Human Rights 2021/22 Spring

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Information and Policies

"Diplôme will be modified during the Fall Term 2021/22 to fit with the current regulations & class year"

Course Description

This course deals with the core international human rights standards and the policy responsibility for developing, implementing and monitoring them, as well as some critical contemporary human rights issues.

The course provides an overview of the main international human rights standards and the institutional and policy framework for their implementation, including the role of the United Nations and regional human rights bodies and governments and the responsible international human rights standards and mechanisms and their implementation by non-state actors, including business enterprises and civil society organizations.

This course introduces the core international human rights standards and the institutions responsible for developing, implementing and monitoring them. Great by-heart, we aim to provide a critical understanding of the responsible international human rights standards and mechanisms and their implementation by non-state actors, including business enterprises and civil society organizations. Human rights are not just a matter of legal text but also a matter of practice. It will also introduce students to a number of critical contemporary human rights issues.

Whether intended or unintended, human rights are a potent component in almost every aspect of relevant international and domestic policy. The problem of human rights is about identifying problems and finding solutions. Understanding the latter principles and frameworks upon which the international human rights system is based is important for students who want to understand how to intervene in human rights law and how such advocacy, lobbying and litigation work in practice.

Learning Outcomes

By the end of this course, students will be able to:

1. Identify core human rights standards and terminology, and understand how they are used in practice
2. Describe the roles and functions of (a) the UN Treaty Bodies system, (b) Special Rapporteurs of international human rights standards, (c) human rights mechanisms, NGOs and relevant international human rights standards
3. Describe the roles and functions of regional human rights institutions and mechanisms and their relevance to international human rights standards
4. Describe the human rights obligations of the state and the responsibilities of non-state actors, including business enterprises and civil society organizations
5. Identify and explain the main critical contemporary human rights issues and challenges, and understand how human rights standards are used in practice to address such complex contexts
6. Identify important sources of human rights information and understand how human rights are relevant to their home country

Approach

Students will be expected to develop a critical approach to assess the situations against international human rights law standards, and to formulate arguments and advocate in a strictly language used. The course encourages critical thinking and problem solving through pro-active learning, where in-class discussions are encouraged, and through the development of a final paper on a topic of interest to the student, which they will then present to a panel of examiners. The course will include a mix lectures, seminars, student presentations, and a simulation exercise. Students are expected to read the assigned material before class and be prepared to participate in class discussions. Students are also expected to be able to work in groups, and to be able to present their findings and conclusions to the rest of the class.

Grading

Grading Scheme: Percentage

Grade Calculation: The sum of the following components, rounded to the nearest whole number. Note that the final grade may be adjusted by the instructor.

- **Participation:** 10 % of the final grade. Participation, as a rule, means that you are willing to take part in the discussion, that you are willing to contribute to a certain quality of your own thoughtful interpretations of the class discussion, and that you are willing to contribute to the quality of the discussion of your classmates. Participation is not just about how many times you speak in class, but also how well your comments contribute to the quality of the discussion and the participation of the other people.

Students are expected to do the readings for every class, and to be prepared and able to participate in every class. Please also see the policy on attendance and absences.

Assessment

According to the Bologna Process Human Rights and Academic Freedom | Students are expected to spend 25 hours on homework and consultations with the course teacher and with 25 hours on preparing for classes **per week**.

The course classes consist of lectures, student presentations, and a simulation exercise, and students are expected to be prepared for each class.

The course will be graded as follows:

- **Team presentation:** Every week, each student will prepare **5 minutes** presentation presentation and then lead the rest of the class in discussion. The relevant set of questions for **10% of the grade.**
- **Active participation:** Team work & reading notes:
  - Participation:
  - 10 Assignment in class discussions (through commenting, questions and answers of fellow team-mates, introducing through summarizes of the short reading notes, and contributing to the discussion in class) **10% of the grade.**
  - Active participation and attendance **10% of the grade.**
  - A Term Paper with around 3000 words **50% of the grade.** This will be strongly aligned with the LO 6 and with the development of the presentation.

NOTE: It is important that you check the Student Information and policies on what is required for each of the class elements, including grading, in the Diploma Note section linked at the end of this section.

RESEARCH

Students are expected to develop their research skills during their studies and to use the Central Eu library of which we are a member of. Students are also expected to be able to use the Internet for research purposes. The course makes use of the Moodle platform for the handling of course materials in class.

Encouraging students to be critical and to develop their own critical perspectives is a central part of the course. Students are expected to develop their own critical perspectives on the material presented in class and assigned reading material, which will contribute to and enrich knowledge of the topic and develop personal perspectives. Students writing their term papers on their home country can strongly advised to use the additional reading as a point of reference.

