

UNIVERSITY COLLEGE LONDON

SCHOOL *of* PUBLIC POLICY

**MA in HUMAN RIGHTS
2003-2004**

HUMAN RIGHTS AND PUBLIC POLICY

Course Tutor: Dr. Başak Çalı
Room 308 School of Public Policy
University College London
Tel: 020-7679-4990
E-mail: b.cali@ucl.ac.uk
Office hours: Wednesdays 11.00-13.00

OBJECTIVES

This course analyses the role of human rights in the area of public policy. It aims to provide students with a critical understanding of the ways in which human rights, both as a legal and normative framework, have an impact on policy making, institutions, and implementation. Given the difficulty in studying human rights within the boundaries of a single discipline, this course locates human rights policy issues at the intersection of law, political science and sociology. The course aims to give equal weight to international and domestic human rights policy questions.

The course in Term I will look at the particular for a where human rights policy is being produced. We will study the institutions involved in human rights policy formulation and implementation and investigate the sites where human rights policies are made. We will aim to understand the powers, limits and objectives of human rights policies in international and domestic contexts.

The course is composed of weekly lectures and seminars. Each lecture and seminar presupposes preparation, including reading of the indicated texts, documents, and cases.

LEARNING OUTCOMES

On completing this course, students should have a good understanding of the institutions at international and domestic levels involved in human rights policy design and implementation, be able to deploy human rights frameworks to the study of policy

formulation; have the ability to engage with the key concepts, cases, and arguments discussed in the course; and have the capacity to initiate research in areas covered in the course.

TEACHING

The course will run in the first term and consists of two-hour seminars each week. As this is a seminar each student is an equal participant. Active engagement in discussion and participating in group and individual research is an integral part of the class. Students are recommended to consult the questions at the end of each week after they complete the reading required for the week. **It is compulsory to take *Human Rights and Public Policy* in Term I, if students want to take *Topics in Human Rights Policy* in Term II.**

ASSESSMENT GUIDELINES

The course will be assessed by two 3000 word essays, which are due on **17 November 2003 at 17.00** and **12 January 2003 at 17.00**. Essays may be penalised for excessive length or excessive brevity. All references to primary and secondary sources should be properly referenced. A good guide for citations of electronic documents can be found at <http://www.ifla.org/I/training/citation/citing.htm>

A list of essay questions will be distributed to students beginning of term. If you choose to work on a question of your choice, you need to clear the topic with the class teacher before embarking upon the essay.

Assessment for this course will be comprised of two components, each designed to assess somewhat distinct, albeit complementary skills:

1. **Comment paper**: This essay must focus on selected readings. These may be human rights policy papers of international organisations, non-governmental organisations, a combination of articles or books on the same issue. The essay must set forth your considered reading of, a critical assessment of and your reaction to the selected material.

This assessment is intended to evaluate your comprehension of, and capacity to critically analyse, the written materials studied in the course. It is also intended to assess your engagement with the questions set forth in this reading list and discussed in class as well as your capacity to present your particular point of view clearly and compellingly. You should not simply summarise the texts you have selected. Rather you should think of this essay as a short analysis, critique of a sort that might later be expanded into a journal article, or policy paper. The comment paper will be worth of 40% of the final course mark.

2. **Research Essay**: This assessment task is intended to evaluate your ability to formulate an original research question, and plan, structure and develop a fulsome treatment of that question. It is also intended to appraise your research skills, with

particular reference to the sources available to you in the field of human rights policy. The research essay should focus on human rights policy analysis with particular reference to the issues discussed in class. The essay should aim to critically evaluate the successes, failures of, constraints to and obstacles before the establishment of human rights institutions, the functioning of human rights regimes at international, domestic, (state and society spheres).

Reading

A list of reading material is given for each session of the course below. Further reading material and handouts may be distributed in hard-copy or electronic format throughout the course.

The course does not have a set textbook, but purchasing Steiner and Alston's, *International Human Rights in Context: Law, Politics and Morals*; Freeman's *Human Rights*, Woodwiss's *Making Human Rights Work Globally*; Baxi's *The Future of Human Rights*, Forsythe's *Human Rights and Comparative Foreign Policy* are recommended. The list at the end of this document provides a starting point for multidisciplinary research. Please contact me if you want to expand your reading in a more disciplinary/issue based- direction.

For collections of international human rights documents:

Wallace, *International Human Rights: Texts and Materials* (London: Sweet and Maxwell, 1997).

Brownlie, I., *Basic Documents on Human Rights*, (Oxford: Clarendon University Press, 1992).

Ghandi, *International Human Rights Documents*, (1997).

Compilation of International Human Rights Instruments (Geneva: United Nations, 2000)

Students who have not studied public policy before, should also read:

Hill, *The Policy Process in the Modern State*, Prentice Hall, 1996 (in particular Chapter 1)

W. Parsons, *Public Policy: An Introduction to the Theory and Practice of Policy Analysis*, (3rd ed., 2001)

P. John, *Analysing Public Policy*, 1998.

Periodicals

Research in human rights studies is published in various law, politics, philosophy and sociology journals. There are, however, an increasing amount of journals, which are dedicated specifically to human rights research. Students are advised to consult journals such as:

*Human Rights Quarterly, Netherlands Quarterly of Human Rights, Human Rights Law Journal, Human Rights Journal, Health and Human Rights, Journal of Human Rights, The International Journal of Human Rights, Harvard Human Rights Journal
Yale Human Rights and Development Law Journal, Social Justice, East European Human Rights Review, Racial and Ethnic Studies, Journal of Ethnic and Migration Studies, Nationalities Papers, Citizenship Studies, International Journal of Children's Rights, Political Studies, European Journal of International Law, American Journal of International Law, International Organisation, Journal of Third World Studies, Nations and Nationalities, Democratisation, Development in Practice*

Please note that this list is not exhaustive. For more information on disciplinary journals publishing on human rights (i.e. international law, international relations) please consult the course director.

