

International Human Rights and Dispute Resolution

LAW373 Faculty of Law

University of Victoria

Instructor: Catherine Morris

- Course: International Human Rights and Dispute Resolution, University of Victoria
- LAW373: Faculty of Law
- Prerequisites - Co-requisites: none
- Unit Value: 1.5
- Hours per week: 4, one term (36 hours of instruction). This is a condensed course: Classes are Tuesdays and Thursdays January 5 to March 11, 3:30 to 5:30 pm (4 hours per week). The final paper is due April 9.
- Term Offered: Spring 2010
- Instructor: Catherine Morris, BA, LLB (Alberta), LLM (UBC)
- Location of classes: Fraser building room 204.
- Location of office: No on-campus office.
- Office Hours: You are always welcome to email or arrange appointments with the instructor.
- Contact Information: Telephone 250-477-0129; or send e-mail to cmorris@uvic.ca

Course Outline

Schedule and some readings are subject to amendment. Please regularly check the course web page for updates: <http://www.lampion.bc.ca/University/UVic/UVicLawIHR2010.html>. Also see the webpage for live links to online articles and documents.

Assigned Texts

- Philip Alston, Ryan Goodman, and Henry J. Steiner. *International Human Rights in Context: Law, Politics, Morals*. 3rd edition (USA: Oxford University Press, 2007).
- Other readings listed on the syllabus found online or on reserve in the Priestly library.
- University of Victoria Policy on Academic Integrity
<http://web.uvic.ca/calendar2008/GRAD/FARe/AcIn.html> ;
- Other required readings available online or will be placed on reserve in the Priestly Library located in the Fraser Building.

Suggested Additional Texts

(Purchase on your own if interested or find on reserve in Priestly or McPherson Libraries)

- Bloomfield, David, Teresa Barnes and Luc Huyse, eds. *Reconciliation after Violent Conflict: A Handbook* (Stockholm: International Institute for Democracy and Electoral Assistance, 2003). (Available online (pdf, 179 pages)
- Duffy, Helen. *The "War on Terror" and the Framework of International Law* (Cambridge, UK: Cambridge University Press, 2005)
- Mertus, Julie, and Jeffrey Helsing, eds. *Human Rights and Conflict: Exploring the Links between Rights, Law, and Peacebuilding* (Washington DC: U.S. Institute of Peace Press, 2006)

Course Description, Objectives and Evaluation

Course Description

This course examines the extent to which international law serves as an effective vehicle for the protection of human rights. It explores the nature of civil and political rights and social and economic rights, the rights of women, of indigenous peoples and ethnic and cultural minorities, and of children. It examines a number of institutional issues, particularly the forms of dispute resolution and institutional mechanisms utilized to enforce human rights and covers the United Nations system and regional enforcement mechanisms (in Europe, the Americas and Africa). The relationship between international and domestic legal orders is examined. Broader themes of the course include the debate between universalism and cultural relativism, the interpretation of international human rights law and other international and domestic legal fields, the relevance of the public-private distinction, and modern and post-modern understandings of state sovereignty.

Assumptions

It is assumed that:

- Most students will have little or no background knowledge of international law or international human rights or its terminology.
- Some students will eventually practice law and will practice in a variety of areas such as general corporate and commercial law, securities, tax, real estate, labour, family, estates, criminal law, etc. or a general practice involving many of these areas of law. In each of these areas of practice it will be important to have a general knowledge of international human rights principles and law to undergird litigation or solicitor's practice, including corporate and commercial practice. Other students will work in policy analysis of policy development roles for governments; for these roles it is crucial to have a basic understanding of governments' and citizens' responsibilities in light of the rapidly growing body of international human rights law. Some students will work as researchers or advocates for non-governmental organizations, and this course will form a foundation for further study for those students.

