

# Georgia State University

## The Politics of International Human Rights

POLS 4427/8427, Spring 2001  
Mondays, 7:15-9:45PM, Room 417-G

**Professor Henry (Chip) Carey**  
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**Office Hours: Monday Noon-1PM, Tuesday: 4-5PM, Thursday 4-5PM or by appointment**

This is an introductory survey course on international human rights law, institutions and politics. Global, regional and national mechanisms and forces for promoting and protecting human rights are covered, including procedural and substantive aspects.

You are only required to read the first 75 pages listed of reading each week. Any readings listed beyond 75 pages is optional, if you have or can make time. Assignments are listed by week. The precise assignment for each class will be indicated in class, depending on precisely what we have had time to cover in class.

For your papers, as well as for future reference and inspiration, I have provided a thorough listing of sources for each week's topic. You will write your papers on one of the weekly topics. You will make a 5-10 minute class presentation of your paper on the day that this reading is discussed in class. You will need to choose that topic by the third week of class. Please submit an outline to me before beginning to write your paper. The paper is due the last class of the semester.

### Requirements for Grade:

30%: *Mid-Term Exam* covering first-half of the course

35%: *one 5-page paper* on a topic related to one week's reading. You will also be "on call" to answer questions about the reading for the week that you selected.

35%: *Final Examination* covering mostly the second half, but also the basic ideas and concepts from the first half of the course

*Excellent class participation* can raise your grade.

NB: *University rules* state: "A student, doing passing work, was permitted to withdraw from the course without penalty. Withdrawals without penalty will not be permitted after the midpoint of the total grading period, which includes final examinations, except in cases where hardship status has been determined by the Office of the Dean of Students and the student is doing passing work, as determined by the student's instructor." The last day to withdraw without a grade of W is March 2, 2001. The Mid-Term will occur on **Monday, February 26, 2001**; so, you will have your mid-term grade before **March 2, 2001**.

### Three Items for Purchase:

- Kevin M. Cahill, ed., *Health, Human Rights, and Humanitarian Assistance in Conflicts and Disasters* (New York: Routledge, 1999)
- Richard Falk, *Human Rights Horizons: The Pursuit of Justice in a Globalizing World* (New York: Routledge, 2000)
- *Course Packet*: Available from Bestway Copy Shop on Decatur St.

For those with no background in the United Nations, you should consult and/or purchase any of the many introductory texts, e.g.: Forsythe, David P. and Thomas Weiss, *The United Nations and Changing World Politics*, Boulder, CO: Westview Press, 1994, 0-8133-9962-9, Mingst, Karen A. and Margaret P. Karns, *The United Nations in the Post-Cold War Era*, Boulder, CO: Westview Press, 1995, Roberts, Adam and Benedict Kingsbury, eds., *United Nations, Divided World*, New York: Oxford University Press, 1993; Taylor, Paul and A.J.R. Groom, *International Institutions at Work*, New York: St. Martin's Press, 1988.

**Reading Assignments:**(These assignments are subject to reasonable changes, with notification to the students in class)

We will rely on readings from the computer extensively in this course. This will save you money, but will require some extra effort on your part. The main internet sites from which you will do required readings are:

- *Human Rights Working Papers*: [www.du.edu/humanrights/workingpapers](http://www.du.edu/humanrights/workingpapers)
- *Human Rights Dialogue*:[http://www.cceia.org/lib\\_hri.html](http://www.cceia.org/lib_hri.html)
- *Docuweb*:<http://docuweb.gsu.edu/>
- *United Nations*: [www.un.org](http://www.un.org)
- Amnesty International: [www.amnesty.org](http://www.amnesty.org)
- *Human Rights Watch*: [www.hrw.org](http://www.hrw.org)
- *US State Dept.*: [www.state.gov/www/global/swci/index.html](http://www.state.gov/www/global/swci/index.html)
- and: [www.state.gov/www/global/human\\_rights/index.html](http://www.state.gov/www/global/human_rights/index.html)

You will also receive monthly copies of *UN Law Reports* which we will read for every class.

You should also be using the web-ct compliment to this class to find human rights links and additional suggested readings from the internet.

