International Human Rights Law (3 credits)
Prof. Jeffrey A. Dodge
Fall 2018

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International Human Rights Law explains the principles of international human rights law and provides a solid grounding in the main United Nations and regional systems for human rights protection and promotion. Students are introduced to the political, sociological, and ethical dimensions of human rights advocacy through considering the ways in which human rights address human society, how we treat one another, how authority is used, and issues of basic justice and fairness. The course learning outcomes are as followed:

- **Outcome 1 – Knowledge of Law and Legal Institutions**: Gain familiarity with human rights legal instruments and institutions.
- **Outcome 2 – Legal Analysis and Reasoning/Problem Solving**: Apply theory to human rights practice through developing a solution to your chosen issue, drawing from your research and policy analysis.
- **Outcome 3 – Oral and Written Communication Skills**: Learn to create a human rights policy brief or complete an upper division writing requirement qualified final paper.
- **Outcome 4 – Professionalism, Ethics and Values**: Become an active member of the human rights community by thinking critically about how to improve current legal instruments and institutions.

**Casebook:**
The casebook (CB) for the class is Philip Alston and Ryan Goodman’s International Human Rights: The Successor to International Human Rights in Context (2013, ISBN 9-780199-578726). Students are expected to have this book and bring it with them to class. The casebook is available at the University Bookstore and for purchase online.

**Grading:**
International Human Rights Law will have a multipronged approach to assessment that speaks directly to the desired learning outcomes. The course will be graded in four parts: 20% weekly attendance and participation in class; 50% policy white paper or upper division writing requirement final paper; 10% paper presentations; and 20% education project.

**Class Participation & Attendance (20%)**:
International Human Rights Law classes are every Tuesday and Thursday from 2:00 to 3:15 p.m. PST/3:00 to 4:15 p.m. MST. The full schedule is detailed later in the syllabus, including days off and required participation in programs outside of class. Attendance is required and factored into your weekly participation grade. You may not miss more than 5 classes, regardless of the reasoning. Students who miss 6 or more classes will be docked half of your points for the weekly participation portion of your grade, thus dropping your final grade by one letter automatically. The class will be taught in a hybrid format, including lecture, faculty led discussion, and student led presentations and discussions. Students are expected to have read the material in advance and be prepared to discuss it. Participation will be on a voluntary basis, so long as everyone is engaged. The professor reserves the right to call on students who do not initiate participation. Please remember that the discussion should be open and inclusive to all viewpoints. We are to remain respectful and professional in our dialogs.
Policy White Paper (50%):
The purpose of the policy white paper is to analyze the human rights issue used in your presentation to the United Nation Conference in the context of one country or regional government and then make a policy recommendation for addressing it. The paper must be 8 to 10 pages long and cover the following:

- Identify and describe the human rights issue (1 to 2 pages)
- Describe the history and context of the problem (2 to 3 pages)
- Offer a policy recommendation to your nation’s government or regional government to address the problem (3 to 4 pages)
- Summarize the possible negative and positive impacts of your policy recommendation in a conclusion (1 page)

The key to the policy white paper is that you have a thesis that takes a position on the legal issue in a country or region – reform how we approach this issue, integrate how another country handles it, assert why another approach altogether is preferred, or some other argument. Students should look critically at the country or region’s legal system to approach this issue in light of international norms, culture, history and human rights law. The paper is due on Friday, December 14 by 5 p.m. PST via the TWEN page.

OR

Upper Division Writing Requirement (UDWR) Paper (50%):
Students who wish to complete the class for their upper division writing requirement through an in-depth research paper may do so instead of the policy white paper. Students will choose a topic for their paper, identify a specific legal issue to study within that topic, perform significant research on that issue in legal sources, complete an in-depth analysis of that issue, make a recommendation about how the issue should be resolved, and address the implications of that issue.

The requirements for the final paper dovetail with the College of Law’s requirements for the Upper Division Writing Requirement. In particular, the final paper must be at least 20 double-spaced pages exclusive of footnotes, evidencing significant legal or empirical research and thoughtful, well-drafted writing. The paper must reflect your ability to explore, on the basis of significant research in legal sources, the interrelationship of issues presented in a complex context. Upon your completion of the final paper for this class, if satisfactory, I will certify the completion of your UDWR.

