

HIMALAYAN FIELD SCHOOL: DEVELOPMENT & HUMAN RIGHTS

Nepal, 15 January – 2 February 2012

Information for Students

ABOUT THE FIELD SCHOOL

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 and a half weeks inside Nepal, utilizing 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 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 (including the National Assembly, Judicial Academy, law enforcement agencies, and relevant departments), international organizations (including UN agencies such as UNHCR, UNICEF, UNIFEM, High Commissioner for Human Rights, 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 two day 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.

WHO SHOULD ENROL?

Enrolment in the Field School is available to:

- Current undergraduate students at the University of Sydney (who have completed at least 3rd year of Combined Law, or 1st year of Graduate Law or the Juris Doctor program);
- Postgraduate law students at the University of Sydney (enrolled in the LLM, MIL, or MGlob);
- Undergraduate and postgraduate law students currently enrolled in an Australian or overseas university who are seeking to obtain credit for the Field School for a tertiary award;
- Students with appropriate tertiary education qualifications who are seeking to enrol for non-degree purposes, or for credit towards a non-law tertiary award.

Please note that preference is given to University of Sydney law students and then to cross-institutional law students. Non-degree and non-law applications will be considered if space permits.

ASSESSMENT

Assessment varies according to the course in which students are enrolled. All students must attend lectures and sit an exam in Nepal. All students must then complete a research essay which is due after returning to Australia. The essay is due on **27 April 2012**. Exams and essays will be marked by an academic staff member from the Sydney Law School. The assessment details are as follows:

LAWS3478 (6 UG credit points): 2 hour exam in Nepal (50%) plus 3,000 word research essay (50%)

LAWS5178 (6 JD credit points): 2 hour exam in Nepal (50%) plus 3,000 word research essay (50%)

LAWS6973 (6 PG credit points): 2 hour exam in Nepal (50%) plus 3,000 word research essay (50%)

LAWS6974 (12 PG credit points): 2 hour exam in Nepal (30%) plus 1 x 8,000 word essay (70%)

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.

RESULTS

Results for the Field School may not be available until **July 2012**. Final year University of Sydney students please note that this means you may not be able to graduate in May 2012. Final year cross-institutional students should note that this may delay your graduation. Official result notices will be mailed to students, so it is important to ensure that the University has your correct contact details.

Students can request University of Sydney transcripts from the Student Centre of the University of Sydney. Please go to www.usyd.edu.au/studentcentre/records/index.shtml for further details.

READING MATERIALS

Course reading materials (in English) will be made available to students well in advance of the commencement of the Field School. Students are required to bring the readings with them on the Field School. Students may also be provided with references to online material and asked to download it prior to the commencement of the course.

WEBCT

On enrolment, students will receive a WebCT login. WebCT will be used to notify students of important notices and information as well as additional readings. Please note that this will be the primary means of providing unit information to students enrolled in the Field School program.

ACCOMMODATION

Accommodation is provided from 15 January to 2 February 2012 (i.e. you are expected to checkout on 3 February 2012). Students who wish to arrive earlier or depart later can generally be accommodated at an additional cost.

Students will be accommodated together in suitable sleeping facilities in Kathmandu, Melamchi and Pokhara. 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.

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.**

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, which may mean that things do not work – hot water for showers, cooling and heating appliances, computers and internet, televisions and other electronic equipment. The Field School will endeavour to provide back-up generators 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 health food but do not expect it to be like Tetsuyas! 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 or air transport 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 February. Average daily temperatures range from 4-20 degrees Celsius in Kathmandu and 8-21 degrees in Pokhara in February. Nights can be quite cold. There is generally little rainfall in February.

- 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.

TRAVEL

Participants are responsible for their own travel arrangements to and from the Field School. Students should arrive in Kathmandu no later than Sunday 15 January 2012. The Field School will recommend appropriate flights from and to Sydney and students are recommended to book early.

Students are strongly advised, however, not to make travel bookings until notification of their acceptance into the program has been received from the Sydney Law School.