### Other Websites

You should get comfortable with the web to obtain human rights reports from various sources, and to try to assess their comprehensiveness and accuracy. Normally, you have to find your document by searching through "links." For example, to obtain the draft optional protocol to the Convention on the Elimination of All Forms of Discrimination Against Women, which would give women a right to petition under the convention, you would click:

Web Site URLs for Key Human Rights Information Sources:

- Aboriginal Law and Legislation: [www.bloorstreet.com/300block/ablawleg.htm](http://www.bloorstreet.com/300block/ablawleg.htm)
- Bosnia Link: <http://www.dtic.dla.mil/bosnia/>
- European Commission on Human Rights: [www.dhcommhr.coe.fr](http://www.dhcommhr.coe.fr)
- European Court for Human Rights: [www.dhcour.coe.fr/default.hcm](http://www.dhcour.coe.fr/default.hcm)
- Human Rights Watch: [www.hrw.org](http://www.hrw.org)
- Int'l Court of Justice: [www.law.cornell.edu/icj](http://www.law.cornell.edu/icj) or: [www.icj-cij.org](http://www.icj-cij.org)

- Int'l Criminal Tribunal for Former Yugoslavia: [www.un.org/icty](http://www.un.org/icty)
- Int'l Criminal Tribunal for Rwanda: <http://persubvweb.francenet.fr/~intermed/>
- Int'l Indian Treaty Council: [www.aloha.net/nation/iitc/](http://www.aloha.net/nation/iitc/)
- Int'l Law and Policy Institute: [www.vcilp.org/vcilp/vip](http://www.vcilp.org/vcilp/vip)
- International Organization: <http://WEB.bu.edu/anajam/ir595.html>
- National Coalition on Haitian Rights: [www.nchr.org](http://www.nchr.org)
- Rwanda and Bosnia list: [TWATCH-L@LISTSERV.ACSU.BUFFALO.EDU](mailto:TWATCH-L@LISTSERV.ACSU.BUFFALO.EDU)
- US Campaign to Ban Land Mines (c/o Vietnam Vets): [www.vvaf.org](http://www.vvaf.org)
- UN High Commissioner for Human Rights: [www.unhchr@unog.ch](mailto:www.unhchr@unog.ch) (includes the 25 Human Rights Fact Sheets)
- UN Library Home Page: [www.un.org/Depts/dhl/unique](http://www.un.org/Depts/dhl/unique)
- UN Office in Geneva: [www.unog.ch](http://www.unog.ch)
- UN Resolutions from the Current (52nd) Session can be found at: <http://www.un.org/Depts/dhl/resguide/res52.htm>
- UN Security Council agenda matters, actions, statements, etc: <http://www.un.org/Depts/dhl/resguide/scact.htm>
- UN Subcommission on Prevention of Discrimination and Protection of Minorities 1996 Resolution on Protection of Indigenous Peoples: <http://www.unhchr.ch/html/menu4/subres/9637.htm>. Also under; UN Doc: E/CN.4/Sub.2/RES/1996/37; Subcommission Summer 1997 Working Group on Indigenous Populations: UN Doc E/CN.4/Sub.2/AC.4/1997
- War Criminal Watch: [www.wcw.org/wcw/](http://www.wcw.org/wcw/)
- Yale UN Work Station: [www.library.yale.edu/un/unhome.htm](http://www.library.yale.edu/un/unhome.htm)
- Univ. of Minnesota Human Rights Library: [www.umn.edu/humanrts/usdocs/1994.html](http://www.umn.edu/humanrts/usdocs/1994.html)

## Syllabus

### Week I: January 8, 2001

#### Introduction to Course

##### Required:

- Video from Library South Reserves: "The Wansee Conference" D810.3 .W36 1989
- Falk, "Introduction" and ch.1 "Pursuing Global Justice"
- *Docuweb*: Kenneth Jost, "Human Rights"
- *Course Packet*: David B. Steele, "Embedding UN Norms," and Zenon Stavrinides, "Human Rights Obligations under the UN Charter" and Jose Alves, "The Declaration of Human Rights in Postmodernity"

As soon as possible, please try to familiarize yourself with the following, which are found on [www.un.org](http://www.un.org), then click on treaties

- United Nations Charter
- Universal Declaration of Human Rights
- International Covenant on Civil and Political Rights
- International Covenant on Economic Social and Cultural Rights
- European Convention on Human Rights
- Charter, Organization for Security and Cooperation in Europe

