

Course Outline

COURSE: LAWS 3602B - International Human Rights
TERM: WINTER 2021
PREREQUISITES CLASS: 0.5 credit from LAWS 2105, LAWS 2502, LAWS 2601 and 0.5 Credit in LAWS at the 2000 level.

INSTRUCTOR Hemba Oguanobi, PhD (Law)
Day & Time: Friday from 8:35 m to 11:25 am

NOTE: This course will be offered entirely online through cuLearn. Course delivery will primarily involve both asynchronous learning activities and synchronous sessions. Please note that lectures will be delivered using pre-recorded audios/videos that will be made accessible through the course cuLearn page. We will hold two live/synchronous sessions, one in week 3 and the other in week 8.

Room: All courses in Winter 2021 are offered online

CONTACT: OFFICE: TBA
OFFICE HOURS: By appointment only

E-mail: hembraoguanobi@carleton.ca

For inquiries associated with the course content and assignments, please use the Community Message Board on cuLearn. Use your Carleton email account for all other inquiries. Community Message Board posts and emails will only be answered during regular working hours (Monday to Friday, 9 am to 5 pm Eastern Standard Time (EST)). Please allow for up to 48 hours for a response.

CALENDAR COURSE DESCRIPTION

The developing international law relating to the protection of human rights. General concepts, rules and institutions. Specific issues include self-determination, aboriginal

rights, the refugee problem, and torture. The inherent problems and overall potential of international law.

COURSE DESCRIPTION

This program will give students the opportunity to explore international human rights law in the 21st century. Students will examine the theoretical underpinnings and historical origins of human right trends that are essential in understanding the role of international institutions, and nations in protecting and promoting the human rights of individuals. Students will also be able to unpack the complexities, issues and dilemmas surrounding naming and confronting human rights abuses that affect the most vulnerable in society.

The [Universal] Declaration [of Human Rights] retains an echo ... because men, indeed, are not born free, nor equal ... the liberty and equality of men is not a foregone conclusion, but an ideal to be pursued; not a reality, but a value; not a truth, but a duty.
Norberto Bobbio.

Human rights language exists to remind us that there are some abuses that are genuinely intolerable, and some excuses for these abuses that are genuinely unbearable.
Michael Ignatieff.

LEARNING OBJECTIVES

By the end of the course, students should be able to:

1. Examine and analyze primary sources and scholarly literature on international human rights.
2. Develop an ability to use a critical human rights lens to interpret and critique documents, events and experiences.
3. Discuss the complexities of implementing a 21st-century human rights agenda in today's world.
4. Recognize and discuss a range of human rights declarations, treaties and conventions.
5. Participate in discussions around legal, political and other debates involving human rights in a knowledgeable and constructive way.

REQUIRED TEXTS

- Jack Donnelly, *Universal Human Rights in Theory and Practice*. 2nd ed (Ithaca, NY: Cornell University Press, 2003).
- The above textbook can be ordered through Amazon. Please note that you can borrow this book from the library, an option that is particularly useful if you are on a tight budget.

- Other required readings are available electronically through the online course site, cuLearn or the University library's journal database.

COURSE EXPECTATIONS

- Students are expected to engage critically with the course material and to participate actively in all activities, namely, individual reading, research, in class discussions and completion of individual and group assignments
- Students should carefully read and follow the instructions for assignments
- All deadlines for assignments need to be respected, exceptions will be granted only in extraordinary cases

EVALUATION

Standing in a course is determined by the course instructor subject to the approval of the Department and of the Faculty Dean. This means that grades submitted by the instructor may be subject to revision. No grades are final until they have been approved by the Department and the Dean.

Assignment	Weight	Notes
Introduce yourself and answer quiz based on reading.	3%	See cuLearn for further information
<p>3 quizzes, short answers and/or problem questions based on readings and lectures.</p> <p>This segment of the evaluations begins in week 2.</p> <p>Each quiz is worth 8%.</p> <p>There will be a total of 5 quizzes. Students may choose to complete 3 quizzes, or complete all 5 quizzes and the top 3 of the 5 quizzes will count for 8% each.</p> <p>Additional information will be posted on cuLearn including</p>	24%	See cuLearn for further information

dates of quizzes.		
Critical commentary	13%	See cuLearn for further information
<p>Mini Group assignment/ report 1</p> <p>Students will be assigned a group in week 3.</p> <p>Each group will meet at least 2 times during the term.</p> <p>Each student will be assigned a role in their groups. Students will then evaluate their peers based on a rubric that will be shared with them on culearn</p> <p>Each student will produce a report based on the group meeting, their role and contribution, and analysis of a chosen reading (See cuLearn for further details)</p> <p>Note that these are synchronous sessions. Students will have the option of agreeing and arranging what form of meeting forum suits them including zoom, google hangout, MS Teams, Skype, Adobe Connect etc.</p>	<p>There will be 2 mini group assignments.</p> <p>10% for each mini group assignment.</p> <p>Total worth of group assignment - 20%</p>	See cuLearn for further information
Final exams	40 %	To be held in the final exam period
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LATE PENALTIES