Australian citizens are advised to register their travel and contact details with the Australian Department of Foreign Affairs and Trade (<http://www.orao.dfat.gov.au/>) prior to leaving Australia.

You must also read the Travel Advice for Nepal prepared by the Department of Foreign Affairs and Trade, available at: <http://www.smartraveller.gov.au/zw-cgi/view/Advice/Nepal>.

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 Field School will be cancelled, and all student 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.

INSURANCE

Students are responsible for organising their own travel insurance.

Travel insurance is a compulsory requirement for all students. Students will not be permitted to participate in the program if proof of valid travel insurance is not provided.

Please note that your travel insurance policy must provide comprehensive coverage for medical expenses incurred overseas, including remote site medical evacuation, and personal liability coverage. You should also ensure you are covered for cancellation costs in the event that the Field School program is cancelled. If you plan on taking a laptop, please ensure that you have arranged appropriate insurance.

Students are strongly advised to ensure they have sufficient funds while attending the Field School to cover the payment of unforeseen medical expenses, as doctors and hospitals may require cash payment upfront for treatment. These expenses can generally be claimed on return to your home country through your travel insurance provider.

VISAS

Most students will require visas. Students are responsible for obtaining visas from the Nepalese Embassy in Canberra or Nepalese Consulate in Sydney. Forms and information are available online at <http://www.necan.gov.np/services.htm> (click on "Visa" tab). 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 (\$60 as at May 2011). Visas are also available upon arrival at the airport in Kathmandu, but it is strongly recommended that you arrange a visa in advance.

The University of Sydney accepts no responsibility if a student is unable to obtain a visa, or if a student obtains the incorrect visa. Kathmandu School of Law will facilitate the issuing of visas by providing supporting documentation to students. For this reason, we require details of the passport on which you will be travelling at the time of application. Visa documentation will be sent to you as soon as it is received.

VACCINATIONS

It is recommended that participants consult their doctors with respect to vaccinations. Please note some vaccinations must be administered well in advance of departure for Nepal. Some health information is also provided by the Department of Foreign Affairs and Trade's Travel Advice on Nepal, available at www.smartraveller.gov.au/zw-cgi/view/Advice/Nepal.

AIRPORT TRANSFERS

Kathmandu School of Law will endeavour to provide transport between Tribhuvan International Airport in Kathmandu and the Field School on 14 and 15 January 2012 only. Airport transfers will also be provided following the completion of the Field School. If you wish to leave Nepal at a later time you 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.

FEES

The Field School is offered on a full-fee basis only. Commonwealth supported places (HECS-HELP) are not available. Two fees are payable, both to Sydney Law School:

1. The University of Sydney tuition fee (which varies depending on your enrolment)
2. A fee covering in-country expenses.

Tuition Fee

The tuition fee covers tuition cost (including reading materials) in Nepal and Sydney. This fee is set by the University of Sydney and is based on the standard full fee rate.

In-Country Fee

The fee for expenses in Nepal covers:

- Adequate accommodation;
- Three meals per day;
- Airport transfers on arrival (for students arriving on 14 or 15 January 2012 only);
- Field study visit to rural tribal village (four days);
- Field study visit to Tibetan refugees in Pokhara or Bhutanese refugees in Jhapa (two days);
- Site visits to the 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.

Commonwealth Assistance (FEE-HELP)

Eligible students may apply to defer their tuition fee payment through the Commonwealth Government's FEE-HELP scheme. FEE-HELP enables eligible undergraduate and postgraduate full-fee paying students to obtain a loan from the Government to cover the tuition fees incurred. Please refer to the current FEE-HELP information booklet (available from the information counter on Level 3 of the new Law School building) or visit www.goingtouni.gov.au for further details on the scheme.

Please note that FEE-HELP cannot be used for payment of the fee for in-country expenses.