For empirical data, you will want to consult human rights NGO reports. For a general overview, see the State Dept.'s Annual Report on Human Rights in the world issued every February. The best NGO reports are from Amnesty International and Human Rights Watch's *World Report: Events of 1997*. See:

- *United Nations*: [www.un.org](http://www.un.org)
- *Human Rights Watch*: [www.hrw.org](http://www.hrw.org)
- *US State Dept.*: [www.state.gov/www/global/swci/index.html](http://www.state.gov/www/global/swci/index.html)
- and: [www.state.gov/www/global/human\\_rights/index.html](http://www.state.gov/www/global/human_rights/index.html)

Look for the code following the UN document, such as for "Comparative Summary of Existing Communications and Inquiry Procedures and Practices under International human rights instruments and under the Charter of the United Nations." E/CN.4/1997/4, Jan. 21, 1997. (CN.4 stands for human rights, CN.6 is for women). Fortunately, this particular document is available too on the UN home page.

To subscribe to the general Human Rights Watch e-mail list to receive press releases and public letters concerning all regions of the world, send an email message to [majordomo@igc.apc.org](mailto:majordomo@igc.apc.org) with "subscribe hrw-news" in the body of the message.

## **Week II: January 22, 2001**

### **Introduction to Human Rights Law, Politics and Practice**

An overview of the basic human rights covenants, as well as the Conventions on the Child, Torture and Genocide, and the Conventions on the Elimination of all Forms of Discrimination Against Women.

Required:

- o Video from Library South Reserves on "Human Rights" (30 minutes) MC-0909
- o Falk, ch. 2 "A Half Century of Human Rights" and ch. 10, "The Challenge of Genocidal Politics in an Era of Globalization"
- o Peter R. Baehr, "Controversies in the Current International Human Rights Debate," <http://www.du.edu/humanrights/workingpapers/papers.htm>
- o Jack Donnelly, "Ethics and International Human Rights Practice" <http://www.du.edu/humanrights/workingpapers/papers.htm>

*Consult for Papers:* Jack Donnelly and Rhoda E. Howard, "Assessing National Human Rights Performance: A Theoretical Framework," *Human Rights Quarterly*, Vol. 10, May 1988, pp. 214-48; Louis Henkin, ed., *The International Bill of Rights*, New York: Columbia University Press, 1981, Doug McAdams and Dieter Rucht, "The Cross National Diffusion of Movement Ideas," in Russel J. Dalton, ed., *Citizens, Protest and Democracy*, special issue of *The Annals* 528 (July 1993), pp. 56-74. You might also want to peruse a Holocaust memoir to sense the world's conscience when human rights were developed, as well as the mentality of some of the founders of the human rights movement. Alexander Donat's *The Holocaust Kingdom*, New York: US Holocaust Museum, 1978, (\$15.95) is a good one because it depicts all the different phases of the nightmare.

## **Week III: January 29, 2001**

### **Universal or Relativistic?, Accountability or Amnesty?**

Are human rights universal? Should exceptions be made for cultural differences, such as in East Asia? What about states of emergency? What rights are not derogable? Is there such a thing as a mostly universal approach? What cross cultural consensus exists, if any? We review which of the legally binding, international human rights are actually respected in practice and suggest some hypotheses why. We also consider what actions states have undertaken during democratic transitions to account for past violations, including the Truth Commissions in Haiti and El Salvador and the Truth and Reconciliation Commission in South Africa.

Required:

