

International Human Rights and Dispute Resolution LAW373
Faculty of Law
University of Victoria
Course outline

- **Prerequisites - Co-requisites:** none
- **Unit Value:** 1.5.
- **Hours per week:** 3, one term
- **Term Offered:** Spring 2011
- **Instructor:** Catherine Morris, BA, LLB (Alberta), LLM (UBC)
- **Classes:** Fridays January 7 to April 1, 9 am to noon.
- **Location of classes:** Fraser building room TBA.
- **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@lampion.bc.ca
- **Course webpage:** <http://www.lampion.bc.ca/University/UVic/UVicLaw/HR2011.html>. Please consult the online version of the syllabus for links to readings, assignment details, notes and resources.

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. See course readings below. Please check the webpage regularly for changes to schedule and readings.
- University of Victoria Policy on Academic Integrity: <http://web.uvic.ca/calendar2010/GRAD/FARe/AcIn.html> is required reading and applies to all students in this course.
- OPTIONAL, recommended texts:
 - Jon Buergethal, Thomas Buergethal, and Dinah Shelton. *International Human Rights in a Nutshell*. 4th edition (West Group, 2009). (some copies will be available in the book store)
 - Centre for the Study of Human Rights. *Twenty-five+ Human Rights Documents* (New York: Columbia University, 2005). (some copies will be available in the bookstore)
- OTHER OPTIONAL TEXTS:
 - Duffy, Helen. *The "War on Terror" and the Framework of International Law* (Cambridge, UK: Cambridge University Press, 2005)(some copies will be available in the bookstore)
 - 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)(some copies will be available in the bookstore)

Course Description, Objectives and Evaluation

Course Description (as per the UVic Calendar)

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. In addition the role of nongovernmental organizations, and the relation between international and domestic legal orders are examined. In 2011 the course uses a case-study approach to explore international human rights issues pertaining to businesses and corporations in several countries.

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; (class discussions and final presentation)
- **Application:**
 - be able to identify international human rights issues evident in a given dispute situation (see First Assignment on course webpage)
 - be able to set out international human rights frameworks, customary international law, conventions, declarations or principles and complaint mechanisms applicable to a given dispute situation with human rights dimensions (Presentation on a convention and final presentation);
- **Policy:**
 - Be able to 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, and final presentation).

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 assigned 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 (120 pages per week). Please ensure an appropriate course load. **Readings marked with an asterisk are planned to be discussed in class.**

- **First Assignment (5%):** Two pages due Friday January 14 at 9 am (hard copy AND electronic submission). No extensions are available for this assignment. See opening assignment details on the course website.
- **Presentation on a convention or regional human rights system (15%):** Students work in groups to present basic information to the class about a major human rights instrument, its monitoring body and its dispute resolution mechanisms, and apply them to the case assigned to the group (see case study presentation assignment. All other students are expected to read and bring the relevant Conventions to class and be able to apply them in class case discussion. See convention assignment details. This assignment also serves as foundational preparation for the final presentation and the final take-home exam.
- **Final Presentation (35%):** In class on **April 1, 2011** with **electronic submission by April 4, 2011**. Please see information about the case study presentation and grading criteria on the course webpage.
- **Take home exam (25%):** Two short essay questions (maximum 1000 words each) to be submitted **to the law school office in hard copy April 7 by 4:30 pm**. To ensure fairness of opportunity to all students, **marks for late submission are deducted at the rate of 5% per day or part thereof**. See details of the assignment and grading criteria on the course webpage.

Class schedule and readings

The schedule and readings are subject to revision. Asterisks (*) indicate readings contemplated for class discussion. Class notes, including powerpoint presentations by the instructor or students are posted here on the course webpage (prior to the class whenever possible).

1. Theoretical and historical foundations: Links among Human Rights, Conflict and Peacebuilding. *January 7, 14, 21, 2011 (estimate three 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 (portion of "Human Rights Concepts and Discourse") plus the short Assignment #1 due January 14.
- Alston et al, chapter 2 (90 pages) OR ALTERNATIVELY, Read Peter Malanczuk, Akehurst's *Modern Introduction to International Law*, 8th ed. (Routledge, 2007), chapters 2 (History and Theory) and 3 (Sources of International Law). Available online (UVic Netlink ID required)
- * 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. 1993. *The Gender of Jus Cogens*. *Human Rights Quarterly* 15(1) (Feb., 1993): 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 presentations) are linked from the course webpage.

2. Frameworks and processes for development of human rights and addressing human rights violations. January 28, February 4, 11, 2011 (3 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

Required readings for this section:

Chapters and Articles

- Alston et al:
 - Chapter 3, pp. 151-174 (23 pages), and pp. 213-230 (17 pages)
 - Chapter 4, pp. 263-289, 370-372 (30 pages)
 - skim Chapter 9, especially pp. 735-742, 746, 765-769, 782-786. (20 pages)
 - Chapter 10, pp 844-854, 873-878, 891-896, 913-921 (28 pages)
 - skim Chapter 11, 925-1083 (and thoroughly read portions relevant to presentations) (158 pages)
 - Chapter 15 (read 1385-1414 [31 pages] and skim 1415-1432)
- 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)
- Piper, Tina, and A. Wayne McKay. "The Domestic Implementation of International Law: A Canadian Case Study." In *Bridging the global divide on human rights: a Canada-China dialogue*, edited by Errol Mendes, Anik Lalonde-Roussy, 111-132. Farnham, UK: Ashgate Publishing, 2003. (Book on reserve in the Priestly Library)
- Andreychuk, The Honourable Raynell, and The Honourable Sheila Finestone, P.C. December 2001. Promises to Keep: Implementing Canada's Human Rights Obligations. Report of the Standing Senate Committee on Human Rights. Ottawa: Government of Canada. Available online.
- OPTIONAL: 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

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)
- 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. (9 pages)

- Convention on the Elimination of All Forms of Discrimination against Women. General Assembly 1979. Available online (5 pages)
- 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.(12 pages)
- 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)
- 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.
- 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)
- OPTIONAL: UN Special Rapporteur on freedom of religion or belief. Framework for communications, available online
- OPTIONAL: ASEAN Inter-governmental Commission on Human Rights Terms of Reference and the website of the Working Group for an ASEAN Human Rights Mechanism.