Web information

All the MA in Human Rights students are strongly advised to familiarise themselves with the databases (i.e. BIDS, Lexis) and electronic journals, which offer a very rich pool of articles on human rights. Most of the articles referred in the readings can be downloaded from these sources free of charge. To access these, use an internet browser (e.g. Internet Explorer or Netscape Navigator) to go to the university's library, (<http://www.ucl.ac.uk/UCL-Info/Divisions/Library/index.htm>), then click on 'databases' or electronic journals etc..

You will find a list of web pages that you are *recommended* to visit at the end of this document.

WEEKLY DISTRIBUTION OF TOPICS COVERED

PART I : HUMAN RIGHTS AND PUBLIC POLICY (HRPP)

WEEK1: a) General Introduction c) Navigating the course b) Methodology, organisation of seminars, how to make presentations, locating reference materials, assessment guidelines

d) What does it mean to have/bring a human rights perspective to a field of policy?

WEEK 2: Human Rights Policy as a Multidisciplinary field of inquiry: Human Rights as Culture, Human Rights as Morality, Human Rights as Law or Human Rights as Social Science

WEEK3: International Organisations and Human Rights

a) United Nations: The main policy generating body in the field of human rights

b) 'Mainstreaming' human rights in the work of international organisations

WEEK4: International Human Rights Conventions and Monitoring Mechanisms

b) Regional human rights bodies

WEEK5: Human Rights and Foreign Policy Analysis

WEEK 6: Reading Week

WEEK 7: Civil Society and Human Rights:

WEEK8: Incorporation of human rights into domestic jurisdiction:

a) Legislative change b) Courts and human rights

WEEK9: Human Rights Institutions and the Conflict of power in public bodies

WEEK 10: Measuring Human Rights Performance

WEEK 11: Human Rights Education and Training

Part II: TOPICS in HUMAN RIGHTS POLICY (THRP)

WEEK 1: General introduction to course and to topics, identification of alternative case studies, allocation of topics between study groups for presentations. The course director will be flexible in accommodating suggestions from students whilst identifying case studies or alternative topics in human rights policy.

b) Indivisibility of human rights: What does it mean?

WEEK 2: b) National Security, Armed Conflict and Human Rights policy

Case study: Counter-terrorism measures

WEEK 3: Human Rights and the Administration of Justice

Case studies: a) Juvenile offenders

WEEK 4: People on the move: Refugees, Migrants, Trafficked persons and the

Internally Displaced Case study: IDP Roma Camps in Montenegro

WEEK 5: Corporate Responsibility for Human Rights

a) Standards of conduct b) Investment contracts and human rights

WEEK 6: Reading Week

WEEK 7: Human Rights and Development: What is the debate?

WEEK 8: Human Rights and Neo-liberal economic policies

Case study: Privatisation of public services (privatisation of water, privatisation of education, health, privatisation of armies)

WEEK 9: Human Rights, Race, Gender and Class: Clusters of discrimination

- a) Women's rights movement
- b) Discrimination based on work and descent

WEEK 10: Post-Conflict Reconstruction and Human Rights

Case Study: International Protectorate Regimes and Human Rights

WEEK 11: Accountability for gross and systemic human rights atrocities: Truth Commissions and the Criminal Law Model

- a) Criminalisation, investigation of past human rights abuses
- b) International Criminal Court

WEEK 1:

- a) General introduction to the Course
- b) What does it mean to have/bring a human rights perspective to a field of policy?

*Universal Declaration of Human Rights (UDHR), 1948

*Vienna Declaration and Programme of Action (1993)

*United Kingdom Human Rights Act (1998)

*Steiner and Alston, *Human Rights in Context*, pp. 3-18

*A Human Rights Agenda for the European Union for the year 2000 in Alston ed., *EU and Human Rights*, p. 919.

Introductory exercise: Content analysis of human rights and public policy from Newspaper articles. Each student should bring two or more editions of a daily news broad sheet from the previous week to the seminar. Students should mark which articles are concerned with human rights and public policy and explain why, and in what way.

- c) International and domestic dimensions of human rights policy
- d) Mapping insititutions and agents involved in human rights policy making

Seminar Questions:

What are human rights, where are human rights?

Is there a list of human rights?

From what, whom, where your interest in human rights arise?

Have you ever experienced human rights violations?

Have you ever witnessed human rights violations?

Who makes human rights policy?

Who implements it?

Do human rights constitute constraints only on public authorities?

WEEK 2: Theoretical Frameworks: Human Rights Policy at the intersection of the disciplines of law and social sciences

*Universal Declaration of Human Rights (UDHR), 1948

*M. Freeman, *Human Rights*, Chapters 1, 2 and 5.

- * J. Fe, *Human Rights and Social Work: Towards Rights-Base Practice*, pp. 24-43.
- *M. Koskeniemmi, 'The Effect of Rights on Political Culture' in EU and Human Rights, Alston ed., 1999, p.99.
- *D. Cassel, 'International human rights law in practice: Does international human rights law make a difference?' 2 *Chicago Journal of International Law* (2001) 121.
- *R. Wilson, 'Human Rights, Culture and Context: An Introduction' in *Human Rights, Culture and Context: Anthropological Perspectives* (London: Pluto Press, 1996).
- * E. L. Lutz and K. Sikkink, 'International Human Rights Practice in Latin America' 54 *International Organisation* (2000) 633.