- Falk ch. 5, "Patterns of Global Dominance and Non-Western Attitudes toward Human Rights"
- Todd Landman, "Comparative Politics and Human Rights": <http://www.du.edu/humanrights/workingpapers/papers.htm>
- Brandon Hamber and Richard Wilson, "Symbolic Closure through Memory, Reparation and Revenge in Post-conflict Societies": <http://www.du.edu/humanrights/workingpapers/papers.htm>
- *Docuweb*:
  1. Makau Mutua, "African Viewpoint"
  2. Arab Conference on Human Rights, "The Social Framework: An Arab View"
  3. Catherine Lalumiere, "A European Perspective"
  4. Bonny Ibhawoh "Between Culture and Constitution: Evaluating Cultural Legitimacy of Human Rights in the African State"
- *Human Rights Dialogue*, "Human Rights for All? The Problem of the Human Rights Box", [www.cceia.org/lib\\_hri.html](http://www.cceia.org/lib_hri.html)
- *Human Rights Dialogue*, "Efforts, East and West, to Improve Human Rights Assessments" [www.cceia.org/lib\\_hri.html](http://www.cceia.org/lib_hri.html)
- *Human Rights Dialogue*, "Transitional Justice in East Asia and its Impact on Human Rights," [www.cceia.org/lib\\_hri.html](http://www.cceia.org/lib_hri.html)
- *Human Rights Dialogue*, "The Human Rights Discourse of East Asia: Reports from the Region," [www.cceia.org/lib\\_hri.html](http://www.cceia.org/lib_hri.html)
- *Human Rights Dialogue*, "Cultural Sources of Human Rights in East Asia: Consensus Building Toward a Rights Regime -A Conference Report," [www.cceia.org/lib\\_hri.html](http://www.cceia.org/lib_hri.html)
- *Human Rights Dialogue*, "Three Years After the Bangkok Declaration: Reflections on the State of the Asia-West Dialogue on Human Rights," [www.cceia.org/lib\\_hri.html](http://www.cceia.org/lib_hri.html)
- *Human Rights Dialogue*, "International Human Rights and Asian Commitment," [www.cceia.org/lib\\_hri.html](http://www.cceia.org/lib_hri.html)
- *Human Rights Dialogue*, "About the Human Rights Initiative" [www.cceia.org/lib\\_hri.html](http://www.cceia.org/lib_hri.html)
- *Course Packet*: Michael Freeman, "Universalism, Communitarianism, and Human Rights: A Reply to Chris Brown," and "Declan O'Sullivan, "The History of Human Rights across the Regions: Universalism vs. Cultural Relativism" and Jack Donnelly, "Human Rights as Natural Rights" and Jeremy Sarkin, "The Necessity for a Truth and Reconciliation Commission in Rwanda"

*Consult for Papers:* R. J. Vincent, "The Idea of Rights in International Ethics," in Terry Nardin and David R. Mapel, eds., *Traditions of International Ethics*; David Forsythe, *The Internationalization of Human Rights*; Jack Donnelly, *Universal Human Rights in Theory and Practice*; Louis Henkin, *The Age of Rights*, New York: Columbia University Press

## Week IV: February 5, 2001

### Multilateral Politics of Human Rights

What impact have multilateral implementation procedures had on the human rights practices of states? Special attention on the UN system, especially the Human Rights Commission, the Subcommission on the Prevention of Discrimination and the Protection of Minorities, General Assembly and the Human Rights Committee and other Treaty-created bodies.

Required:

- *Docuweb*:
  1. Jack Donnelly: "The Multilateral Politics of Human Rights"
  2. A.H. Robertson and J. G. Merrills, "The United Nations and Human Rights: Other Instruments and Procedures"
  3. Tom J. Farer, "The United Nations and Human Rights: More than a Whimper, Less than a Roar"
  4. Patrick James Flood, "The UN Human Rights System" and "Factors Influencing the Effectiveness of UN Human Rights Institutions"

*Consult for Papers:* *UN Yearbook* and the *UN Chronicle*, both published by the UN, as well as the *Inter Dependent*, the bi-monthly newspaper of the UN Association of the USA.

## Week V: February 12, 2001

### Regional Human Rights Processes

How have regional human rights organizations influenced the practices of their member states? What are the relative strengths and weaknesses of regional as opposed to global approaches? What explains the dramatic differences between regions? How do multilateral and regional instruments co-exist? Special attention will be paid to Europe and Latin America

Required:

- Robertson: ch. 4-7. Claude, 17, 18
- *Docuweb*:
  1. Burns H. Weston, Robin Ann Lukes and Kelly M. Hnatt, "Regional Human Rights Regimes: A Comparison and Appraisal"
  2. Thomas Buergenthal, "The Inter-American Human Rights System"
  3. Makau Mutua, "The African Human Rights Court: A Two-Legged Stool?"
- *Course Packet*: "Selected Judgements of the European Court of Human Rights"

