kathmandu | Site Visit 9: Tibetan Refugee Resettlement Centre (near Swayambunath) | Return to Bhaktapur Guest House via Swayambunath (monkey) temple  
Visit Swayambunath temple (30 minutes) | Lecture 17: Tibetan Refugees in Nepal  
– Assoc. Prof. Hong Kong Rana  
Reflective journal swap exercise #3 |
| 31 Jan Sat| Lecture 18: Bhutanese Refugees in Nepal  
Prof David Kinley | Lecture 19: IDPs during the Maoist Conflict  
Asst. Prof. Kapil Aryal | Lecture 20: Labour Rights in Nepal  
– Mr. Prem Chandra Rai, Adjunct Professor, KSL | Closing Ceremony  
End of Field School  
Program closes - accommodation is provided Saturday evening, however students are free to depart from 5pm. |
| 1 Feb Sun | CHECK OUT AND DEPART |               |               |             |