Further reading

- *M. Freeman, 'Is a Political Science of Human Rights Possible?' *Netherlands Quarterly of Human Rights*, Vol. 19, No. 2, 2001, pp. 123-139.
- *D. H. Moore, 'A Signaling Theory of Human Rights Compliance' 97 *Northwestern University Law Review*, (2003), 879.
- * D. Chandler, 'Universal Ethics and Elite Politics': The Limits of Normative Human Rights Theory', 5 *The International Journal of Human Rights*, (2001) 77. .
- *M. Mutua, 'The Limits of Rights Discourse' in *Human Rights: A Political and Cultural Critique*, pp. 126-153 (2002).

Seminar Questions:

- What does it mean to suggest that human rights is a *truly* multidisciplinary field of study?
- What are the consequences of multidisciplinary for human rights policy?
- What are the implications of suggesting that the source of human rights is the law ?
- What is the relevance of international human rights law for policy formulations at the domestic level?
- How do Freeman's, Ife's and Koskeniemmi's accounts of the role of law in understanding human rights differ?
- What is the methodology Wilson is offering to understand the place of human rights in domestic contexts?
- To what extent can we rely on institutions, mechanisms and laws to protect human rights?
- How can policies devised in the name of human rights violate human rights? Can you think of examples where human rights policies have negative effects?

WEEK3: Human Rights and International Organisations

- *Barnett and Finnemore, 'The Politics, Power and Pathologies of International Organisations' 53 *International Organisation* (1999) 699.
- *Steiner and Alston, pp. 56-126 (Up to Nurnberg: Background to the Human Rights Movement).

a)United Nations as the main generator of human rights policy

- *Situation of human rights in Haiti Report prepared by the independent expert UN Doc. E/CN.4/2003/116
- * Discrimination based on work and descent, Expanded Working Paper submitted by Mr. Asbjorn Eide and Mr. Yazo Okata, UN Doc. E/CN/Sub.2/2003/24
- *Steiner and Alston, Chapter 8, pp. 592-703.
- *M. Freeman, Human Rights, Chapter 3.
- *Vienna Declaration and Programme of Action (1993)
- * Millennium Declaration (2001)
- *P. Alston ed., *The United Nations and Human Rights: A Critical Appraisal*, skim reading of pp. 1-304.

Seminar Questions

- *What do Barnett and Finnemore's account of international organisations offer for understanding the UN Human Rights Machinery?
- *What are the main policy principles stated in the Vienna Declaration and Programme of Action on Human Rights?
- * What are the theories that inform the setting-up of international human rights institutions?
- * What is the function of the Commission on Human Rights? What is the relevance of the Commission on Human Rights?
- *What is the difference between the country rapporteurs and thematic rapporteurs?
- *In what ways the mechanisms of the Human Rights Commission affect change in domestic human rights situations? Illustrate with concrete examples.
- *How does the Sub-Commission on the Promotion and Protection of Human Rights work?
- *What are the main issues that are on the agenda of the Commission on Human Rights and the Sub-Commission? Do you think that some important issues are omitted? Do you think some issues they deal with are unnecessary?
- *What is the role of the United Nations High Commissioner on Human Rights in devising and implementing international human rights policy?
- * How do non-governmental organisations contribute to agenda setting in United Nations Charter based mechanisms?

b) 'Mainstreaming' human rights in international organisations

- *Steiner and Alston, Chapter 16, Sections C and D, pp. 1334-1346.
- * Human Rights and Development, UNDP Publications (1996).
- *Petersman, 'The WTO constitution and Human Rights' 3 *EU Journal of International Economic Law*, (2000) 19.

Seminar Questions:

- *What does 'mainstreaming' human rights in international organisations mean?
- * Do all organisations have a similar understanding of how 'mainstreaming' should be done?

WEEK4: International Human Rights Treaty Regimes and Monitoring Mechanisms: (ECHR- Inter American Commission)

- *International Covenant on Civil and Political Rights (ICCPR)
- *International Covenant on Social, Economic and Cultural Rights (ICESCR)
- *International Covenant on the Elimination of All Forms of Racial Discrimination (CERD)
- *International Covenant on the Elimination of All Forms of Racial Discrimination against Women (CEDAW)
- *International Covenant on the Rights of the Child (CRC)
- *Convention against Torture (CAT)
- *Migrant Workers Convention (MWC)

- *Steiner and Alston, Chapter 9, pp. 705-936.
- *A. Woodiwiss, *Making Human Rights Work Globally*, Chapter 2.
- *A. Woodiwiss, 'Human Rights and the Challenge of Cosmopolitanism' , 19 *Theory, Culture and Society* (2002) 139.
- *Heyns and Viljoen, The Impact of United Nations Human Rights Treaties on the Domestic Level, *Human Rights Quarterly*, Vol. 23, No. 3, 2001, pp. 483-535.
- *Ryan Goodman and Derek Jinks, 'Measuring the Effects of Human Rights Treaties' 14 *European Journal of International Law* (2003) 171.
- *Harris-Short, Sonia, 'International Human Rights Law: Imperialist, Inept and Ineffective? Cultural Relativism and the UN Convention on the Rights of the Child', *Human Rights Quarterly* 25.1 (2003) 130.
- *D. Otto, 'Nongovernmental organizations in the United Nations system: the emerging Role of International Civil Society' 18 *Human Rights Quarterly*, (1996) 107.
- *Alston and Crawford, *The Future of Human Rights Treaty Monitoring* (Cambridge: Cambridge University Press, 2000).
- *A. Bayefsky, *How to Complain to the UN Human Rights Treaty System*, (NY: Transnational Publishers, 2002).