*Consult for Papers*: Forsythe, David, *Human Rights in the New Europe*, Lincoln, NB: University of Nebraska Press, Buergenthal, Thomas, "The Advisory Practice of the Inter-American Human Rights Court," *79 American Journal of International Law*, 1985, pp. 1-27, Gros Espiell, Hector, "Contentious Proceedings before the Inter-American Commission of Human Rights," *1 Emory Journal of International Dispute Resolution*, 1987, pp. 175-218

## Week VI: February 19, 2001

### Domestic Remedies, NGOs, and Human Rights Monitoring

Required:

- *Human Rights Dialogue*, "Human Rights Litigation: Promise v. Perils" [http://www.cceia.org/lib\\_hri.html](http://www.cceia.org/lib_hri.html)
- *Docuweb*:
  1. W. Marvin Will, "NGOs and IGOs as Promoters of Liberal Democracy in the Caribbean: Cases from Nicaragua and Guyana"
  2. Edward L. Cleary, "Transnational Networking for Human Rights Protection"
  3. Katherine A. Sikiink, "Nongovernmental Organizations, Democracy and Human Rights in Latin America"
  4. Michael H. Posner, "Human Rights Defenders"
  5. Laurie S. Wiseberg, "Human Rights Nongovernmental Organizations"
- *Course Packet*: Smith, Pugnucco and Lopez, "Globalizing Human Rights: the Work of Transnational Human Rights NGOs in the 1990s" and Susan Burgerman, "Mobilizing Principles: The Role of Transnational Activists in Promoting Human Rights Principles"

*Consult for Papers*: Sikkink, Kathryn, "Human Rights, Principled issue-networks, and Sovereignty in Latin America," *International Organization*, Vol. 47, Summer 1993, pp. 411-41 and Sikkink, "The Emergence, Evolution and Effectiveness of the Latin American Human Rights Network," in Elizabeth Jelin and Eric Hershberg, eds., *Constructing Democracy: Human Rights, Citizenship, and Society in Latin America*, Boulder; Westview Press, 1996, ch.4; Cancado Trindade, Antonio, "Exhaustion of Local Remedies in International Law and the Role of National Courts," *17 Archiv des Volkerrechts*, 1977-1978, pp. 333-370; Hurst Hannum, ed., *Guide to International Human Rights Practice*, 2d ed.; HRW reports on WWW; Constitutions of South Africa, which is based upon the *Universal Declaration on Human Rights* and Haiti and Romania's, which give supremacy to

the *Covenants* and other ratified human rights treaties (unlike the ambiguous position of the US Constitution, which gives supremacy to treaties, but not to UN actions).

**Mid-Term Examination:** February 26, 2001

### **Week VII: March 12, 2001**

#### **Human Rights and US Foreign Policy**

What are the relative strengths and weaknesses of bilateral, as opposed to multilateral implementation procedures? What place should human rights objectives have in national foreign policies? How can international human rights be reconciled with the principle of non-intervention? What explains that the US has been both a leading promoter and violator of human rights? What explains the different human rights policies in East Asia, Africa and the "like-minded states" like Canada, the Netherlands and Norway?

Required:

- Falk, ch. 3 "Taking Human Rights Seriously at Home"
- Gregory J. Moore, "Human Rights and United States Policy towards China in the New Millenium" <http://www.du.edu/humanrights/workingpapers/papers.htm>
- *Human Rights Dialogue*, "Toward a "Social Foreign Policy" with Asia: Fostering Links Between Americans and East Asians on Shared Social Concerns", [www.cceia.org/lib\\_hri.html](http://www.cceia.org/lib_hri.html)

*Consult for Papers:* Fouad Ajami, "Human Rights and World Order Politics," in Falk, Kim and Mendlovitz, eds., *Toward a Just World Order*; Robert Matthews and Cranford Pratt, *Human Rights in Canadian Foreign Policy*, Shoultz, Lars, *Human Rights and united States Policy Toward Latin America*, esp. Introduction and Conclusion

### **Week VIII: March 19, 2001**

#### **Minorities, Disappearances and Religious Discrimination**

What are the sources of religious intolerance? How have Latin America and the UN approached the problem of displaced or disappeared persons? What is the right to self-determination and what is it not? What are the permissible limits or restrictions upon the exercise of rights and what are impermissible derogations?