Students are expected to be able to work in groups, and to be able to present their findings and conclusions to the rest of the class. Students are also expected to be able to work in groups and to be able to present their findings and conclusions to the rest of the class. Students need to be expected reading and be able to contribute to class in the form of a short presentation.

Plagiarism

Plagiarism is strictly prohibited and will be sanctioned. Please read carefully the rules and the procedures for the Academic Conduct and Life Disciplinary Procedures, Student Rights, Responsibilities and the Code of Ethics.

Please note that Turnitin is used for all papers.

Policy on attendance and absence

It is important that you attend all classes and seminars. Please make sure you have read the Attendance and Absence policy. Students are assigned to one out CPT unit and CEU tell students based on the same course in class.

It is particularly important that students attend the two practical exercise classes as these form part of the grade for the course.

OFFICE HOURS

Students are encouraged to see the lecturer if they feel that they need to discuss the course or any other issues.

Office hours are only by appointment. Students are encouraged to make use of the Moodle platform which this course, demonstrate and guidance which this course, demonstrate and guidance.

Recording of Presence: Please to ensure class recording of all and of any class and to demonstrate without course supervision of course. Please refer to the Student Handbook for the CPT policy on recording of lectures.

Main Course Forum
Notes reference forum
Questions for information about the reading list, requirements, and basic reference items
Questions for Notes
Exercises Notes for Students with more information on:
- Reading list
- Requirements
- Recommended Outline
- Short Paper requirements
- Marking Scheme for Presentation and Term Paper

Class Forum Forum
Presentations and Outlines Forum
Please upload your presentations and outlines here.
Feedback on in-class exercises Forum
Reading Notes Upload
Upload reading notes here. Please make sure that the file name includes your family name.
Weekly wiki presentations
The Wiki for presentations for weekly outlines and in-class
Analysis of IPT: research, trends, 'rule'
Human Rights Clinics
Human Rights Clinics Wiki
Reading Notes Student Folder
Class Power Points
Presentations
Simulation Paper (First Term Paper)

Week 1 (classes 1 & 2) - Human Rights and the International Framework

Session 1 (Lecture): The course introduction and the main international human rights standards. In class we will explore the main critical issues, and we will also introduce the main human rights law and the relevant bodies responsible for developing and implementing the main standards.

Students will be expected to: 1) Introduce themselves to the class, including their academic goals and expectations, and 2) Identify and explain the main fundamental human rights principles and the main international human rights system. 3 and 4) discuss the main critical contemporary human rights issues and challenges, including the role of business enterprises and civil society organizations.

- The Universal Declaration of Human Rights Declaration
- The International Human rights Framework and the main human rights treaties and governments, NGOs and civil society. National human Rights institutions, regional and international organizations and courses for redress.
- The main critical contemporary human rights issues and challenges, including the role of business enterprises and civil society organizations.
- Human rights and the responsibility of non-state actors, including business enterprises and civil society organizations.

Required Reading: 1 + 2

- Manfred Nowak, Human Rights Obligations of Business: Beyond the Corporate Responsibility to Respect? (Chapter 1), pp. 1-20 **(20 pages)**
- Universal Declaration of Human Rights
- Universal Declaration of Human Rights (UDHR), Human Rights Watch Website for UN staff: 3 - 5 (Human and human rights in basic requirements) **(1 page)**
- Universal Declaration of Human Rights (UDHR), Human Rights Watch Website, Human Rights Watch Website, Human Rights Watch Website,

In order for individuals to benefit from international human rights standards, they must be implemented nationally. The purpose of this week's classes is to consider the means by which international standards are implemented domestically. We will also consider some of the challenges to domestic implementation. The classes will particularly look at:

- The components of the national human rights infrastructure
- The implementation of international human rights standards through national legislation, policy and courts.
- National Action Plans for human rights.

Short Exercise: ***Before*** you do the readings, please think about and write down a few sentences on what the national human rights infrastructure looks like in your country. Please bring this note to class with you, as we will use it in our in-class discussions.