The following schedule will be strictly adhered to for students completing an upper division writing requirement paper. Document submissions are done on the TWEN page.

<table>
<thead>
<tr>
<th>Due Date</th>
<th>Assignment/Meeting/Presentation</th>
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<tbody>
<tr>
<td>8/24</td>
<td>Select Paper Option on TWEN by 5 p.m. PST</td>
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<tr>
<td>8/30</td>
<td>Issue Statement Due by 5 p.m. PST</td>
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<td>8/31</td>
<td>Email Feedback from Prof. Dodge re: Issue Statement</td>
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<tr>
<td>9/13</td>
<td>Research Plan Due by 5 p.m. PST</td>
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<td>9/14</td>
<td>Meeting with Prof. Dodge re: Research Plan</td>
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<td>10/1</td>
<td>Detailed Outline Due by 5 p.m. PST</td>
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<td>10/2, 4, 9, &amp; 11</td>
<td>Ten-Minute Oral Presentation and Prof. Dodge and Class Feedback</td>
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<tr>
<td>11/16</td>
<td>First Draft Due by 5 p.m. PST</td>
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<td>Week of 11/26</td>
<td>Meeting with Prof. Dodge re: First Draft</td>
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<tr>
<td>12/14</td>
<td>Final Paper Due by 5 p.m. PST</td>
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Presentation (10%)
All students will give a ten-minute presentation on the thesis and research of their paper. Students will be evaluated based on their mastery of the substantive material, how understandable they are in communicating research, and their ability to address questions and feedback. Presentation aids permitted.
Education Project (20%):

International Human Rights Law educators usually need to start the process by defining human rights for prospective audiences. Unless challenged, most people assume they know about human rights because they hear the words daily in the media. However, their understanding of the conceptual, legal, historical, and ethical bases of human rights is usually very superficial. Most people don't know that they don't know, nor are they especially eager to discover this ignorance. In this assignment, students are to select one of the below International Days recognized by the United Nations (a different topic from the presentation and paper). You are then to research the legal underpinnings of the human rights topic and develop a five day social media campaign for the College of Law’s Facebook page. The campaign should include 10 to 15 posts over the course of five days. The campaign should emphasize the importance of the day, educate the population of viewers as to the issue, and highlight why the day is still relevant. Pictures, graphs, and other images are encouraged and do not need to be original (citing a source is fine). Links to news articles on current human rights issues are also encouraged. The focus of the campaign is to bring awareness to the day and contribute to our collective understanding of the human rights issue.

February 6 – International Day of Zero Tolerance to Female Genital Mutilation
March 1 – Zero Discrimination Day
March 8 – International Women’s Day
March 21 – International Day for the Elimination of Racial Discrimination
March 22 – World Water Day
March 24 – International Day for the Right to the Truth conferencing Gross Human Rights Violations and for the Dignity of Victims
March 25 – International Day of Remembrance of the Victims of Slavery and the Transatlantic Slave Trade
April 6 – International Day of Reflection on the Genocide of Rwanda
April 7 – World Health Day
April 22 – International Mother Earth Day
April 28 – World Day for Safety and Health at Work
May 3 – World Press Freedom Day
May 17 – World Telecommunication and Information Society Day
May 21 – World Day for Cultural Diversity for Dialogue and Development
June 4 – International Day of Innocent Children Victims of Aggression
June 5 – World Environment Day
June 12 – World Day against Child Labour
June 15 – World Elder Abuse Awareness Day
June 20 – World Refugee Day
June 26 – United Nations International Day in Support of Victims of Torture
July 30 – World Day against Trafficking in Persons
August 9 – International Day of the World’s Indigenous Persons
August 19 – World Humanitarian Day