Required:

- Falk ch.6, "Revising the Right to Self-Determination"
- *Docuweb:*
  1. Hurst Hannum, "Autonomy, Sovereignty and Self-Determination"
  2. Sabrina P. Ramet, "The So-Called Right of National Self-Determination and Other Myths"
  3. Daniel Kofman, "Secession, Law and Rights: the Case of the former Yugoslavia"
  4. Mario Sznajder and Luis Roniger, "The Unsolved Legacy of Human Rights Violations in the Southern Cone"

*Consult for Papers:* Lapidoth, Ruth, *Autonomy: Flexible Solutions to Ethnic Conflicts*, Washington: US Institute of Peace, 1997; *Nationalities Papers*, special issue on the Roma of Eastern Europe, Fall 1991. *Extrajudicial, Summary or Arbitrary Executions*, UN Human Rights Fact Sheet, no. 11 (rev.1); *Forced Evictions and Human Rights*, UN Human Rights Fact Sheet no. 25.

## Week IX: March 26, 2001

### Second Generation Rights: Gender, Environmental, Economic, Social and Cultural Rights and Indigenous Rights

Has the demise of the "new world order" affected the Covenant on Economic, Social and Political Rights? What effects have the globalization of capital had on this "Second-Generation" of human rights? What efforts have been undertaken to promote a right to development? How has the right to a healthy environment been formulated and implemented? What effects have the Earth summit and the Kyoto conferences on ozone depletion regulation had? What are the rights of the indigenous populations, both in law and in fact? What was the effect of the April 8-10, 1997 conference in Phuket, Thailand on the "Protection of Folklore"?

Required:

- o Falk ch.7, "Group Claims within the UN System"
- o Rhonda E. Howard-Hassman, "The Gay Cousin: Learning to Live with Gay Rights," <http://www.du.edu/humanrights/workingpapers/papers.htm>
- o *Human Rights Dialogue*, "Who Can Protect Workers' Rights? The Workplace Codes of Conduct Debates," [www.cceia.org/lib\\_hri.html](http://www.cceia.org/lib_hri.html)
- o *Human Rights Dialogue*, "Breaking: The Women's Dimension of the Human Rights Box," [www.cceia.org/lib\\_hri.html](http://www.cceia.org/lib_hri.html)
- o *Docuweb*: Mary H. Cooper, "Women and Human Rights"
- o *Course Packet*: Scott Leckie, "Another Step Toward Indivisibility: Identifying Key Features of Violations of Economic, Social and Cultural Rights" and Arvonne S. Fraser, "Becoming Human: The Origins and Development of Women's Human Rights," and Joel Oestreich, "Liberal Theory and Minority Group Rights" and Miriam Aukerman, "Definitions and Justifications: Minority and Indigenous Rights in a Central/East European Context" and Boeker and van Grondelle, "The Environment as a Human Right"

*Consult for Papers*: Human Rights Watch, *Sexual Abuse of Women in US State Prisons*, 1997. *The Committee on Economic, Social and Cultural Rights*, UN Human Rights Fact Sheet no. 16 (rev. 1); Alston, Philip, "The United Nations' Specialized Agencies and Implementation of the International Covenant on Economic, Social, and Cultural Rights," 9 *Human Rights Quarterly*, 1987, pp. 156-229, Turk, Danilo, "The Realization of Economic, Social, and Cultural Rights, Final Report," UN doc. E/CN.4/Sub.2/1992/16, of 3 July 1992, pp. 1-70., Van Hoof, G. J. H., "The Legal Nature of Economic, Social and Cultural Rights: A Rebuttal of Some Traditional Views," in Alston, Philip and K. Tomasevski, eds., *The Rights to Food*, Dordrecht: SIM/Nijhoff, 1984, pp. 97-110.

See 1996 Resolution of the Human Rights Sub-Commission on "Protection of the Heritage of Indigenous People" (E/CN.4/Sub.2/RES/1996/37) found at: [www.unhchr.ch/html/menu4/subres/9637.htm](http://www.unhchr.ch/html/menu4/subres/9637.htm) C.f., the 1997 Working Group on Indigenous Populations (E/CN.4/Sub.2/AC.4/1997/). For further information, contact the International Indian Treaty Council at: 415-512-1501, [iitc@igc.apc.org](mailto:iitc@igc.apc.org)

## Week X: April 2, 2001

### Humanitarian Law, Genocide and War Crimes Tribunals

What is the emerging understanding of the sociology of genocide? Is humanitarian law also human rights law? What are the rights and modus operandi of the International Committee of the Red Cross? What is the current debate on neutrality in the distribution of humanitarian assistance? How has Latin America responded to "internal disturbances and tensions"? How effective have been the



International Tribunals for the Former Yugoslavia and Rwanda? What are the prospects for the International Criminal Court?

