

## Course Outline

**COURSE:** LAWS 4604D - International Human Rights Law

**TERM:** Winter 2009

**PREREQUISITES:** LAWS 3603 (Public International Law)

**CLASS:** Day & Time: Monday 1805-2055  
Room: B243 LA (Loeb Building)

**INSTRUCTOR:** T. Ashtakala  
(CONTRACT)

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"Students with documented disabilities requiring academic accommodations in this course must register with the Paul Menton Centre for Students with Disabilities (PMC) for a formal evaluation of disability-related needs. Documented disabilities include physical, mental, and learning disabilities, mental disorders, hearing or vision disabilities, epilepsy, drug and alcohol dependencies, environmental sensitivities, as well as other conditions. Registered PMC students are required to contact the PMC at 613-520-6608, early each term to ensure that your Instructor receives your Letter of Accommodation no later than two weeks before the first assignment is due or the first in-class test/midterm requiring accommodations. If you require accommodations for your formally scheduled exam(s) in this course, please submit your request for accommodations to PMC by March 6, 2009 for April exams." Also available at [http://www.carleton.ca/pmc/faculty/acom\\_statement.html](http://www.carleton.ca/pmc/faculty/acom_statement.html) . For Religious and Pregnancy accommodations, please contact Equity Services, 613-520-2600 x. 5622 or their website: [www.carleton.ca/equity](http://www.carleton.ca/equity)

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**COURSE DESCRIPTION** Nelson Mandela was imprisoned for 26 years for his opposition to discrimination on the basis of race in South Africa; US soldiers exchanged photographs of detainees they had tortured and degraded in Iraq; a child is compelled to leave primary school and work long hours in a carpet factory; a union leader is killed because of his efforts to organize at a factory; disabled women march for government programs to help them get jobs that their male counterparts are getting; aboriginal people blockade a road to protest against the development of land they claim belongs to them...these situations that we hear about every day happening all over the world are not only examples of challenges to human dignity, but also are often circumstantial or literal violations of existing laws. What prevents these violations of laws from being remedied in societies, communities and nations is most often a lack of knowledge about such laws. The laws that seek to protect people all over the world against violations of their dignity are contained in the branch of public international law known as International Human Rights Law. Governments, industry and courts are increasingly turning to this body of international rules for guidance on addressing claims of human rights violations by their constituents and by citizens. It is therefore an essential area of knowledge for graduates of Legal Studies and Law programmes to possess before they seek employment in legal practice or policy work.

**COURSE OBJECTIVES** This course will introduce the student to 1) the evolution and current status of international human rights law; 2) specific areas of human rights that are enshrined in existing international and regional treaties (written laws) and particular groups of people who are especially vulnerable to violations of their rights; and 3) the institutions and procedures that exist at the international level for protecting against or remedying violations of those laws. The material will be imparted through lectures, assigned readings and case studies that apply the lecture and reading material.

**REQUIRED TEXTS**

Required Readings will be posted on WebCT. Some additional articles, as well as case study exercises, will be distributed in class.

**EVALUATION****All components must be completed in order to get a passing grade****(1) Legal Research assignment- 40% of final grade**

Each student will conduct research for a selected non-governmental human rights organization. The assignment will involve the analysis and application of international human rights law to a local or regional human rights problem that the NGO is trying to address, but lacks sufficient manpower or resources to do so. The quantity of the research will cover no less than 30 and no more than 40 typewritten double spaced pages, which, depending upon the needs of the NGO, can be contained all in one document or in several. Descriptions of each case file and NGO will be displayed for all students to read at the first class so that they can choose which file they would be most interested in pursuing as their assignment. All work for the NGO must be completed by the final day of classes for the semester, that is, 2 April and the student must submit to the instructor, on that day in class, a copy of all documents prepared.

**(2) Presentation and class participation - 15% of final grade**

Each student will be required to give a short presentation, from 10-15 minutes in duration, on his/her Legal Research assignment in progress. The student will give a lecture to the class about the NGO they are working for, the human rights question they are researching and how the research is intended to help address the issue. Students are also expected to participate in the discussions following each of the presentations of the other members of the class. A sign-up sheet for presentation dates will be circulated at the first class. The use of audio-visual aids is strongly recommended.

**(3) Weekly quizzes – 15% of final grade**

Students will write a short quiz each week on the previous week's lecture material, consisting of either multiple choice questions or short essay answers or both. The objective of having weekly quizzes is to make it easier for the student to learn and memorize the course content, which will make writing the closed book final exam much easier to prepare for.

**(4) Final open book examination - 30% of final grade**

Students will write a final open book exam consisting of two or more essay questions on any of the topics covered in the lectures and readings. The goal of the exam is to help the student master the basic rules and issues of modern international human rights law, a mastery that will prove useful to the student in his/her future career, whether that career involves practicing law or working in public or corporate policy.

**SCHEDULE**

5 Jan	Introduction and overview of course
12 Jan	IHRL: Evolution, General Principles and Institutions
19 Jan	Groups particularly vulnerable to right violations: women, children, indigenous peoples, LGBT
26 Jan	Right to Equality and Non-discrimination
2 Feb	Prohibition against Torture
9 Feb	Right to seek asylum and refugee status
16 Feb	No class, reading week
23 Feb	Right to self-determination
2 Mar	Freedom of expression
9 Mar	Labour rights
16 Mar	Right to health, food, housing; right to culture
23 Mar	Right to a healthy environment
30 Mar	Modern and future challenges