Important note for undergraduate students:

A loan fee of 20% applies to FEE-HELP loans for undergraduate units of study. The loan fee is charged for the amount of FEE-HELP assistance that you receive for the unit. For example, if you take out a FEE-HELP loan of \$3,600, your loan fee will be \$720 and your FEE-HELP debt reported to the Tax Office will be \$4,320. A loan fee does not apply to FEE-HELP loans for postgraduate units of study.

2012 Tuition fee schedule

Local Students

Student Type	Credit points	2012 Tuition Fees (A\$)
Undergraduate	6	\$3,870
Juris Doctor	6	\$3,810
Postgraduate (all degrees)	6	\$3,540
Postgraduate (all degrees)	12	\$7,080

International Students

Student Type	Credit points	2012 Tuition Fees (A\$)
Undergraduate	6	\$4,740
Juris Doctor	6	\$4,560
Postgraduate (all degrees)	6	\$4,350
Postgraduate (all degrees)	12	\$8,700

2012 Fees for In-Country Expenses in Nepal

The in-country fee is A\$1,500.

HOW TO APPLY

Application

A completed and signed application form and relevant evidentiary and permission documents must be received by the Sydney Law School by **Monday 22 August 2011**.

Please note that places in the Field School are limited. Applicants are strongly urged to submit applications without delay to avoid disappointment. Preference is given to University of Sydney law students and then to cross-institutional law students. Non-degree and non-law applications will be considered if space permits. The Academic Coordinator will retain discretion over

students' acceptance into the program, which decisions will be made on the basis of the information provided in application forms.

Applications may be approved on a rolling basis from 8 August onwards.

Applications received after 22 August 2011 may be considered but only if places in the program are still available.

Please ensure you provide a current email address on your application form and inform the Field School office should these details change.

Enrolment with the Sydney Law School

Students will enrol in one of the following units of study depending on their enrolment status:

- **LAWS3478 (6 UG credit points):** this unit is available to University of Sydney undergraduate students proceeding under the new resolutions (Combined Law students who first enrolled in 2006 and Graduate Law students who first enrolled in 2008 or later), and undergraduate cross-institutional students.
- **LAWS5178 (6 JD credit points):** this unit is only available to University of Sydney Juris Doctor students.
- **LAWS6973 (6 PG credit points) and LAWS6974 (12 PG credit points):** these units are only available to postgraduate law students enrolled at Australian universities.

Undergraduate law students from the University of Sydney

Students undertaking Field School will enrol in LAWS3478 (6 credits) which is offered as a summer semester unit for 2012. Students will be permitted to enrol in a standard load in Semester 1, 2012.

The unit is available to undergraduate law students who have completed at least 3rd year Combined Law, or 1st year Graduate Law. Combined Law students please note that you must have completed all the requirements of your 1st degree by the end of Semester 2, 2011, including all law units of study, in order to be eligible for the Field School.

University of Sydney undergraduate law students should take note that this elective does not satisfy the Part 2 (Jurisprudence) requirement of the LLB degree.

Students will not be able to enrol online. Enrolments will be processed by undergraduate student administration once all fees (in-country expenses and tuition) have been paid to the Sydney Law School.

The full tuition fee (or completed Request for FEE-HELP Assistance form) and the balance of the in-country expenses must be received by **Friday 25 November 2011**.

Payments can be made by credit card (MasterCard or VISA) or by cheque made payable to the University of Sydney.

Undergraduate cross-institutional students

Undergraduate cross-institutional students will enrol in LAWS3478.

The Field School is available to undergraduate and graduate cross-institutional law students who have completed at least the equivalent of 1 year of a Bachelor of Laws or JD program.

Please note that cross-institutional students are required to obtain written permission from their home institution and confirm that the Field School can be credited to their degree, prior to applying for the Field School and paying the non-refundable deposit. Students must also provide a current

academic transcript at the time of application. For further information regarding the supporting documentation required at the time of application, please refer to the application form.

Enrolments will be processed by undergraduate student administration once all fees (in-country expenses and tuition) have been paid to the Sydney Law School, and all supporting documentation has been received.