Required:

- o Falk ch.9, "The Unmet Challenges of Genocide in Bosnia and Rwanda"
- o *Docuweb*: Ben Kiernan, "Bringing the Khmer Rouge to Justice"
- o *Course Packet*: Mark Osiel, "Why Prosecute? Punishment for Mass Atrocity," and Linda Moore and Mary O'Rawe, "International Lessons for the Transformation of Policing in Northern Ireland"

*Consult for Papers*: Bell-Fialkoff, Andrew, *Ethnic Cleansing*, New York: St. Martin's Press, 1996; *Law Reports of Trials of War Criminals, Selected and Prepared by the United Nations War Crimes Commission*, His Majesty's Stationary Series. See for example, Vol. II on the Belsen Trial or the Einsatzgruppen trial at Nuremberg, where only five were executed and most received ten year sentences, but were released in 1953, serving only seven years for murdering 100,000 or more. For the Cambodian War Crimes research, contact Yale Genocide Program for Yale, c/o Craig.etcheson@yale.edu; Gardner, Gay, "Why Doesn't the US Arrest War Criminals?" *The Christian Science Monitor*, Jan. 6, 1998, p.19

## **Week XI: April 9, 2001**

### **Case Studies**

Does the US have double standards on China and Iran? What procedures have the UN adopted for these cases? Why is there so little attention to communal killing in East and South Asia in most international human rights fora?

Required:

- o Video, *The Official Story*, PN 1997, .O34 1995
- o Falk ch. 8, "The Geopolitics of Exclusion: the Case of Islam"
- o Tom J. Farer, "Swallowing Injustice to Build Community: Latin America after the Era of State Terror": <http://www.du.edu/humanrights/workingpapers/papers.htm>
- o Roberto Belloni, "Building Civil Society in Bosnia-Herzegovina": <http://www.du.edu/humanrights/workingpapers/papers.htm>
- o *Human Rights Dialogue*, "Innovative Human Rights Strategies in East Asia": [www.cceia.org/lib\\_hri.html](http://www.cceia.org/lib_hri.html)
- o *Human Rights Dialogue*, "New Issues in East Asian Human Rights: A Conference Report": [www.cceia.org/lib\\_hri.html](http://www.cceia.org/lib_hri.html)
- o *Human Rights Dialogue*, "Human Rights in the Post-Cold War Era: The Cases of North Korea, China and Burma" [www.cceia.org/lib\\_hri.html](http://www.cceia.org/lib_hri.html)

*Consult for Papers*: Nathan, Andrew, "China: Getting Human Rights Right," *The Washington Quarterly*, Spring 1997, Vol. 20, no.2, pp.135-152; Svensson, Marina, *The Chinese Conception of Human Rights*, Wei Jingshen, *Courage to Stand Alone*, New York: Viking, 1997.É [www.hrw-news-asiaWigc.org](http://www.hrw-news-asiaWigc.org) See the ongoing series from the NYC-based, Carnegie Council on Ethics and International Affairs on human rights standards in East Asia

## **Week XII: April 16, 2001**

### **Humanitarian Assistance**

How has humanitarian assistance raised a plethora of human rights issues? What standards other than human rights might be applicable?

Required: Cahill, Part I: Reality

*Consult for Papers:* Iain Guest, *Behind the Disappearances*; news accounts of the ongoing crises in Chile and Argentina on their "dirty wars."

### **Week XIII: April 23, 2001**

#### **Refugee Rights and Assistance**

Required:

- Cahill, Part I: Players
- *Docuweb:* Dariusa Rejali, "Conceptualizing Refugees Who Have Been Tortured in the Global Village"
- *Course Packet:* Maria Stavropoulou, "Displacement and Human Rights: Reflections on UN Practice" and Christina Boswell, "Doing Justice to Refugees: Challenges and Limits of the Current Debate"

*Consult for Papers:* "The UN and Refugees' Human Rights," Secretariat of the International Service for Human Rights, Geneva, 1997, Arboleda, Eduardo, "Refugee Definition in Africa and Latin America: The Lessons of Pragmatism," 3 *International Journal of Refugee Law*, 1991, no. 2, pp. 184-207, Goodwin-Gil, G.S., *The Refugee in International Law*, Oxford: Clarendon, 1986.