Educational Goals

By the end of this course, it is envisioned that participants will:

- have a basic understanding of some historical and theoretical foundations for international human rights;
- have a basic understanding of international human rights frameworks and conventions including the UN framework, conventions and complaint mechanisms; regional frameworks, conventions and complaint mechanisms, and national human rights frameworks;
- understand the limitations of international human rights frameworks including concerns about state responsibility and roles of non-state actors such as non-governmental organizations, corporations and armed groups;
- understand some dynamics of several conflictual discourses in the field of international human rights, including the challenge presented to international human rights by cultural relativism, and human rights issues relevant to development, indigenous peoples, gender,

- children and armed conflict.
- consider several alternative methods of addressing human rights violations and conflicts, including nonviolent direct action, human rights education and work of advocacy groups.

Instructional Methods

- readings,
- lectures,
- student presentations and class discussions,
- research and writing assignments.

Evaluation

Evaluation goals

The course seeks to achieve the above educational goals by having students meet certain objectives:

- Base Knowledge:** Demonstrate an understanding of course material, including ability to
 - analyse and present basic facts about a key human rights convention or declaration (see assignment: presentation on a convention);
 - discuss and write about basic theoretical and legal principles in international human rights, including key theoretical or practical contradictions or challenges; (see midterm assignment and final paper)
- Application:**
 - be able to identify international human rights issues evident in a given dispute situation (see First Assignment);
 - be able to set out international human rights frameworks, customary international law, conventions, declarations or principles and complaint mechanisms applicable to a given dispute setting with human rights dimensions (Presentation on a convention, midterm assignment and final paper);
- Policy:**
 - Demonstrate an understanding of the broader social and cultural contexts in which international human rights law and policy is situated including comprehension of issues related to gender, children and indigenous peoples or other social context chosen by the student (Presentation on a convention, midterm assignment and final paper).

Assignments

Evaluation is based on the following course assignments:

- Class attendance and preparation (20%).** Students are requested to make the necessary arrangements to prepare for and attend all classes. Waitlisted students are expected to attend the first two weeks' classes. This component of the course is evaluated based on punctual attendance and evidence of having prepared the required readings or other assignments. Please note that the Law Faculty Council guidelines for reading assignments suggest 20 pages per class hour for materials requiring detailed analysis and 40 pages per class hour for general background materials. This course is focussed largely on textbooks and journal articles and requires comparatively few readings requiring detailed analysis.

Thus, course preparation may often require up to 40 pages per hour of class (160 pages per week). Please ensure an appropriate course load. Readings marked with an asterisk are planned to be discussed in class.

- **First Assignment (5%). Due January 7.** See opening assignment details:
<http://www.lampion.bc.ca/University/UVic/OpeningAssignment.html>
- **Presentation on a Convention (15%):** Students work in groups (one or more persons) to present basic information to the class about one of several major human rights instruments, their monitoring bodies and their dispute resolution mechanisms. All other students are expected to read and bring the relevant convention to class. See convention assignment details. This assignment also serves as foundational preparation for a midterm assignment. See Convention Assignment details:
<http://www.lampion.bc.ca/University/UVic/ConventionsTemplate.html>
- **Mid-term assignment (20%).** This assignment is distributed by Thursday February 11 and is to be submitted with codename electronically **FROM "confidential.submit@gmail.com"** (password "law373ihr") to the instructor at cmorris@uvic.ca AND in hard copy to the office by Tuesday, February 23, 2010 at 4:00 pm. Students are expected to be familiar with all assigned readings, relevant Conventions and other instruments covered up until March 11. Students are expected to be familiar with all relevant Conventions based on the criteria in the Conventions assignment criteria:
<http://www.lampion.bc.ca/University/UVic/ConventionsTemplate.html>. See the grading criteria for this assignment:
<http://www.lampion.bc.ca/University/UVic/GradingCriteriaMid.pdf>.
- Please note that the UVic Academic Integrity Policy (<http://web.uvic.ca/calendar2009/GRAD/FARe/AcIn.html>) is required reading for this course. The instructor may require students to submit their essays, term papers and other assignments to plagiarism detection software programs.
- **Final Writing Assignment (40%): Final paper due April 9, 2010.**
 - ▶ **Length:** Please write a paper of 3,500 to 4,000 words (about 12-14 pages double-spaced in normal font size) on a topic of interest to the student. Paper length excludes notes, references and diagrams.
 - ▶ **Criteria for evaluation:** Students' papers are expected to demonstrate knowledge of all relevant course readings as well as relevant external research. See the grading criteria: <http://www.lampion.bc.ca/University/UVic/GradingCriteria.pdf>. Please see the Faculty of Law Grading Standards: http://law.uvic.ca/current/academic_regs.php#grading.
 - ▶ **Topics:** Papers may consider issues in Canada or elsewhere, but all topics are to be considered in relation to an international human rights framework or discourse (and not exclusively in relation to domestic or comparative legal, policy or social framework or discourse). Students may use any disciplinary framework(s) with which they are comfortable, e.g. history, philosophy, political science, anthropology, law, sociology, conflict studies, religious studies, etc., but papers are to be focussed on a topic relevant to international human rights. See some topic ideas.