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).
- RECOMMENDED: Human Rights Watch. "World Report: Abusers Target Human Rights Messengers: Rights-Respecting Governments Should Speak Up to Protect Defenders." New York: Human Rights Watch, January 20, 2010. <http://www.hrw.org/en/world-report-2010/news-release>. And see Ken Roth Press Conference 52:34 minutes)
- Optional readings for this section (or for your assignments) are linked on the course webpage.

3. Major issues in human rights

3.1. Culture and human rights: universalism & particularism. February 25, 2011 (estimate one class)

- Includes presentations on the Race Convention (CERD) and Women's Convention (CEDAW)

Readings for this section:

Chapters and articles

- Alston et al, chapters 6 (pp. 475-516) and 7 (517-570 pages).
- * 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 (see course webpage for link)
- 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) or online
 - OPTIONAL: 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 assignments) are linked on the course webpage.

3.2. Gender and human rights. February 25, 2011

Readings for this section:

Chapters and Articles

- Alston et al, chapters 3 (pp. 183-224), 4 (previously read), 7 (class to focus on selections in chapter 7, pp. 531-568).
- Plus your choice of the following. For readings without links, please search out in the library.
 - Coomaraswamy, Radhika. 2002-2003. Identity Within: Cultural Relativism, Minority Rights and the Empowerment of Women. George Washington International Law Review 34: 483-514. Online (HeinOnline UVic password required)
 - Engle, Karen. 2005. International Human Rights and Feminisms: When Discourses Keep Meeting. In International Law: Modern Feminist Approaches, edited by D. Buss and A. Manji. Oxford, UK: Hart Publishing.
 - Mahoney, Kathleen. "Theoretical Perspectives on Women's Human Rights and Strategies for their Implementation" (1995-1996) 21 Brooklyn Journal of International Law 799-856. Available at online (UVic netlink ID required)

- MacKinnon, Catharine A. "Are Women Human?" in *Are Women Human and Other International Dialogues*. Cambridge, USA: Harvard University Press, 2006. Listen to a BBC interview with Catharine A. McKinnon in April 2006.
- Bunting, Annie. "Theorizing Women's Cultural Diversity in Feminist International Human Rights Strategies." (1993) 20 *Journal of Law and Society* 6.
- Amnesty International. October 2004. *Stolen Sisters: Discrimination and Violence against Indigenous Women in Canada*. London, UK: Amnesty International. Available online (.pdf)
- Amnesty International. March 2004. *Human Rights and Sexual Orientation and Gender Identity*. London, UK: Amnesty International. Available online
- Sanders, Douglas. May 2007. "Sexual Orientation in International Law." ILGA Law Files. Brussels: International Lesbian and Gay Association. Available online.

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 assignments) linked on the course webpage

3.3. Children's rights. March 4, 2011 (estimate one class)

- Includes presentation on the Children's Convention (CRC)
- Guest speaker: to be announced

Readings for this section:

- Alston et al (*Child Protection*, pp 354-357 and *cultural relativism* pp 616-19)
- Please review all Conventions covered in class to date, identifying:
 - commonly reflected core human rights principles
 - references to special considerations for children
 - state obligations to victims of human rights violations
 - In particular, please be familiar with
 - * 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 assignments)

3.4. Indigenous peoples and international human rights. March 11, 2010 (estimate one class)

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

Readings (subject to change in consultation with guest presenters):

- 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.
- Corntassel, Jeff. "Toward Sustainable Self-Determination: Rethinking the Contemporary Indigenous-Rights Discourse." *Alternatives* 33 (2008), 105-132, <http://www.corntassel.net/Sustainable.pdf>

- Anaya, S. James. 1996. The Historical Context. Chapter 1 in *Indigenous Peoples in International Law*, 9-37. New York and Oxford: Oxford University Press. (see section 1.2. You will have read this during the first part of the course; please refresh your memory)
- Please choose other readings from the following:
 - 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
 - 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.
 - 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 assignments) are linked on the course webpage.

3.5. Just War, International Humanitarian Law, and Addressing Massive Violations. March 18, 25, 2011 (Estimate two classes)

- This class includes a student presentation on the Genocide Convention and the Rome Statute of the ICC and 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.
- OPTIONAL BUT RECOMMENDED: Alston et al text, Chapter 14

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
- * Rome Statute of the International Criminal Court. Available online
- Declaration on the Right of Peoples to Peace, General Assembly A/RES/39/11, 12 November 1984. Available online. (approximately 2 pages)
- OPTIONAL: 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)
- OPTIONAL: Basic Principles and Guidelines on the Right to a Remedy and Reparation for Victims of Gross Violations of International Human Rights Law and Serious Violations of International Humanitarian Law, General Assembly resolution 60/147 of 16 December 2005. Available Online
- Optional readings on IHL and Optional readings on massive violations (links available on the course webpage)

3.6. Final Presentations, April 1, 2011

See details of the assignment on the course webpage. Research resources on business and human rights are available on the course webpage. Grading criteria are available on the course webpage.