The full tuition fee (or completed Request for FEE-HELP Assistance form) and the balance of the in-country expenses must be received by **Friday 25 November 2011**.

Payments can be made by credit card (MasterCard or VISA) or by cheque made payable to the University of Sydney.

Postgraduate students

Postgraduate students may enrol in LAWS6973 (6 credit points) which is offered as a 2011 early intensive unit, or LAWS6974 (worth 12 credit points, that is, one-quarter of an annual full-time workload).

The Field School can be credited towards the following University of Sydney postgraduate degrees and diplomas: Master of Laws (LLM); Master of International Law (MIL); Graduate Diploma of International Law; Master of Global Law (MGlob); Graduate Diploma of Law (GradDipLaw).

Cross-institutional applicants are advised to confirm with their home institution that the Field School can be credited to their degree. Students are required to obtain written permission from their home institution before applying to the Field School and paying the non-refundable deposit.

Enrolments will be processed by postgraduate student administration. Students will not be able to enrol online.

Postgraduate students are required to pay tuition fees as soon as they have been formally enrolled in the unit. Postgraduate law students are advised to contact postgraduate student administration on +61 2 9351 0347 or at law.postgrad@usyd.edu.au for further information.

The balance of the in-country expenses must be received by **Friday 25 November 2011**. Payment can be made by credit card (MasterCard or VISA) or by cheque payable to the University of Sydney.

Local postgraduate cross-institutional students are required to complete an *Application for Admission* form in addition to the Field School application form. Both forms should be submitted to the Field School office for processing. *Application for Admission* forms can be obtained by emailing law.winterschools@usyd.edu.au. For information regarding the supporting documentation required at the time of application, please refer to the Field School application form.

International postgraduate cross-institutional students are advised to contact the Sydney Law School's International Student Liaison Officer on +61 2 9351 0314 or at christine.jones@usyd.edu.au for further information regarding admission to the Sydney Law School as an international cross-institutional student.

CONDITIONS OF ENROLMENT

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 advised not to make travel bookings until official notification of acceptance into the Field School program by the Sydney Law School has been received. All students must obtain travel insurance to cover illness and cancellation of fares in the event that the course is cancelled. 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 course 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 course.

REFUND POLICY

1. In the event that the Field School is cancelled, students will receive a 100% refund of tuition fees and in-country expenses. Please note that the Field School will only be offered if there is a minimum of 20 students enrolled.
2. Upon acceptance students pay a deposit of \$500 which will only be refunded in the event that the Field School is cancelled.
3. Students who withdraw from the Field School prior to 5pm on Friday 25 November 2011 will receive a full refund of any tuition fees and in-country expenses paid, less the \$500 deposit.
4. Students who withdraw from the Field School between 26 November 2011 and prior to 5pm on Friday 9 December 2011 will receive a full refund of tuition fees paid and 60% of their in-country expenses.
5. Students who withdraw from the Field School between 10 December 2011 and prior to 5pm on Friday 16 December 2011 will receive a full refund of tuition fees paid and 50% of their in-country expenses.
6. Students who withdraw from the Field School after 5pm on 16 December 2011 and before the census date will receive a full refund of tuition fees paid and no refund of their in-country expenses.
7. 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.

The Faculty of Law requests that candidates intending to withdraw from the Field School do so no later than Friday 16 December 2011.

Please note that applications to withdraw from Field School must be received in writing and lodged with the Field School office or the information counter on Level 3 of the new Law School building by the relevant date.

FURTHER ENQUIRIES

Please contact:

Administrative Coordinator: Amber Colhoun (Administrator, Sydney Centre) for all administrative enquiries, such as application, enrolment and fee related matters

Email: law.nepal@sydney.edu.au Tel: + 61 2 9351 0460 (Monday - Wednesday only)

Himalayan Field School

c/o Sydney Centre for International Law, Faculty of Law F10, The University of Sydney NSW 2006

Academic Coordinator: A/Professor Ben Saul for all academic enquiries relating to the course.

Email: ben.saul@sydney.edu.au Tel: +61 2 9351 0354