- *How do the international/regional human rights regimes envisage to change state behaviour and ensure compliance with human rights principles?
- *How did the Inter-American Commission address the question of disappearances?
- *What are the human rights policy areas that the decisions of the European Court of Human Rights had a policy reversing impact?
- *What is the role of non-governmental institutions in affecting change in international human rights treaty regimes?
- *How effective are the periodic reporting procedures of the treaty bodies?
- * What is the use of having individual complaint mechanisms? Compare the United Nations complaint mechanisms with the regional ones.

WEEK5: Human rights and foreign policy analysis

- *D. Forsythe ed., *Human Rights and Comparative Foreign Policy*, (Tokyo: United Nations University Press, 2000).
- *David Weissbrodt and Maria Luisa Bartolomei, 'The Effectiveness of International Human Rights Pressures: The Case of Argentina, 1976-1983' 75 *Minn. L. Rev.* (1991) 1009.
- *E. Fierro, *The EU's approach to human rights conditionality in practice*, (New York : M. Nijhoff, 2003).
- *Alston ed., *EU and Human Rights*, esp. Chapters 17-18-19-20-21-22.
- *Steiner and Alston, Chapter 13, pp. 1082-1125.
- *Steiner and Alston, Chapter 12, Section C., pp. 1049-1079.
- * Zhu Feng, 'Human Rights Problems in Current Sino-American Relations' in Van Ness ed., *Debating Human Rights: Critical Essays from the United States and Asia* (1999) 232.

Seminar Questions:

- * Do human rights considerations affect foreign policy making?
- * Can domestic awareness of human rights have an impact on the foreign policy of States?
- *What is the relationship between the dominant political culture of a country and its international human rights policy?
- * Under what circumstances can foreign human rights pressures have an effect on domestic human rights situations?
- * 'International relations exist in a state of nature. It is an oxymoron to talk about foreign policy on human rights. All foreign policy serve national interests of the ruling elites only.' Discuss.
- * How does the chapters in Forsythe discuss the interplay between international and domestic conditions while mapping state foreign policy and human rights? Illustrate by using one of the articles in the book.
- * What is human rights conditionality? How can we assess the impact of such provisions in inter-state relations?

WEEK 6: Reading Week

WEEK 7: Human Rights Organisations and Policy Change

- *Steiner and Alston, *International Human Rights in Context* (2000) pp. 938-980.
- *Risse and Sikkink, *The Socialisation of International Human Rights Norms into Domestic Practices: Introduction in The Power of Human Rights* (1996) pp. 1-38.
- *Pitanguy and Heringer, 'Trade, human rights and an alternative world order: the role of civil society' 45 *Development* (2002) 53.
- *C. A. Odinkalu, 'Why more Africans don't use Human Rights Language', *Human Rights Dialogue*, 1999, p. 3.
- *S. Charnovitz, 'Two Centuries of Participation: NGOs and International Governance' 18 *Michigan Journal of International Law*, (1997) 183.

- *Hopgood, 'Reading the small print in global civil society: the inexorable hegemony of the liberal self' 29 *Millennium*, (2000) 1.
- *P. C. McMahlon, 'Building Civil Societies in East Central Europe: The Effect of American Non-governmental Organizations on Women's Groups', *Democratisation*, Vol. 8, No. 2, 2001.
- *Biekart and Eade, 'The politics of civil society building: European private aid agencies and democratic transitions in Central America' (Rev.) 10 *Development in practice*, (2000) 119.
- *U. Baxi, 'Human Rights Movements, Human Rights Markets' in *The Future of Human Rights*, (2001), pp. 119-131.
- * M. Kaldor, 'Civil Society and accountability', 4 *Journal of Human Development* (2003) 5.

Further reading:

- * John Keane, 'Global Civil Society?' in *Global Civil Society* 2001, (2001) 23.
- *Heins, 'From new political organizations to changing moral geographics: unpacking global civil society' 52 *Geojournal*, (2000) 37.
- *A. Hegarty, Non-Governmental Organisations: The Key to Change', in Human Rights: An Agenda for the 21st Century, 1999, pp. 267-285.
- C. E. Welch ed., *NGOs and Human Rights Promise and Performance*, (University of Pennsylvania Press) (2000).
- *G. Clarke, 'Non-governmental Organisations (NGOs) and Politics in the Developing World', XLVI *Political Studies* (1998), 36-52.
- *Zafarullah and Rahman, 'Human Rights, Civil Society and Non-Governmental Organisations: The Nexus in Bangladesh' 24 *Human Rights Quarterly* (2002) 1001.
- *Lister and Nyamugasira, 'Design Contradictions in the 'New Architecture of Aid? Reflections from Uganda on the Role of Civil Society Organisations' 21 *Development Policy Review* (2003) 93.
- *Backer and Caroll, 'NGOs and constructive engagement: promoting civil society, good governance and the rule of law in Liberia' 38 *International Politics*, (2001) 1.
- *Ahnén, 'Civil society's push for political space: child and adolescent rights councils in Brazil' 9 *International journal of children's rights*, (2001) 15.
- *L. Parratt, 'Unfinished Business? Liberty's Campaign for a Bill of Rights', in Human Rights: An Agenda for the 21st Century, 1999, pp. 287-308.
- *J. Petras, 'Imperialism and NGOs in Latin America', *Monthly Review*, Vol. 49, No.7 (1997) at ¶ HYPERLINK <http://www.monthlyreview.org/1297petr.htm>
¶ <http://www.monthlyreview.org/1297petr.htm>¶
- *Chowdhry and Beeman, 'Challenging child labor: transnational activism and India's carpet industry', 575 *Annals of the American Academy of Political and Social Science*, (2001) 158.