### **Week XIV: April 30, 2001**

#### **The Vienna Human Rights Conference and the Post-Cold War**

What effects did the 1993 World Conference on Human Rights have? How has the end of the Cold War begun to harm and protect human rights? How are NGOs evolving? With the dawn of the new century, what new perspectives on improving and strengthening protection mechanisms are emerging?

Required:

- UN Economic and Social Council Non-Governmental Organizations: <http://www.un.org/esa/coordination/ngo/>
- Falk, ch. 4 "Moving Toward Implementation"; ch.11, "The Extension of Human Rights to Past and Future Generations" and ch. 12, "Morality and Global Security: A Human Rights Perspective."
- Cahill, Part III: Solutions and Future Options
- Wolfgang Dietrich, "A Structural-cyclic Model of Developments in Human Rights," <http://www.du.edu/humanrights/workingpapers/papers.htm>

*Consult for Papers:* Cancado Trindade, Antonio, "The Current State of International Implementation of Human Rights," *Hague Yearbook of International Law*, 1990, pp. 2-29; Fodor, Janos, "Future of Monitoring Bodies," *Canadian Human Rights Yearbook*, 1991-1992, pp. 177-209, Martenson, "The United Nations and Human Rights Today and Tomorrow," in Mahoney and Mahoney, eds., *Human Rights in the Twenty-First Century: A Global Challenge*, Dordrecht: Nijhoff, 1993, pp. 925-936, Ramcharan, B.G., "Strategies for the International Protection of Human Rights in the 1990s," *Human Rights Quarterly*, 1991, pp. 155-169.

**Final Examination:** Monday, May 7, 7:15 - 9:15 p.m.

**For Additional Reading**

Alston, Philip, *Promoting Human Rights Through Bills of Rights: Comparative Perspectives*, New York: Oxford University Press, 1996, 825822-4, \$64

Barbieri, William A., Jr., *Ethics of Citizenship: Immigration and Group Rights in Germany*, Durham: Duke University Press, 1998, 0-8223-2071-1, \$16.95, 216 pages

Braun, Herbert, *Our Guerrillas, Our Sidewalks: A Journey Into the Violence of Colombia*, 0-87081-357-9, \$17.50

Burg and Walter Laqueur, *The Human Rights Reader*, Meridian/Pergamon, rev. ed., 1990, 0-452-01026-8

Fabricius, Fritz, *Human Rights and European Politics: The Legal Political Status of Workers in the European Community*, New York University Press, 0-85496-763-X

Heraclides, Alexis, *The Self-Determination of Minorities in International Politics*, London: Frank Cass, 1991, 0-7146-4082-4, \$20, 291 pages

Holt, Robin, *Wittgenstein, Politics and Human Rights*, New York: Routledge, 1997, 184 pages, \$55, hardback, 0-415-15438-3

Howard, Rhoda E., *Human Rights and the Search for Community*, Boulder: Westview, 1995, 272 pages, \$19.95, 0-8133-2579

Human Rights Watch, *World Report, 1995*, Yale University Press, 1995, 500 pages, \$25, 06363-6 and equivalent ones for 1996, 1997

Ishay, Micheline, R., *The Human Rights Reader*, New York: Routledge, 1998, 0-415-91849-9

Mullerson, Rein, *Human Rights Diplomacy*, New York: Routledge, 1997, \$18.95, 0-415-15391-3

Newberg, Paula, *The Politics of Human Rights*, New York: NYU Press, 1980, 0-8147-5755-3

Robertson, A.H. and J. G. Merrills, *Human Rights in Europe: A Study of the European Convention on Human Rights*, Manchester University Press/distributed by St. Martin's, 1995, 0-7190-4613-0, \$29.95, paper, 448 pages

Roht-Arriaza, Naomi, ed., *Impunity and Human Rights in International Law and Practice*, New York: Oxford University Press, 1995