Required Reading

Steven LB Jensen, Stéphanie Lagoutte & Sébastien Lorion (2019) The Domestic Institutionalisation of Human Rights: An Introduction, Nordic Journal of Human Rights, 37:3, 165-176 **(11 pages)** LINK

Vazquez and Delaplace, Public Policies from a Human Rights Perspective: A Developing Field, SUR International Journal on Human Rights 2011 (**20 pages**) LINK

OHCHR, 'Who will be accountable? Human rights and the Post-Development Agenda' (2013) LINK *Mechanisms for Accountability, pp. 32-46 (**12 pages)**

Deepika Udagama, 'The Politics of Domestic Implementation of International Human Rights Law: A Case Study of Sri Lanka' 16(1-2) Asia-Pacific Journal on Human Rights and the Law 104 (2015) LINK *Conclusion (**2 pages)**

Additional Reading/Resources

Bertand G. Ramcharan, 'The Requirement of a National Protection System', in Ramcharan, *The Fundamentals of International Human Rights Treaty Law* (Brill/Martinus Nijhoff, 2011). *Ch. 2

CEDAW General Recommendation No. 6 - Effective National Machinery and Publicity (1988) LINK [scroll down page for relevant recommendation]

Nisuke Ando, 'National Implementation and Interpretation' in Shelton (ed) *The Oxford Handbook of Human Rights* (2013). *pp. 698-719.

OHCHR, Handbook on National Human Rights Plans of Action, Professional Training Series No. 10 (2002) LINK

Some National Plans of Action for Human Rights can be found here on the OHCHR website: LINK

Alston and Goodman (2012), 'Vertical Interpenetration: International Human Rights Law within States' Legal and Political Orders' *pp. 1047-1080.

Human Rights Watch, 'Submission to the United Nations Committee on the Elimination of Racial Discrimination in advance of its review on Greece July 2016', LINK

Compare the above to the State Report by Greece: CERD, Consideration of reports submitted by States parties under article 9 of the Convention - Twentieth to twenty-second periodic reports of States parties due in 2015: Greece, UN Doc. CERD/C/GRC/20-22 (27 November 2015). LINK

Andrew Clapham, *Human Rights: A Very Short Introduction* (2015). *Chapter 6: Balancing Rights.

Steven Greer, 'The Margin Of Appreciation: Interpretation And Discretion Under The European Convention On Human Rights', Council of Europe Human rights files No. 17 (2000) LINK

Matthew Saul, 'The European Court of Human Rights' Margin of Appreciation and the Processes of National Parliaments' 15(4) Human Rights Law Review 745 (2015).

Andrew Legg, *The Margin of Appreciation in International Human Rights Law* (Oxford University Press, 2012). *Chapters 3, 7.

Week 9 (classes 17 & 18) - Implementation and Accountability II: The Role of Independent National Actors & Measuring Human Rights

Hidden from students

Class 1: While states may have the primary responsibility to respect, protect and fulfil human rights, there are a range of actors that defend, monitor and promote human rights at the national level. The purpose of this class is to consider the role of non-governmental or independent state bodies in human rights implementation, monitoring and oversight of international human rights standards. In particular, it will look at the role of:

- Human Rights Defenders, civil society and NGOs.
- Journalists.
- National Human Rights Institutions (NHRIs) and Ombudsmen.

Class 2: This class will consider how human rights are measured, including the 'classic' measurement scales, the development and use of human rights indicators and the emphasis on the creation of national action plans by the UN at the country level as a tool for human rights policy change and implementation.

Short Exercise: *Before* you do the readings, please think about and write down a few short sentences on how - to the best of your knowledge - human rights defenders and journalists writing about human rights issues are treated in your country. Please bring this note to class with you, as we will use it in our in-class discussions.

Required Reading

OHCHR, 'National Human Rights Institutions: History, Principles, Roles and Responsibilities', Professional Training Series No. 4 (Rev.1) (2010). LINK *pp. 13-29 (**16 pages**)

Bertand G. Ramcharan, 'The Preventative Strategies of NGOS', in *Preventative Human Rights Strategies* (Routledge, 2010). *Ch. 8 **(9 pages)**

OHCHR, Human Rights Indicators: A Guide to Measurement and Implementation, Geneva, 2012 **pp. 16-24** (I.C & D**), pp.30-41** ('the conceptual framework)**pp 82-85 (**measuring discrimination), **pp. 87-93** http://www.ohchr.org/Documents/Publications/Human_rights_indicators_en.pdf

Clark, A. M. & Sikkink, K. (2013). Information Effects and Human Rights Data: Is the Good News about Increased Human Rights Information Bad News for Human Rights Measures? *Human Rights Quarterly* 35(3), 539-568. https://muse.jhu.edu/article/516840/pdf

Human Rights Law Centre, Key Issues in Implementing a National Action Plan, 2011 http://www.humanrightsactionplan.org.au/nhrap-blogs/key-issues-in-developing-and-implementing-a-national-human-rights-action-plan

Please also take a look at the CIRI Scale http://www.humanrightsdata.com/, and the Political Terror Scale http://www.politicalterrorscale.org/,

Additional Reading/Resources

Front Line Defenders Annual Report 2016 'Stop the Killing of the Human Rights Defenders' *Look at charts on p. 5&6 and read 'global analysis' pp.7-9 (3 pages) LINK

Protection International, *Criminalisation of Human Rights Defenders* (2012) Chapter 2 (8 pages) LINK

Steiner, Alston and Goodman, *International Human Rights in Context: Law, Politics, Morals*, (3rd Edition, 2012 Oxford University Press). *Ch. 15-C. International Non-Governmental Organisations.

