

Course Outline

COURSE:	LAWS 3602B – International Human Rights
TERM:	Winter 2014
PREREQUISITES:	1.0 credit from: LAWS 2105, LAWS 2502, LAWS 2601, LAWS 3509
CLASS:	Day & Time: Monday 6:05p.m – 8:55p.m Room: Please check with Carleton Central for current room location
INSTRUCTOR: (CONTRACT)	Patrick Murphy
CONTACT:	Office: D442 Loeb Office Hrs: Mondays 5:15p.m – 5:45p.m. or by appointment Telephone: 613-946-2530 Email: Patrick.Murphy@carleton.ca

You may need special arrangements to meet your academic obligations during the term. For an accommodation request the processes are as follows:

Pregnancy obligation: write to me with any requests for academic accommodation during the first two weeks of class, or as soon as possible after the need for accommodation is known to exist. For more details visit the Equity Services website: <http://www2.carleton.ca/equity/>

Religious obligation: write to me with any requests for academic accommodation during the first two weeks of class, or as soon as possible after the need for accommodation is known to exist. For more details visit the Equity Services website: <http://www2.carleton.ca/equity/>

Academic Accommodations for Students with Disabilities: The Paul Menton Centre for Students with Disabilities (PMC) provides services to students with Learning Disabilities (LD), psychiatric/mental health disabilities, Attention Deficit Hyperactivity Disorder (ADHD), Autism Spectrum Disorders (ASD), chronic medical conditions, and impairments in mobility, hearing, and vision. If you have a disability requiring academic accommodations in this course, please contact PMC at 613-520-6608 or pmc@carleton.ca for a formal evaluation. If you are already registered with the PMC, contact your PMC coordinator to send me your **Letter of Accommodation** at the beginning of the term, and no later than two weeks before the first in-class scheduled test or exam requiring accommodation (*if applicable*). After requesting accommodation from PMC, meet with me to ensure accommodation arrangements are made. Please consult the PMC website for the deadline to request accommodations for the formally-scheduled exam (*if applicable*) at <http://www2.carleton.ca/pmc/new-and-current-students/dates-and-deadlines/>

You can visit the Equity Services website to view the policies and to obtain more detailed information on academic accommodation at <http://www2.carleton.ca/equity/>

COURSE DESCRIPTION

From the ashes of World War II has come the development of a scheme which seeks to promote and protect human rights throughout the world. This course will examine the major International Human Rights Conventions which establish the rights individuals throughout the world are entitled to, the obligations which States have to protect those rights and the mechanisms which have been put in place to monitor whether States are meeting those obligations. Students will develop an understanding of the role which the United Nations, regional human rights organizations, the International Criminal Court and States play in protecting human rights. We will also take a closer look at some specific issues which raise international human rights concerns including war and the plight of refugees.

REQUIRED TEXTS

The majority of the readings for the course will come drawn from the book *International Human Rights Law* by Mark Freeman and Gibran Van Ert, Irwin Law 2004.

Any readings which are not drawn from the above noted text will be posted on Web CT.

EVALUATION

(All components must be completed in order to get a passing grade)

Grades for this course will be derived from three components.

Class Participation 10%

Students will be required to participate in and attend class on a regular basis. The mark for this component will be based on the quality and level of participation which the student demonstrates.

Assignment 30%

The assignment will involve writing a short paper of not more than 5 pages dealing with an international human rights law issue which is currently occurring in the world. The subjects upon which the paper is to be written will be provided in class.

Paper 60%

The students will be required to do a 10 – 15 page paper on a subject to be determined..

Late Assignments

Late assignments will be marked down by one-half letter grade (eg. A to A-, B- to C+) for each day the assignment is late. If they are submitted more than 7 days after the due date, they will receive a grade of F.

A request for an extension must be made to me prior to the due date.

SCHEDULE

Week 1. January 6 - Introduction and Course Overview.

- Introduction of Instructor.
- Overview of Course.
- Discussion of Requirements and Expectations.
- Discussion of the Assignment.

No Readings.

Week 2. January 13 - What are International Human Rights and how have they developed Part I?

- Civil and Political Rights
- Economic, Social and Cultural Rights

Readings: Freeman and Van Ert, pages 24 – 40.

Week 3. January 20 - What are International Human Rights and how have they developed Part II?

- Before World War II
- After World War II
- Sources of International Law

Readings: Freeman and Van Ert, pages 7 -23.

Week 4. January 27 - Treaties Part I – What are International Human Rights Treaties

- What are treaties?
- How are they entered into?
- How do they operate?

Readings: Freeman and Van Ert, pages 54 – 62.

Week 5. February 3 - Treaties Part II – How are States held accountable?

- Monitoring of
- State Reporting
- Treaty Bodies

Readings: Freeman and Van Ert, pages 341 – 345, 383 – 393.

Week 6. February 10 - Treaties Part III – Do Individuals have any rights?

- Individual Complaints
- Result of Complaints
- Regional Systems

Readings: No readings.

Week 7. Winter Break. No Class.**Week 8. February 24 - Other Remedies for Individuals**

- Civil Actions
- Alien Tort Statute
- Limitations on State Immunity

Readings: Freeman and Van Ert, pages 500 – 504.
Alien Tort Statute.

Week 9. March 3 - Protection of Individuals in Times of Conflict Part I – The Responsibility to Protect

- What is the Responsibility to Protect
- Does it require intervention?
- How can it be invoked?

Readings: ICISS Report – The Responsibility to Protect, December 2001.

Week 10. March 10 - Protection of Individuals in Times of Conflict Part II – The Law of War

- The Rules of War
- Geneva Conventions
- Protection of Civilians

Readings: Geneva Conventions of 1949.

Week 11. March 17 - Criminal Consequences for violating International Human Rights

- The Rome Statute
- The International Criminal Court
- War Crimes, Genocide and Crimes against Humanity
- International Criminal Tribunals

Readings: *Freeman and Van Ert, pages 467 – 487.*
The Rome Statute.

Week 12. March 24 - The Rights of Refugees

- The Refugee Convention
- How is a refugee claim assessed?
- What rights are Refugees entitled to?
- Principle of Non-Refoulement.
- Bars to refugee claims.

Readings: *Freeman and Van Ert, pages 330 – 335.*
The Refugee Convention.

Week 13. March 31 - Review Class.

No Readings.