- ▶ **Deadline and other target dates:**
 - **March 9:** It is recommended and urged (but not required) that students submit to the instructor by email a topic, abstract, outline and preliminary list of references no later than March 9, 2010.
 - **April 9:** Final papers are to be submitted with codename electronically FROM "confidential.submit@gmail.com" (password "law373ihr") to the instructor AND in hard copy to Front office in the Fraser Building by Friday April 9, 2009 at 4 pm.
- **Equality and extensions:** To ensure relative equality of opportunity among students, marks of students who, without prior arrangement, submit papers later than the deadline have marks reduced at the rate of **2% of the total course grade for each day (or part of a day) past the deadline.** Extensions (without marks reduction) are given for reasons of illness or emergency (including family emergency) with permission of the Associate Dean.
- **Please note that the UVic Academic Integrity Policy is required reading for this course.** The instructor may require students to submit their essays, term papers and other assignments to plagiarism detection software programs.

Class schedule and readings

(subject to amendment)

1. Theoretical and historical foundations: Links among Human Rights, Conflict and Peacebuilding

January 5, 7, 12, 14, 2010 (estimate four classes)

- 1.1 Theories and history of human rights
- 1.2 Sources of human rights law

Required readings for this section:

- Philip Alston, Ryan Goodman, and Henry J. Steiner. *International Human Rights in Context: Law, Politics, Morals*. 3rd edition. USA: Oxford University Press, 2007, pp, 1-17 plus the short Assignment #1.
- Alston et al, chapter 2 (selections to be assigned).
- * Anaya, S. James. 2004. The Historical Context. Chapter 1 in *Indigenous Peoples in International Law*, 2nd ed., 15-48. New York and Oxford: Oxford University Press. (31 pages. on reserve in the Priestly Library)
- * Charlesworth, Hilary, and Christine Chinkin. "The Gender of Jus Cogens." (1993) *Human Rights Quarterly* 15(1) 63-76 (14 pages, online - UVic netlink ID required) or excerpt in Alston et al text, pp 169-171 (2 pages)

Optional readings for this section (or for your papers):

<http://www.lampion.bc.ca/University/UVic/IHROptional.html#HRconflict>

2. Frameworks and processes for development of human rights and addressing human rights violations

January 19, 21, 26, 28, February 2, 4, 2010 (estimate 6 classes)

These classes include student presentations on UN Conventions: ICCPR (and its optional protocols), ICESCR (and its optional protocol), the Torture Convention, and 3 regional frameworks (European, American, African).