Seminar Questions

What makes an NGO a 'human rights' NGO?

Under what circumstances does domestic human rights NGOs emerge?

How do Risse, Kappen and Sikkink help us understand the role of human rights organisations in domestic contexts? How does this differ from Baxi's account of human rights organisations?

What are the sources of funding for human rights NGOs?

What are the dangers of the professionalisation of human rights NGOs?

What are the problems that Odinkalu's assessment of human rights activism in Africa identify?

Do human rights NGOs fulfil the same functions in every country?

How do non-governmental human rights organisations contribute to policy-making agendas at domestic levels?

WEEK8: Incorporation of human rights into domestic jurisdiction:

- a) Legislative change
- b) Courts and human rights
- c) Incorporation and responsibility of public authorities

*Steiner and Alston, Chapter 12, pp. 987-1048.

*4th Annual Economic Social and Cultural Rights Report of the South African Commission on Human Rights, Chapter 1 at www.sahrc.org.za

*David Jacobson, Galya Benarieh Ruffer, 'Courts Across Borders: The Implications of Judicial Agency for Human Rights and Democracy', *Human Rights Quarterly* 25.1 (2003) 74-92.

*J. Wadham, 'Why incorporation of the European Convention of Human Rights is not Enough?' in Gordon and Wilmot-Smith eds., *Human Rights in the United Kingdom*, 1999, p. 25.

Further reading

*J. Sarkin, *The Development of a Human Rights Culture in South Africa*, *Human Rights Quarterly*, Vol. 20, No. 3, 1998, pp. 628-665.

*I. Byonoe and S. Spencer, *Mainstreaming Human Rights in Whitehall and Westminster*, 1999.

*G. Gilbert and J. Wright, 'The Means of Protecting Human Rights in the United Kingdom', *The International Journal of Human Rights*, Vol. 1, No. 1, 1997, pp.23-68.

*F. Klug, *Values for a Godless Age: The Story of United Kingdom's New Bill of Rights* (2000)

*What is meant by the term 'human rights state'?

*What are the fundamental criteria for incorporation of human rights into domestic law?

*What role does the civil servants play in incorporation practices?

*Can domestic courts make human rights policy?

* What are the responsibilities of public authorities in the aftermath of incorporation of human rights into domestic law?

WEEK9: Human Rights Institutions and the Conflict of power in public bodies

- *The Paris Principles, United Nations Commission on Human Rights, Resolution 1992/54.
- *National human rights institutions : a handbook on the establishment and strengthening of national institutions for the promotion and protection of human rights (United Nations: Centre for Human Rights) (1995).
- * National institutions for the promotion and protection of human rights UN Doc. E/CN.4/2003/110
- *International Council on Human Rights Policy, Performance & legitimacy: national human rights institutions, 2000
- *L. Reif, 'Building Democratic Institutions: The Role of National Human Rights Institutions in Good Governance and Protection', 13 *Harvard International Human Rights Journal* (2000) pp. 1-69.
- *National Human Rights Institutions: A Handbook on the Establishment and Strengthening of National Institutions for the Promotion and Protection of Human Rights, United Nations, 1995.
- *S. Cardenas, 'Adaptive States: The Proliferation of National Human Rights Institutions', Carr Centre for Human Rights Policy Working Paper T-01-04 (2000)
- *S. Spencer, A Human Rights Commission for the UK, 3 *The International Journal of Human Rights*, (1999) 23.

Further reading:

- Hossain, Besselink, Selassie and Volker eds., *Human Rights Commissions and Ombudsman Offices: National Experiences throughout the World*, 2000.
- M. Gomez, 'Sri Lanka's New Human Rights Commission', *Human Rights Quarterly*, Vol 20, No.2, 1998, pp. 281-302.

Seminar Questions:

- What is the difference between a Human Rights Commission and a Human Rights Ombudsman?
- What are the main objectives of creating human rights institutions?
- It is suggested that human rights institutions create expectations which they fail to deliver. Do you agree with this suggestion?
- What are the arguments for and against a British Human Rights Commission?
- What innovative tools do human rights institutions deploy in protecting and promoting human rights?
- To what extent can domestic political cultures affect the functioning of human rights institutions?
- What are the main indicators to assess the performance of a human rights institution?

WEEK 10: Measuring Human Rights Performance

- *R. P. Claude and T. B. Jabine, 'Exploring Human Rights Issues with Statistics', in *Human Rights and Statistics: Getting the Record Straight* (1992) p. 3.
- *G. Lopez and M. Stohl, 'Problems of Concept and Measurement in the Study of Human Rights', T. Jabine and R. Claude (eds.) *Human Rights and Statistics*, p. 216.
- *M. Green, 'What we talk about when we talk about indicators: current approaches to human rights measurement', *Human Rights Quarterly*, Vol. 23, 2001, pp. 1062-1092.
- *The Maastricht Guidelines on Violations of Economic, Social and Cultural Rights, *Human Rights Quarterly*, Vol. 20, No. 3 (1998), pp. 691-704.
- *Handbook in Human Rights Assessment: State Obligations, Awareness and Empowerment, Norwegian Agency for Development Co-operation at www.norad.no
- *R. Goodman and D. Jinks, 'Measuring the Effects of Human Rights Treaties' 13 *European Journal of International Law* (2003) 171.
- * T. Landman, 'Measuring Human Rights: Principle, Practice and Policy' Paper Prepared for the Seminar on Statistics and Human Rights, Brussels, November 2002.
<http://privatewww.essex.ac.uk/~todd/M-HR-landman.pdf>

Further reading

- C. Humana, *World Human Rights Guide* (Oxford: Clarendon Press, 1992).
- Jabine and Claude eds., *Human Rights Statistics: Getting the Record Straight* (1992).