August 23 – International Day for Remembrance of the Slave Trade and Its Abolition
August 29 – International Day against Nuclear Tests
August 30 – International Day of the Victims of Enforced Disappearances
September 8 – International Literacy Day
September 15 – International Day of Democracy
September 21 – International Day of Peace
September 27 – World Tourism Day
October 1 – International Day of Older Persons
October 2 – International Day of Non-Violence
October 11 – International Day of the Girl Child
October 13 – International Day for Disaster Reduction
October 15 – International Day of Rural Women
October 17 – International Day for the Eradication of Poverty
October 24 – United Nations Day
November 2 – International Day to End Impunity for Crimes against Journalists
November 6 – International Day for Preventing the Exploitation of the Environment in War and Armed Conflict
November 16 – International Day for Tolerance
November 20 – Universal Children’s Day
November 25 – International Day for the Elimination of Violence against Women
December 1 – World AIDS Day
December 2 – International Day for the Abolition of Slavery
December 3 – International Day of Persons with Disabilities
December 9 – International Anti-Corruption Day
December 10 – Human Rights Day
December 18 – International Migrants Day
December 20 – International Human Solidarity Day
The campaign should be submitted in a memo format that begins with a brief introduction of the human rights topic and your campaign goals. The memo should then include complete copy, images, and links for the posts. The International Days all have websites run by the United Nations as a start for you to draw on material. The memo is due on Friday, September 28 at 5 p.m. PST via the TWEN page.

Students will be evaluated by the effectiveness of their campaign, the methods and depth of communication, and the level of awareness it leaves a reader. Please remember to focus on the legal underpinnings of the human rights issue of your day.

Accommodations:
Reasonable accommodations are available for students who have documented temporary or permanent disabilities. Ideally, students in Moscow and Boise should meet with CDAR by the end of the first week of class to assess if any accommodations are needed for courses and/or examinations. All accommodation requests are then submitted by CDAR to Dean Dodge for final approval. CDAR serves as the sole evaluator of medical documentation and determines reasonable accommodations on a per semester basis. The College of Law does not have the authority to evaluate or grant disability accommodations without CDAR first submitting a recommendation. You may contact CDAR by:

- Calling 208-885-6307
- Emailing cdar@uidaho.edu

It is ultimately the student’s responsibility to seek a disability accommodation, and until an accommodation is approved by CDAR and Dean Dodge, no student will be entitled to receive any accommodations. To learn more about CDAR, visit its website at http://www.uidaho.edu/current-students/cdar. Moscow students may also visit CDAR in suite 127 of the Pitman Center. Please review the College of Law Catalog and Student Handbook for more information on the disability accommodation process.

Class Schedule & Reading Assignments:

Week One:
Tuesday, August 21 & Thursday, August 23 – International Human Rights Law Course Overview, Requirements and Grading (Syllabus), Human Rights Concepts and Discourse (CB 3-17), and The Global Framework for Contemporary Human Rights: Capitol Punishment, Interactions Among States, Exceptionalism (CB 17-58)

Week Two:
Tuesday, August 28 – The Human Rights Regime: Background and Birth, The Law of Armed Conflict (CB 58 - 90)
Thursday, August 30 – The Human Rights Regime: Background and Birth, State Responsibility (CB 90-102) and Interwar Minorities Regime and the Role of Treaties (CB 102-120)

Week Three:
Tuesday, September 4 – The Human Rights Regime: Background and Birth, Judgment at Nuremburg (CB 120-139) and Birth of the Regime: The UN Charter and the UDHR (CB 139-154); Read the Universal Declaration of Human Rights
Thursday, September 6 – Civil and Political Rights, The International Covenant on Civil and Political Rights (CB 157-165) and Women’s Rights and CEDAW (CB 166-205); Read the International Covenant on Civil and Political Rights
**Week Four:**
Tuesday, September 11 – Evolution of Human Rights: Sexual Orientation Discrimination (CB 220-238) and “The Development and States of Sexual Orientation Discrimination under International Human Rights Law” by Dominic McGoldrick (posted on TWEN page)
Thursday, September 13 – Norm Regression: The Torture Prohibition (CB 238-276)

**Week Five:**
Tuesday, September 18 – Economic and Social Rights, Overview, Competing Perspectives (CB 277-310); Read the International Covenant on Economic, Social and Cultural Rights
Thursday, September 20 – Economic and Social Rights, The Relationship between the Two Sets of Rights, The Problem of Resources, and Constitutions, Courts and Administrative Remedies (CB 310-344)