- 2.1. United Nations Human Rights Framework and Conventions
- 2.2 Regional human rights frameworks
- 2.3. State Responsibility for Compliance with International Human Rights
- 2.4. Non-State Actors

Readings for this section:

Articles

- Alston et al, chapter 3, 4, 9, 19, 11 (selections to be assigned).
- * United Nations. The United Nations Human Rights System: How To Make It Work For You (Geneva and New York: United Nations Non-Governmental Liaison Service (NGLS), 2008). Available online. (33 pages).
- * Cohen, Stanley. 1996. Government Responses to Human Rights Reports. Claims, Denials, and Counterclaims. *Human Rights Quarterly* 18(3): 517-543. Available online at Muse (UVic netlink ID required) (28 pages)
- * Freeman, Mark, and Gibran Van Ert. 2004. Concordance of Canadian and International Human Rights Instruments. Appendix 1 in *International Human Rights Law*, 545-551. Toronto: Irwin Law. (6 pages. Handout. Book on reserve in the Priestly Library)

Documents

- Charter of the United Nations. Available online. (3 pages. Read Preamble and Articles 1, 2, 13, 55, 56, 62, 73, 74.)
- * Universal Declaration of Human Rights. Available online (4 pages)
- * International Covenant on Civil and Political Rights, GA Res. 2200 (XXI), UN GAOR, 21st Sess., Supp. No. 16, 52 UN Doc. A/6316 (1966). Available online. (12 pages)
 - ▶ * Optional Protocol to the International Covenant on Civil and Political Rights. Available online. (3 pages)
 - ▶ Second Optional Protocol to the International Covenant on Civil and Political Rights, aiming at the abolition of the death penalty. Available online (3 pages)
- UN Declaration on the Elimination of All Forms of Intolerance and of Discrimination Based on Religion or Belief. GA Resolution A/RES/36/55, 25 November 1981. online
 - ▶ UN Special Rapporteur on freedom of religion or belief. Framework for communications, available online
- * International Covenant on Economic, Cultural and Social Rights, GA Res. 2200A (XXI), UN GAOR, 21st Sess., Supp. No. 16, 49 UN Doc. A/6316 (1966). Available online. (7 pages)
 - ▶ * Optional Protocol to the International Covenant on Economic, Social and Cultural Rights. GA Res. A/RES/63/117, 10 December 2008 Available online. (.pdf, 9 pages)
- * Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (CAT) 1966, and the Committee Against Torture. Available on the UN OHCHR site.

- * Convention on the Elimination of All Forms of Discrimination against Women. General Assembly 1979. Available online
 - ▶ * Optional Protocol, GA, 6 October 1999, entered into force on 22 December 2000. Available online
- * UN Convention on the Rights of the Child. Available online.
 - ▶ * Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict, Adopted and opened for signature, ratification and accession by General Assembly resolution A/RES/54/263 of 25 May 2000, entered into force on 12 February 2002. Available online.
 - * Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography, Adopted and opened for signature, ratification and accession by General Assembly resolution A/RES/54/263 of 25 May 2000, entered into force on 18 January 2002. Available online
- * European Convention for the Protection of Human Rights and Fundamental Freedoms. Available online. (approximately 10 pages). See also the website of the European Court of Human Rights and the website of the European High Commissioner of Human Rights. (approx. 10 pages)
- Inter-American System
 - ▶ * American Convention on Human Rights. Available online (approx. 18 pages). See also the website of the Inter-American Commission on Human Rights. The HREA has an overview of the Inter-American Human Rights System.
 - ▶ Case of the Mayagna (Sumo) Awas Tingni Community v. Nicaragua 2001 Decision of Inter-American Court of Human Rights Judgment of August 31, 2001(pdf)
 - ▶ * American Declaration on the Rights and Duties of Man. Available online. See also the website of the Inter-American Commission on Human Rights. (approx. 6-7 pages)
 - ▶ Indigenous Peoples Issues and Resources. "International Human Rights Commission Admits Hul'qumi'num Treaty Group Case." December 1, 2009. Available online plus the Report No 105/09 of the IAHRC (.pdf, 14 pages)
- * African Charter on Human and Peoples' Rights. Available online. (Approx. 9 pages). Also see the website of the African Commission on Human and Peoples' Rights and the website of the African Court on Human and Peoples' Rights.
- ASEAN Inter-governmental Commission on Human Rights Terms of Reference and the website of the Working Group for an ASEAN Human Rights Mechanism.
- * Principles relating to the Status of National Institutions for the Promotion and Protection of Human Rights (Paris Principles), G.A. Res. 48/U.N. GAOR, U.N. Doc A/RES/48/134 (20 December 1993). Available at the UN website or at the UNHCHR website. (approx. 4 pages)