Seminar questions

- *How can you measure the success of human rights policies?
- * What are the possible shortcomings of quantitative measurement of human rights violations/performances?
- * Who should evaluate human rights performance?
- * What are methodological difficulties associated with measuring human rights performance?
- *Can human rights be statistically measured?
- * What is the use of indicators and targets in measuring human rights performance? What are the shortcomings of these tools?

WEEK 11: Human Rights Education and Training

Guidelines for National Plans of Action for Human Rights Education

<http://www.unhchr.ch/education/main.htm>

- *Human Rights Decade Evaluation Report of the OHCHR: Summary of national initiatives undertaken within the Decade for Human Rights Education (1995-2004)
<http://www.unhchr.ch/html/menu6/1/initiatives.htm>
- * Report of the Human Rights Education Associates on the Mid-term Evaluation Review of the UN Decade for Human Rights Education <http://www.hrea.org/mid-term-summary.html>
- *Human Rights Training Series: A Manual on Human Rights Training Methodology, United Nations.

- *Okafor and Agbakwa, 'Reimagining Human Rights Education in Our Time: Beyond Three Constructive Orthodoxies', 14 *Leiden Journal of International Law* (2001) 563.
 - *Adreopoulos and Claude, (eds.), *Human Rights Education for the 21st Century*, 1997 (students can pick and read articles from Chapters 1,2,3 and 4)
 - *A. Stone, 'Human Rights Education and Public Policy in the United States: Mapping the Road Ahead', *Human Rights Quarterly*, Vol. 24, No. 2, 2002, p. 537-557.
- United Nations Decade for Human Rights education website □ HYPERLINK
<http://www.unhchr.ch/html/menu6/1/edudec.htm>
□ <http://www.unhchr.ch/html/menu6/1/edudec.htm>□
- * R. P. Claude, 'Methodologies of Human Rights Education' at □ HYPERLINK
<http://www.pdhre.org/materials/methodologies.html>
□ <http://www.pdhre.org/materials/methodologies.html>□

Further Reading

- *P. Rosenblum, 'Pedagogy and Human Rights: Teaching Human Rights: Ambivalent Activism, Multiple Discourses and Lingered Dilemmas', 15 *Harvard Human Rights Journal* (2002) 301.
- *L. Kelly, *Vision, Innovation and Professionalism in Policing Violence against Women and Children*, Council of Europe Documents
- *D. Das and A. Verma, 'Teaching Police Officers Human Rights', *The International Journal of Human Rights*, Vol. 6, No2., 2002, pp.35-48.
- *D. Hodgson, *The Human Right to Education*, 1998.
- *Bernath, Holland and Martin, 'Can human rights education contribute to international peace building?' 2 *Current Issues in Comparative Education* (1999) 1.
- *Lynda Frost, 'Human Rights Education Programmes for Indigenous Peoples: Teaching Whose Human Rights?', 7 *St. Thomas Law Review* (1995) 699.

Seminar Questions

- What does human rights education aim to achieve?
- What kinds of human rights education/training is needed at different levels of public policy formulation?
- Should the whole public sector receive human rights education/training about human rights?
- What is the relationship between human rights education and peace education, citizenship education, education for democracy, or tolerance education?
- What are the fundamental aims and activities of the United Nations Decade for Human Rights Education?
- How can the successes of human rights education be evaluated?
- What are the advantages and disadvantages of having international (i.e. non-local) trainers of human rights?

