INTERNATIONAL HUMAN RIGHTS
University of Connecticut, Spring 2014
Professor Molly Land
HRTS 3298-001, AUST 434
T/Th 12:30-1:45 p.m.

Contact Information

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Course Description

This course will provide an overview of the mechanisms and issues relevant to human rights lawyering. We will examine the domestic, regional, and international forums that human rights advocates use to increase respect for international human rights and consider the advantages and disadvantages of each. The course will also address the roles, activities, and obligations of corporations and non-governmental organizations in the enforcement of human rights as well as specialized topics in the field, including truth commissions, humanitarian intervention, the right to a healthy environment, and the right to health.

Course Goals

At the conclusion of the course, students should be able to:
- evaluate the advantages and disadvantages of using different domestic, regional, and international human rights forums;
- understand the nature of state obligations under international human rights law;
- describe the way in which international law is incorporated into U.S. law and the pros and cons of relying on international law in a domestic context;
- think strategically about how to employ international, regional, and domestic institutions and actors in achieving greater protection of human rights.

Required Course Materials

- INTERNATIONAL HUMAN RIGHTS LAWYERING: CASES AND MATERIALS (Steinhardt et al. eds. 2009) ("CB")
- additional documents posted on Blackboard ("BB")
- primary documents, available through any the following sources:
  - University of Minnesota's Human Rights Library, http://www1.umn.edu/humanrts/
  - RALPH G. STEINHARDT ET AL., DOCUMENTS SUPPLEMENT TO INTERNATIONAL HUMAN RIGHTS LAWYERING, CASES AND MATERIALS (2009) (available at Bookstore)
  - another document supplement of your choice (e.g., 25+ Human Rights Documents available for download at http://tinyurl.com/kolcz58)

Optional Course Materials (also on reserve in the library)

- DAVID J. BEDERMAN, INTERNATIONAL LAW FRAMEWORKS (3d ed. 2010)
- INTERNATIONAL HUMAN RIGHTS IN A NUTSHELL (Buergenthal et al. eds., 4th ed. 2009)

Course Requirements

- final exam (75%)
- practicums (15%)
- class participation (10%)

Final Exam: Final examination essay questions will be provided at the conclusion of our final class on Thursday, May 1, 2014 and made available on BB at the same time. Typed essay answers must be turned in to instructor during first 30 minutes of final examination time period (10:30 a.m. – 11:00 a.m. on Thursday, May 8th, 2014).

Practicums: Everyone is expected to participate in the practicums assigned throughout the course. I will provide further instructions about each practicum as needed the week before the practicum is to be completed in class. The in-class portion of the practicum will be prepared and performed in groups, although I may also require an individual short writing assignment turned in to me 24 hours in advance of the class in which we will complete the practicum. Your grade for each practicum will be based on your individual performance but will also take into account the extent to which you further the success of your group. I reserve the right to award only partial credit for any work turned in after the assigned deadline, unless the delay has been excused.

Class Participation: In terms of participation in class discussion, I am looking for sustained and high-quality contributions over the course of the semester. I will largely rely on volunteers, although to facilitate participation from all, I reserve the right to call on students without notice. If you feel unprepared for a particular class, I would appreciate it if you would send me an e-mail or leave me a note to that effect before class begins.

Readings

You are responsible for all of the material on the syllabus, whether or not it is discussed in class, unless I instruct you otherwise. Reading assignments are subject to change and I may, from time to time, add material that is not on the syllabus. You should read all of the material that falls within the assigned pages, including any notes and questions. You should also read the relevant provisions of the primary documents referenced in the reading.

I. INTRODUCTION

January 21 – Introduction
CB 1-22
Chinese Statements (BB)

January 23 – Civil and Political Rights
CB 22-32
Human Rights Committee, General Comment No. 31 (BB)

January 28 – Economic, Social and Cultural Rights
CB 566-581
Jeane Kirkpatrick, *Establishing a Viable Human Rights Policy* (1981) (BB)

II. DOMESTIC COURTS

January 30 – Alien Tort Statute
CB 32-49, 52-54

February 4 – Alien Tort Statute
CB 74-98
Kiobel v. Royal Dutch Petroleum Co., 133 S.Ct. 1659 (2013) (BB)

February 6 – Treaties
CB 128-134, 137-151

February 11 – War on Terror
CB 193-210

February 13 – No Class (Snow Day)

February 18 – Interpretation
CB 181-192
Practicum CB 210-211

February 20 – Criminal Prosecutions
CB 212-230, 251-260

III. INTERNATIONAL FORUMS

February 25 – Treaty-Based Mechanisms
CB 264-266, 281-302
Optional Protocol to the Covenant on Economic, Social and Cultural Rights (BB)

February 27 – Charter-Based Mechanisms
CB 304-321

Practicum 319-320

March 4 – Arbitration and Human Rights
Guest Speaker Victor Schachter
preview these websites in advance of class: http://www.fsriadr.org/ and http://www.bangaloremediationcentre.kar.nic.in/

March 6 – Thematic Reporting
CB 330-335, 360-371

March 11 – Criminal Tribunals
373-379, 383-386, 414-422, 428-440

March 13 – European System
CB 444-468, 493-498, 502-504

March 25 – Inter-American System
CB 507-533

March 27 – African System
559-566, 581-597, 613-617

IV. ACTORS

April 1 – Corporations
CB 662-669, 675-683, 733-739
Practicum 741-743

April 3 – IFIs & WTO
CB 744-750, 755-760, 775-776, 794-802, 808-814

April 3 – Gladstein Lecture @ 4pm
attend Gladstein Lecture by Predrag Dojcinovic at 4pm on Thursday, April 3, 2014, in the Konover Auditorium at the Dodd Center (make up for snow day on February 13)

April 8 – NGOs
CB 849-871

April 10 – NO CLASS
attend instead Economic Rights Lecture by Immanuel Wallerstein at 4pm on Thursday, April 17th, 2014, in the Konover Auditorium at the Dodd Center (see below)

April 15 – Governments
CB 911-912, 924-936
Practicum 952-953

V. SPECIALIZED TOPICS

April 17 – Truth Commissions
CB 996-1005, 1011-1035

April 17 – Economic Rights Lecture @ 4pm
attend Economic Rights Lecture by Immanuel Wallerstein at 4pm on Thursday, April 17th, 2014, in the Konover Auditorium at the Dodd Center (make up for missed class on April 10)

April 22 – Negotiating Treaties
CB 954-969
Practicum 970-972

April 24 – Humanitarian Intervention
CB 1068-1076, 1089-1103, 1110-1116 (review resolutions on pp. 1103-09 as needed)

April 29 – Law of War
CB 1120-1131, 1161-1164
National Defense Authorization Act 2012, Section 1021 (BB)
Executive Order No. 13567 (BB)
CRS, *Closing the Guantanamo Detention Center: Legal Issues* (2013) (BB)
ICRC, *The Use of Armed Drones Must Comply with Laws* (2013) (BB)
Bipartisian Policy Center, *Analyzing the Legal and Moral Implications of U.S. Drone Policy*, http://bipartisanpolicy.org/news/multimedia/2013/05/01/live-webcast-10am-drones-and-rule-law-and-war (view prior to class)

May 1 – Health
Jean Connolly Carmalt et al., *Entrenched Inequity: Health Care in the United States*, *in* HUMAN RIGHTS IN THE UNITED STATES: BEYOND EXCEPTIONALISM 153 (Shareen Hertel & Kathryn Libal eds. 2011) (BB)
Audrey R. Chapman, The Contributions of a Human Rights Approach to Health, in Globalization of Health (Ted Schrecker ed. 2012) (BB)