Those interested in rights and protections for human rights defenders please ensure you are familiar with:

- Declaration on the Right and Responsibility of Individuals, Groups and Organs of Society to Promote and Protect Universally Recognized Human Rights and Fundamental

- Freedoms, General Assembly Resolution A/RES/53/144, 9 December, 1998. Available online (Approx. 7 pages)
- Basic Principles on the Role of Lawyers, Eighth United Nations Congress on the Prevention of Crime and the Treatment of Offenders, Havana, 27 August to 7 September 1990, U.N. Doc. A/CONF.144/28/Rev.1 at 118 (1990). Available online (Approx. 5 pages)
- Basic Principles on the Independence of the Judiciary. Adopted by the Seventh United Nations Congress on the Prevention of Crime and the Treatment of Offenders held at Milan from 26 August to 6 September 1985, and endorsed by General Assembly resolutions 40/32 of 29 November 1985 and 40/146 of 13 December 1985. Available online (optional).
- Ensuring Protection: European Union Guidelines on Human Rights Defenders. Adopted by the Council of the European Union, June 15, 2004. Available online (.pdf, optional).

Optional readings for this section (or for your papers)

<http://www.lampion.bc.ca/University/UVic/IHROptional.html#regional>

3. Major issues in human rights

3.1. Culture and human rights: universalism and particularism

February 9, 11, 2010 (estimate two classes)

- Includes student presentations on the Race Convention (CERD), the Women's Convention (CEDAW) and the Children's Convention (CRC).

Readings for this section:

Chapters and articles

- Alston et al, chapter 6 and 7 (selections to be assigned).
- ONE OF
 - ▶ * Sen, Amartya. "Universal Truths: Human Rights and the Westernizing Illusion" (1998)Harvard International Review 20(3): 40-43. Available online (UVic netlink ID required)
 - ▶ * Sen, Amartya. 1997. Human Rights and Asian Values. Sixteenth Morgenthau Memorial Lecture on Ethics and Foreign Policy. New York: Carnegie Council on Ethics and International Affairs. Available online.
- * Taylor, Charles. 1999. Conditions of an Unforced Consensus on Human Rights. In The East Asian Challenge for Human Rights, ed. J. Bauer & D. Bell, 124-144. Cambridge: Cambridge University Press. (20 pages, original 1996 lecture available online .pdf)

Documents

- * United Nations International Convention on the Elimination of All Forms of Racial Discrimination. Adopted and opened for signature and ratification by General Assembly resolution 2106 (XX) of 21 December 1965, entry into force 4 January 1969, in accordance with Article 19. Available online (all please read).

Optional readings for this section (or for your papers)

<http://www.lampion.bc.ca/University/UVic/IHROptional.html#culture>

3.2. Gender and human rights

February 23, 2010 (estimate one class)

Readings for this section:

Chapters and Articles

- Alston et al, chapters 3, 4, 7, (selections to be assigned).