GENERAL READING LIST

- Alison Brysk eds., *Globalization and human rights*, (Berkeley ; London : University of California Press, c2002).
- Alston, *The EU and Human Rights*, (Oxford University Press, 2000).
- Alston and Crawford eds., *The Future of UN Human Rights Treaty Monitoring* (Oxford: Oxford University Press, 1999).
- Alston, *The Best Interests of the Child: Reconciling Culture and Human Rights*, (Oxford University Press, 1994).
- Alston ed., *Promoting Human Rights Through a Bill of Rights: A Comparative Perspective* (Oxford: Oxford University Press).
- Andreopoulos A. and Claude R. P., *Human Rights Education for the 21st Century*, (University of Philadelphia Press, 1997).
- Armstrong and Barton eds., *Disability, Human Rights and Education*, (1999).
- Austin and Kearns eds., *Human Rights: Concepts, Constests, Contingencies*, (2001).
- Ball, P., *Who Did What to Whom? Planning and Implementing a Large Scale Human Rights Project* (American Association for the Advancement of Science; October 1996).
- Baxi, *The Future of Human Rights*, (Oxford University Press) (2002).
- Bayefski, A. F., *How to Complain to the UN Human Rights Treaty System*, (Ardley: Transnational Publishers, 2002).
- Beatty, D. M., *Human Rights and Judicial Review: A Comparative Perspective*, (1994).
- Beetham, D. (ed.), *Politics and Human Rights*, (1995).
- Mamdani and Philip eds., *Beyond Rights Talk and Culture Talk: Comparative Essays on the Politics of Rights and Culture* (London: Palgrave/Macmillan, 2000).
- Blakeley, G and Bryson V., *Contemporary Political Concepts: A Critical Introduction*, (London: Pluto Press, 2002).
- Brown, A. M., *Human Rights and the Borders of Suffering: The Promotion of Human Rights in International Politics* (London: Palgrave/Macmillan, 2002).
- Campbell, Ewing and Tompkins eds., *Skeptical Essays on Human Rights*, (Oxford: Oxford University Press, 2001).
- Charlesworth and Chinkin, *The Boundaries of International Law: A Feminist Analysis*, (Manchester: Manchester University Press, 2000).
- Cohen R., and Rai S, M., *Global Social Movements*, (London: Athlone Press, 2001).
- Cohen, *States of Denial: Knowing About Atrocities and Suffering* (Cambridge: Polity, 2001).
- Cole, *Education, Equality and Human Rights*, 2000.
- Cook, R., *Human Rights of Women: National and International Perspectives*, 1994.
- Craven, *International Covenant on Economic, Social and Cultural Rights: A Perspective on Its Development* , (Oxford: Clarendon Press, 2000).
- Democracy and human rights in Latin America, (Westport, Conn. : Praeger, c2002)
- Doise, Willem, 1935-: *Human rights as social representations*, (London : Routledge, 2002)
- Eide, Krause and Rosas, *Economic, Social and Cultural Rights: A Text Book*, 1995.
- Evans and Murray eds., *The African Charter on Human and People's Rights*, Cambridge University Press, (2002).

- Evans, Malcolm & Rachel Murray. *The African Charter on Human and Peoples' Rights: The System in Practice 1986-2000*, (Cambridge: Cambridge University Press, 2002).
- Fahmy, NS, *The politics of Egypt: state-society relationship*, (Curzon Press, Richmond, 2001).
- Fields, B. A., *Rethinking Human Rights For the New Millennium* (Palgrave Macmillan, 2003).
- Fierro, Elena, *The EU's approach to human rights conditionality in practice*, (New York: M. Nijhoff, 2003)
- Forsythe, *Human Rights in International Relations*, (Cambridge University Press) (2000).
- Freeman, M., *Human Rights: An Interdisciplinary Approach*, 2002.
- Foweraker and Landman, *Citizenship Rights and Social Movements: A Comparative and Statistical Analysis* (1997).
- Galligan and Samford eds., *Rethinking Human Rights* (Federation Press, 1997).
- Galtung, G., *Human Rights in Another Key*, (Polity Press) (1994)
- Gillies, D., *Between Principle and Practice: Human Rights in North-South Relations*, (1996).
- Hegarty & Leonard, *Human Rights: An Agenda for the 21st Century*, (Cavendish, 1999).
- Ife, J., *Human Rights and Social Work* (Cambridge University Press, 2001)
- Isfahan and Oosterveld, *Reaching Beyond Words: Giving Meaning to Economic Social and Cultural Rights*, (2001).
- Jabine, T. B and Claude, R. P., *Human Rights and Statistics: Getting the Record Straight*, (University of Pennsylvania Press, 1992).
- Jayawickrama, Nihal, *The Judicial Application of Human Rights Law: National, Regional and International Jurisprudence*. (Cambridge: Cambridge University Press, 2002).
- Joseph, Schultsz and Castan, *The International Covenant on Civil and Political Rights* (Oxford: Oxford University Press, 2000).
- Keane, *Civil Society and the State* (1988)
- Klug, F., *Values for a Godless Age: The Story of United Kingdom's New Bill of Rights*, (Penguin) (2000).
- Koh and Slye eds., *Deliberative Democracy and Human Rights* (Yale: Yale University Press, 1999).
- Korey, W., *NGO's and the Universal Declaration of Human Rights: "A Curious Grapevine"* (London: Palgrave/Macmillan, 1998).
- Maley, William et al (eds.). *From Civil Strife to Civil Society* (Tokyo: United Nations University Press, 2002).
- McChesney, A., *Promoting and Defending Economic Social & Cultural Rights*, (2000).
- Merali, I and Oosterveld eds., *Giving Meaning to Economic, Social and Cultural Rights*, (2001).
- Merills and Robertson eds., *Human Rights in Europe*, (Manchester: Manchester University Press, 2001).
- Mutua, M., *Human Rights: A Political and Cultural Critique*, (Philadelphia: University of Philadelphia Press, 2002).
- Nirmal, Chiranjivi. *Human Rights in India: Historical, Social and Political Perspective* (Delhi: Oxford University Press India, 2002).