**Week Six:**
Tuesday, September 25 – Declaration on the Rights of the Indigenous Peoples; Introduction of the Declaration by Siegfried Wiessner; and “Indigenous Peoples and the Jurisgenerative Moment in Human Rights” by Kristen A. Carpenter and Angela R. Riley (posted on TWEN page)
Thursday, September 27 – Catch Up/Topic of Interest to the Class

**Week Seven:**
Tuesday, October 2 – Paper Presentations
Thursday, October 4 – Paper Presentations

**Week Eight:**
Tuesday, October 9 – Paper Presentations
Thursday, October 11 – Paper Presentations

**Week Nine:**
Thursday, October 18 – International Migrants Bill of Rights; “Reaffirming Rights: Human Rights Protections of Migrants, Asylum Seekers, and Refugees in Immigration Detention” by Eleanor Acer and Jake Goodman; and “Immigrant Detention Centers in the United States and International Human Rights Law” by Kimberly R. Hamilton (posted on TWEN page)

**Week Ten:** Bellwood Lecture Series featuring former Secretary of Homeland Security Michael Chertoff
Students must attend the Bellwood Lecture at your location as well as one of the two counter programs. More details to be distributed soon. The time spent at these events permits us to end the class a week early as it counts as class time (see below).
Tuesday, October 23 – Bellwood Events Count as Class Time, No Classes
Thursday, October 25 – Regional Arrangements, Inter-American System (CB 889-891, 978-1024)

**Week Eleven:**
Tuesday, October 30 – The United Nations Human Rights System: Overview of the UN Human Rights Machinery and The UN Human Rights Council (CB 685-742)
Week Twelve:
Tuesday, November 6 – Conflict in Culture, Tradition & Practices: Challenges to Universalism (CB 531-557)
Thursday, November 8 – Conflict in Culture, Tradition and Practices: Dissonance and Conflict: Gender, Religion
(CB 557-577, 582-613)

Week Thirteen:
Tuesday, November 13 – Human Rights, Development, and Climate Change (1516-1546)
Thursday, November 15 – Non-State Actors and Human Rights: Transnational Corporations and Human Rights,
Armed Opposition Groups (CB 1461-1477, 1497-1503)

Week Fourteen:
Tuesday, November 20 – Fall Recess, No Classes
Thursday, November 22 – Fall Recess, No Classes

Week Fifteen:
Tuesday, November 27 – Bellwood Events Count as Class Time, No Classes
Thursday, November 29 – Bellwood Events Count as Class Time, No Classes

Credit Hours for Coursework
In accordance with ABA Standard 310, the College of Law awards one credit hour for experiences that are
reasonably designed to involve 50 minutes of classroom or direct faculty instruction and two hours of out-of-class
student work per week, or at least the equivalent amount of work for academic activities including simulation,
field placement, clinical, and other academic work leading to the award of credit hours.

The Course requirements outlined above with respect to materials and assignments, in my professional
judgement, are complex enough in nature that it is expected that the amount of out-of-class time it will take
students to complete the assignments will meet the rule.

Recording Class Sessions
Students may not electronically record classes unless they have the express consent of the instructor, except where
the Dean of Students has allowed recording as a disability accommodation pursuant to a recommendation by
CDAR. Recording classes without the instructor’s express consent violates the Honor Code. Students recording
classes as a disability accommodation must follow procedures set down by CDAR. Students who are unable to
attend class for reasons of illness or other exigencies must receive permission from the instructor before classes
are recorded on their behalf. Contact the Law Library for recording equipment and information on recording
procedures.

Civility
In any environment in which people gather to learn, it is essential that all members feel as free and safe as
possible in their participation. To this end, it is expected that everyone in this course will be treated with mutual
respect and civility, with an understanding that all of us (students, instructors, professors, guests, and teaching
assistants) will be respectful and civil to one another in discussion, in action, in teaching, and in learning.

Should you feel our classroom interactions do not reflect an environment of civility and respect, you are
encouraged to meet with your instructor during office hours to discuss your concern. Additional resources for
expression of concern or requesting support include the College of Law Dean of Students (jdodge@uidaho.edu),
the University Dean of Students office and staff (885-6757), the UI Counseling & Testing Center’s confidential
services (885-6716), or the UI Office of Civil Rights & Investigations (885-4285).