Documents

- * Convention on the Elimination of All Forms of Discrimination against Women. General Assembly 1979. Available online
- * Optional Protocol, GA, 6 October 1999, entered into force on 22 December 2000. Available online

Optional readings for this section (or for your papers)

<http://www.lampion.bc.ca/University/UVic/IHROptional.html#gender>

3.3. Children's rights

February 25, 2010 (estimate one class)

- Guest speaker: to be announced

Readings for this section:

- Alston et al (selections to be assigned).
- * UN Convention on the Rights of the Child. Available online.
- * Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict, Adopted and opened for signature, ratification and accession by General Assembly resolution A/RES/54/263 of 25 May 2000, entered into force on 12 February 2002. Available online.
- * Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography, Adopted and opened for signature, ratification and accession by General Assembly resolution A/RES/54/263 of 25 May 2000, entered into force on 18 January 2002. Available online

Optional readings for this section (or for your papers)

<http://www.lampion.bc.ca/University/UVic/IHROptional.html#children>

3.4. Indigenous peoples and international human rights

March 2, 2010 (estimate one class)

- Includes student presentation on the UN Declaration on the Rights of Indigenous Peoples.
- Guest speaker: to be announced

Readings:

- United Nations Declaration on the Rights of Indigenous Peoples, Adopted by the General Assembly 13 September 2007. Available online at the website of the UN

Permanent Forum on Indigenous Peoples (UNPFII). Please read the historical overview (scroll down on this page) and read About UNPFII and a brief history of indigenous peoples and the international system.

- Anaya, S. James. 1996. The Historical Context. Chapter 1 in *Indigenous Peoples in International Law*, 9-37. New York and Oxford: Oxford University Press. (coursepack, see section 1.2. You will have read this during the first part of the course; please refresh your memory)
- Corntassel, Jeff. "Toward Sustainable Self-Determination: Rethinking the Contemporary Indigenous-Rights Discourse." *Alternatives* 33 (2008), 105-132, <http://www.corntassel.net/Sustainable.pdf>
- Jeff Corntassel. "Apology Accepted? Indigenous Peoples, Political Apologies, and Rhetorical Reconciliation in Australia and Canada." *Ethics & International Affairs*, forthcoming Spring 2009.
- Parisi, Laura, and Jeff Corntassel. "In Pursuit of Self-Determination: Indigenous Women's Challenges to Traditional Diplomatic Spaces." *Canadian Foreign Policy* 13(3) (2007): 81-98. Available online

Plus readings selected from the following:

- Corntassel, Jeff. Partnership in Action? Indigenous Political Mobilization and Co-optation During the First UN Indigenous Decade (1995-2004). *Human Rights Quarterly* 29(1) (February 2007): 137-166. Available online (UVic netlink ID required).
- Gilbert, Jérémie. 2006. *Indigenous Peoples Land Rights under International Law: From Victims to Actors*. Leiden: Brill.
- Green, Joyce, ed. 2007. *Making Space for Indigenous Feminism*. London, UK: Zed Books.
- Niezen, Ronald. 2003. *The Origins of Indigenism: Human Rights and the Politics of Identity*. Berkeley, CA: University of California Press.
- Rodríguez-Piñero, Luis. 2006. *Indigenous Peoples, Postcolonialism, and International Law The ILO Regime (1919-1989)* New York and Oxford: Oxford University Press.
- Schabas, William A. 2005. Cultural Genocide and the Protection of the Right of Existence of Aboriginal and Indigenous Groups. In *International Law and Indigenous Peoples*, edited by J. Castellino and N. Walsh. Leiden/Boston: Martinus Nijhoff Publishers. (coursepack)
- Smith, Andrea. 2005. *Conquest: Sexual Violence and American Indian Genocide*. Cambridge, MA: South End Press.
- Xanthaki, Alexandra. 2007. *Indigenous Rights and United Nations Standards: Self-determination, Culture and Land*. Cambridge University Press.