Submitting an assignment after the appropriate deadline will result in a 5 per cent per day penalty up until ten days after which, I will no longer accept the assignment. Students must adhere to APA styling guidelines and word limits for all assignments. A failure to do so will result in a twenty per cent reduction in your grade. If you cannot submit an assignment at the deadline, please inform me before submission.

REQUESTS FOR EXTENSIONS

For requests for extensions lasting less than 7 days, please complete the form at the following link and submit it to the instructor prior to the assignment due date: <https://carleton.ca/registrar/wp-content/uploads/self-declaration.pdf>

SCHEDULE

Dates to Note:

January 11 th , 2021	Classes begin
February 15-19 th , 2021	Winter break
April 14 th , 2021	Winter term ends
April 16 th – 27 th , 2021	Formally Scheduled Final Exams

Week 1, 15th January 2021* **Introduction to the course.**

Read: (1) Michael, L. (2014). Defining dignity and its place in human rights. *The new bioethics*, 20(1), 12-34.

* Additional resources will be posted on cuLearn

Week 2: 22nd January 2021 **History and Origins of Human Rights and the Dilemmas of Democracies**

Read: (1) Chapter 5 of Donnelly, J. (2013). *Universal human rights in theory and practice*. Cornell University Press.

(2) Gostin, L. O., & Meier, B. M. (2018). The origins of human rights in global health. In Benjamin Mason Meier and Lawrence O. Gostin. (Eds.), *Human rights in global health: rights-based governance in a globalizing world*. Oxford Scholarship Online.

* Additional resources will be posted on cuLearn

Week 3: 29th January 2021 **Discoursing Human Rights: Theory and Lens.**

Read: (1) Chapter 1 of Donnelly, J. (2013). *Universal human rights in theory and practice*. Cornell University Press.

(2) Maschi, T. (2016). Understanding and Applying a Human Rights Lens. In *Applying a Human Rights Approach to Social Work Research and Evaluation* (pp. 11-21). Springer, Cham.

* Additional resources will be posted on cuLearn

Week 4: 5th February 2021
Making Sense of the United Nations

Read: (1) Mégret, F., & Hoffmann, F. (2003). The UN as a human rights violator? Some reflections on the United Nations changing human rights responsibilities. *Human Rights Quarterly*, 314-342.

Access online:

- United Nations Human Rights System: treaties, Mechanisms and Documents (Available at <https://www.escr-net.org/resources/united-nations-human-rights-system-treaties-mechanisms-and-documents>)
- Universal Declaration of Human Rights” (Available at <http://www.un.org/en/documents/udhr/>)
- International Covenant on Economic, Social and Cultural Rights (Available at <http://www2.ohchr.org/english/law/cescr.htm>)
- International Covenant on Civil and Political Rights (Available at <http://www2.ohchr.org/english/law/ccpr.htm>)

*Additional resources will be posted on cuLearn

Week 5: 12th February 2021
Universal vs Culturally Relative Human Rights

Read: (1) Chapter 6 and 7 Donnelly, J. (2013). *Universal human rights in theory and practice*. Cornell University Press.

(2) Franck, T. M. (2001). Are human rights universal?. *Foreign Affairs*, 191-204.

*Additional resources on cuLearn

WEEK 6 - 15TH TO 19TH FEBRUARY 2021 - WINTER BREAK

Week 7: 26th February 2021

Right to life: Genocide and Crimes Against Humanity

Read: (1) Ducey, K. A. (2010). Dilemmas of Teaching the “Greatest Silence”: Rape-as-Genocide in Rwanda, Darfur, and Congo. *Genocide Studies and Prevention*, 5(3), 310-322.

(2) Chapter 15 of Donnelly, J. (2013). *Universal human rights in theory and practice*. Cornell University Press.

*Additional resources on cuLearn

Week 8: 5th March 2021

Vulnerable Groups, Refugees and Forced Migration

Read: (1) Harvey, C. (2015). Time for reform? Refugees, asylum-seekers, and protection under International Human Rights Law. *Refugee Survey Quarterly*, 34(1), 43-60.

(2) Peroni, L., & Timmer, A. (2013). Vulnerable groups: The promise of an emerging concept in European Human Rights Convention law. *International Journal of Constitutional Law*, 11(4), 1056-1085.