- O'Donovan and Rubin eds., *Human Rights and Legal History* (Oxford: Oxford University Press, 2000).
- O'Flaherty, Michael, *Human Rights and the UN*. (The Hague: Kluwer Law International, 2002).
- Osler and Starkey, *Teacher Education and Human Rights*, (1996).
- Owen, Nicholas. *Human Rights, Human Wrongs*. (Oxford: Oxford University Press, 2002).
- Pasqualucci, *The Practice and Procedure of the Inter-American Court of Human Rights*, (Cambridge: Cambridge University Press, 2003).
- Peters and Wolper, *Women's Rights, Human Rights*, (1995).
- Rajagopal, B., *International Law from Below*, (Cambridge University Press, 2003).
- Rehman, Javid, *International human rights law : a practical approach* (Harlow : Longman, 2003)
- Risse, Ropp and Sikkink, *The Power of Human Rights: International Norms and Domestic Change*, (Cambridge: Cambridge University Press, 1999).
- Roehrig, Terence, *The prosecution of former military leaders in newly democratic nations : the cases of Argentina, Greece, and South Korea* London, (McFarland & Co., 2002)
- Rowan, John.: *Conflicts of rights : moral theory and social policy implications* (Oxford: Westview Press, 1999)
- Samantha Power, Graham Allison, *Realizing Human Rights: Moving from Inspiration to Impact*, (Palgrave/Macmillan, 2000).
- Sarat and Kearns eds., *Human Rights: Concepts, Contests and Contingencies*, (Ann Arbor: University of Michigan Press, 2001).
- Sellers, *The Rise and Rise of Human Rights*, (Stroud: Sutton Publishing, 2002).
- Shelton,
- Shelton, *Remedies in International Human Rights Law*, (Oxford: Oxford University Press, 1999).
- Steiner & Alston, *International Human Rights in Context*, (Clarendon Press), (2000).
- Stivens, Macintyre and Mackie, *Human Rights and Gender Politics: Asia Pacific Perspectives*, (London: Routledge, 2001).
- Stott, David, *Sourcebook on Human Rights* (London : Cavendish, 2002)
- Tomasevski, K., *Between Sanctions and Election: Aid Donors and Human Rights*, 1997.
- Van Ness, *Debating Human Rights: Critical Essays from the United States and Asia*, (London: Routledge, 1999).
- Welch, C. E., *NGOs and Human Rights: Promise and Performance*, 2001.
- Wilson ed., *Human Rights, Culture and Context: Anthropological Perspectives* (London: Pluto Press, 1996).
- Wright, *International Human Rights, Decolonisation and Globalisation: Becoming Human*, (London: Routledge, 2001).
- Escobar, Arturo, *Encountering Development: The Making and Unmaking of the Third World*.

HUMAN RIGHTS RESOURCES ON THE WEB

Human Rights Web www.hrweb.org

Project Diana: Online Human Rights Archive

<http://www.yale.edu/lawweb/avalon/diana/index.html>

The Human Rights Directory www.echr.net

University of Minnesota Human Rights Library www.umn.edu/humanrts

Business and Human Rights Resource web site www.businness-humanrights.org/index.html

Human Rights Network International www.hrni.org

Intergovernmental organisations

United Nations www.un.org

United Nations High Commissioner for Human Rights www.unhchr.org

United Nations High Commissioner for Refugees www.unhcr.org

Council of Europe www.coe.int

European Court of Human Rights www.echr.coe.int

European Union www.europa.eu.int

Organisation for Security and Co-operation in Europe www.osce.org

Organisation of African Unity www.oau-oua.org

Organisation of American States www.oas.org

Inter-American Commission on Human Rights www.cidh.org

Inter-American Court of Human Rights http://corteidh-oea.nu.or.cr/ci/HOME_ING.HTM

The Commonwealth www.thecommonwealth.org

National Human Rights Institutions National Human Rights Institutions Forum (links to human rights institutions in Morocco, South Africa, Argentina, Canada, El Salvador, Guatemala, Honduras, Mexico, Panama, Peru, Australia, Fiji, India, Indonesia, New Zealand, Belgium, Bosnia-Herzegovina, Denmark, France, Greece, Hungary, Ireland, Moldova, The Netherlands, Northern Ireland, Norway, Palestine, Poland, Portugal, Slovenia, Spain, Sweden, United Kingdom, Uzbekistan) www.nhri.net

Asian Human Rights Commission www.ahrck.net

Asia-Pacific Forum of Human Rights Institutions www.apf.hreoc.gov.au

UK Human Rights Institutions

UK Human Rights Unit <http://www.lcd.gov.uk/hract/hramenu.htm>

Commission for Racial Equality www.cre.gov.uk

Equal Opportunities Commission www.eoc.gov.uk

Disability Rights Commission www.drc.gov.uk

Equality Commission for Northern Ireland www.equalityni.org

Foreign and Commonwealth Office Human Rights Policy Department
<http://hrpd.fco.gov.uk>

Department for International Development www.dfid.gov.uk

Non-governmental organisations and Research Institutes

International Federation of Human Rights Leagues www.fidh.imaginet.fe

Amnesty International www.amnesty.org

Human Rights Watch www.hrw.org

Commonwealth Human Rights Initiative www.humanrightsinitiative

Business and Human Rights –A Resource Website www.business-humanrights.org

Interrights www.interrights.org

European Council on Refugees and Exiles www.ecre.org

British Refugee Council www.refugeecouncil.org.uk

Statewatch www.statewatch.org

Justice www.justice.org.uk

Article 19 www.article19.org

Redress www.redress.org

Article 12 www.article12.uk.com

Minority Rights Group www.minorityrights.org

Charter 88 www.Charter88.org

Anti-Slavery International www.antislavery.org

Survival International www.survival.org

Liberty www.liberty-human-rights.org.uk

Campaign for Freedom of Information www.cfoi.org.uk

British Institute of Human Rights www.bihhr.org

National Association for Youth Justice www.nayj.org.uk

British Refugee Council www.refugeecouncil.org.uk

Human Rights International Alliance <http://hria.net/index.html>

Danish Centre for Human Rights www.humanrights.dk

Global policy forum www.globalpolicy.org

International Council on Human Rights Policy www.ichrp.org

Development Education Association www.dea.org.uk

International Federation of Social Workers www.ifsw.org

International Centre for Transitional Justice www.icj.org

European network again nationalism, racism, fascism and in support of migrants and refugees www.united.non-profit.nl

International Commission of Jurists www.icj.org