Optional readings for this section (or for your papers)

<http://www.lampion.bc.ca/University/UVic/IHROptional.html#indigenous>

3.5. Just War, International Humanitarian Law, and Addressing Massive Violations

March 4, 9, 2010 (Estimate one or two classes)

- This class may include student presentations on the Refugee Convention, and/or the Genocide Convention and the Rome Statute of the ICC.
 - ▶ Just war

- ▶ A right to peace?
- ▶ International Humanitarian Law
- ▶ Addressing massive human rights violations

Readings for this section:

Chapters and articles

- Orend, Brian. "War." The Stanford Encyclopedia of Philosophy, ed. Edward N. Zalta (Winter 2005 edition). Available online
- Fiala, Andrew. "Pacifism." The Stanford Encyclopedia of Philosophy, ed. Edward N. Zalta (Summer 2007 edition). Available online
- * Mertus text, Chapter 5 (Said, Lerche including the commentary by Donnelly) 7; Chapter 8 (Cerone); Chapter 13 (Nesiah).
- International Committee of the Red Cross. 2004. International Humanitarian Law: Answers to Your Questions. Revised Edition. Geneva: ICRC. Available online (42 pages)
- Evans, Gareth, Mohamed Sahnoun, et al. 2001. The Responsibility to Protect. Report of the Commission on Intervention and State Sovereignty. Ottawa: International Development Research Centre. Available online. (Available on reserve.) please read the synopsis and skim the rest of this document.)
- Amnesty International. 1999. Universal Jurisdiction: 14 Principles on the Effective Exercise of Universal Jurisdiction. Availableonline. (optional)
- * Minow, M. 1998. Vengeance and Forgiveness. Chapter 2 in Between Vengeance and Forgiveness: Facing History after Genocide and Mass Violence, 9-24, notes at 150-155. Boston: Beacon Press. (25 pages. Book on reserve in the Priestly Library)
- Goldstone, R. J. 2005. The Future of International Criminal Justice. Maine Law Review 57:553-568. Available online (pdf) (UVic netlink ID required)
- * Naqui, Yasmin. "Amnesty for War Crimes: Defining the Limits of International Recognition." International Review of the Red Cross 85(851) (2003): 583-626. Available online.

Documents

- * Convention on the Prevention and Punishment of the Crime of Genocide, Adopted by Resolution 260 (III) A of the U.N. General Assembly on 9 December 1948. Entry into force: 12 January 1951. Available online
- Convention relating to the Status of Refugees, Adopted on 28 July 1951 by the United Nations Conference of Plenipotentiaries on the Status of Refugees and Stateless Persons convened under General Assembly resolution 429 (V) of 14 December 1950 entry into force 22 April 1954. Available online .pdf. See also the Protocol relating to the Status of Refugees, entry into force 4 October 1967, available online. (Optional: See the site of the UN High Commissioner for Refugees and the UNHCR's pages on the 1951 Convention)
- Declaration on the Right of Peoples to Peace, General Assembly A/RES/39/11, 12 November 1984. Available online. (approximately 2 pages)

Optional readings on IHL and on massive violations:

<http://www.lampion.bc.ca/University/UVic/IHROptional.html#peace>

3.6. Human rights and development

March 11, 2010 (Estimate 1 classes - if there is time)

Readings for this section:

Chapters and Articles

- Alston et al, chapter 16 (selections to be assigned).
- * Marks, Stephen P. 2003. The Human Rights Framework for Development: Seven Approaches. London: UK: Child Rights Information Network. Available online (pdf). (29 pages)

Documents

- * International Covenant on Economic, Cultural and Social Rights, GA Res. 2200A (XXI), UN GAOR, 21st Sess., Supp. No. 16, 49 UN Doc. A/6316 (1966). Available online. (7 pages)
- * Declaration on the Right to Development, GA Res. 41/128, UN GAOR, UN Doc. A/41/128 (1986). online). Also see the background information on the Right to Development.

Optional readings for this section (or for your papers)

Ideas for Papers and Research Resources (see course webpage)

Papers may consider domestic issues in Canada or elsewhere, but for this course on international human rights, all topics are to be considered in relation to an international human rights framework or discourse (and not only in relation to domestic legal, policy or social framework or discourse). You may use any disciplinary framework with which you are comfortable, e.g. history, philosophy, political science, anthropology, law, sociology, conflict studies, religious studies, etc.