*Additional resources will be posted on cuLearn

Week 9: 12th March 2021

Indigenous Peoples: Group Rights and Justice

Read: (1) Hendry, J., & Tatum, M. L. (2015). Human Rights, Indigenous Peoples, and the pursuit of justice. *Yale L. & Pol'y Rev.*, 34, 351.

(2) Kingston, L. (2015). The destruction of identity: Cultural genocide and indigenous peoples. *Journal of Human Rights*, 14(1), 63-83.

*Additional resources will be posted on cuLearn

Week 10: 19th March 2021

Right to Health: Extending the Conversation Beyond Pills.

Read: (1) Yamin, A. E. (2017). Taking the right to Health seriously: implications for Health systems, courts, and achieving universal Health coverage. *Hum. Rts. Q.*, 39, 341.

(2) Banks, J. (2012). Storytelling to access social context and advance health equity research. *Preventive Medicine*, 55(5), 394-397.

*Additional resources on cuLearn

Week 11: 26th March 2021
Sexuality and rights

Read: (1) Lalor, K. (2011). Constituting sexuality: rights, politics and power in the gay rights movement. *The International Journal of Human Rights*, 15(5), 683-699.

(2) Gerber, P., & Gory, J. (2014). The UN Human Rights Committee and LGBT rights: what is it doing? What could it be doing?. *Human Rights Law Review*, 14(3), 403-439.

*Additional resources will be posted on cuLearn

Week 12: 9th April 2021
Environment and the Future

Read 1: (1) Boyle, A. (2012). Human rights and the environment: where next?. *European Journal of International Law*, 23(3), 613-642.

(2) Hiskes, R. P. (2017). With apologies to the future: environmental human rights and the politics of communal responsibility. *The International Journal of Human Rights*, 21(9), 1401-1416.

Week 13: 14th April 2021

Review select topics discussed in the term.
Question and answer session
Preparation for examination.
Additional resources will be made available on cuLearn.

****Note that they will be additional resources for students to read, review and digest posted on cuLearn.***

ACADEMIC ACCOMMODATIONS

You may need special arrangements to meet your academic obligations during the term. For an accommodation request the processes are as follows: <https://carleton.ca/equity/wp-content/uploads/Student-Guide-to-Academic-Accommodation.pdf>

PREGNANCY OBLIGATION

Please contact 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 Department of Equity and Inclusive Communities (EIC): <https://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 Department of Equity and Inclusive Communities (EIC): <https://carleton.ca/equity/>

ACADEMIC ACCOMMODATIONS FOR STUDENTS WITH DISABILITIES

If you have a documented disability requiring academic accommodations in this course, please contact The Paul Menton Centre (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 as soon as possible to ensure accommodation arrangements are made. Please consult the PMC Website for their deadline to request accommodations for the formally-scheduled exam (if applicable) <https://carleton.ca/pmc>

PLAGIARISM

Plagiarism is presenting, whether intentional or not, the ideas, expression of ideas or work of others as one's own. Plagiarism includes reproducing or paraphrasing portions of someone else's published or unpublished material, regardless of the source, and presenting these as one's own without

proper citation or reference to the original source. Examples of sources from which the ideas, expressions of ideas or works of others may be drawn from include but are not limited to: books, articles, papers, literary compositions and phrases, performance compositions, chemical compounds, art works, laboratory reports, research results, calculations and the results of calculations, diagrams, constructions, computer reports, computer code/software, and material on the Internet.

Plagiarism is a serious offence. More information on the University's Academic Integrity Policy can be found at: <https://carleton.ca/registrar/academic-integrity/>

SURVIVORS OF SEXUAL VIOLENCE

As a community, Carleton University is committed to maintaining a positive learning, working and living environment where sexual violence will not be tolerated, and survivors are supported through academic accommodations as per Carleton's Sexual Violence Policy. For more information about the services available at the university and to obtain information about sexual violence and/or support, visit: <https://carleton.ca/studentssupport/svpolicy/>

ACCOMMODATION FOR STUDENT ACTIVITIES

Carleton University recognizes the substantial benefits, both to the individual student and for the university, that result from a student participating in activities beyond the classroom experience.

Reasonable accommodation must be provided to students who compete or perform at the national or international level. Please contact your instructor 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. <https://carleton.ca/senate/wp-content/uploads/Accommodation-for-Student-Activities-1.pdf>

For more information on academic accommodation, please contact the departmental administrator or visit: <https://students.carleton.ca/services/accommodation/>

DEPARTMENT POLICY

The Department of Law and Legal Studies operates in association with certain policies and procedures. Please review these documents to ensure that your practices meet our Department's expectations: <https://carleton.ca/law/current-students/>