David Weissbrodt, 'Roles and Responsibilities of Non-State Actors' in Dinah Shelton (ed), *The Oxford Handbook of International Human Rights Law* (Oxford University Press, 2013).

David Kennedy, 'International Human Rights Movement: Part of the Problem?' 15 Harvard Human Rights Journal 101 (2002) LINK

Sebastian Mallaby, 'NGOs: Fighting Poverty, Hurting the Poor', *Foreign Policy* 26 October 2009 LINK

Charles Chernor Jalloh, 'The Role of Non-Governmental Organizations in Advancing International Criminal Justice', 1 African Journal of International Criminal Justice (2015).

Robert Charles Blitt, 'Who Will Watch the Watchdogs? Human Rights Non-Governmental Organizations and the Case for Regulation', 10 Buffalo Human Rights Law Review 261 (2004).

R. P. Claude, 'What Do Human Rights NGOs Do?' in Richard Pierre Claude and Burns H. Weston (eds) *Human Rights in the World Community: Issues and Action* (3rd Edition. University of Pennsylvania Press, 2006).

Christof Heyns, Sharath Srinivasan, 'Protecting the Right to Life of Journalists: The Need for a Higher Level of Protection', 35(2) Human Rights Quarterly 304 (2013)

Tom Pegram, 'Compliance Agents: National Human Rights Institutions and the Inter-American Human Rights System', paper prepared for the Latin American Studies Association Annual Conference 2014. LINK

OSCE Guidelines on the Protection of Human Rights Defenders (2014) LINK

OHCHR, Handbook: National Action Plans http://www.ohchr.org/Documents/Publications/training10en.pdf

Christopher j. Fariss, Respect for Human Rights has Improved Over Time: Modeling the Changing Standard of Accountability, *American Political Science Review* Vol. 108, No. 2 May 2014 LINK

Keith E. Schnakenberg and Christopher J Fariss, Dynamic Patterns of human Rights Practices, *Political Science Research and Methods* Vol 2, No. 1, 1-31, April 2014 LINK

Week 11 (classes 21 & 22) - Advocacy Approaches

Hidden from students

This week we will focus on advocacy approaches, it will be a practical class in which we consider different available advocacy tools, the pros and cons (tradeoffs) of selecting one approach over the other, setting an advocacy framework, goals and objectives, monitoring and evaluation. This week is also designed to assist you in developing your advocacy paper.

There is limited reading for this class, but two pre-class tasks.

The Advocates for Human Rights' practitioners guide, Chapter 7 'Advocacy' LINK (**Note**: The aim of this reading is to provide an introduction to and food-for-thought on potential advocacy tools and strategies from a practitioner perspective, we will discuss it in class.)

Pre-class task 1

Find an example of a tactic or strategy used by a human rights organisation to tackle a human rights issue that you find particularly interesting, innovative or inspiring. I will ask everyone to give their example, this will be short and informal, so there is no need to prepare anything in writing, but please be ready to describe what the organisation did and why you found it particularly interesting/innovative/inspiring. The tactic and organisation can be anything e.g. Amnesty International's first letter-writing campaign, the development of international standards on Business and Human Rights by the UN, or indigenous land rights protests in Australia resulting in legislative change. (Please don't use these examples!)

Pre-class task 2

1. Using your own advocacy paper as a basis, please bring a (max 1 page) note to class with:

   1. A goal for your advocacy paper
   2. 2-3 related objectives
   3. A primary target for each objective
   4. 2-3 related SMART recommendations using the 'who, when, how' formula

****we will screen share these during class****

The class will take a workshop format. Part of the class will be critiquing (constructively) each other's goals, objectives, targets and recommendations from the perspective of developing advocacy approaches. **we will do our best with this using the remote format.**

We will also use some of this class to discuss developing communications approaches, choosing activities, preparing recommendations, and finally, careers in human rights/becoming human rights advocates.

Add a New Section