Human Rights Research
and Education Centre

Human Rights and Governance:
The Human Rights Based Approach to Policy, Law and Development

Online Course DCC 4119

Course Instructor: Slava (Veaceslav) Balan

Winter 2024

SYLLABUS

COURSE DESCRIPTION

This course is an introduction into the Human Rights Based Approach (HRBA) – a framework and approach to operationalizing comprehensively human rights norms and standards within public policy, law and practice notably for sustainable peace and development.

During the course HRBA models from the United Nations, development assistance field, and national and municipal policy-making will be comparatively studied and discussed. In doing so, students will develop a deeper and richer understanding of the conceptual and normative framework of human rights as applied in a coherent and holistic manner towards their full and effective realization. Deep intersections between HRBA and human security approach, between HRBA gender-based analyses (GBA) will also be examined. Students will learn how to apply in practice HRBA analysis.

The course aims at upper-year students interested in advanced approaches to human rights in law, public policy and public administration, and in contexts of international, national and municipal development.

Public policies in the fields of healthcare, education, housing, migration, policing, drugs, urban planning and municipal development, transportation and road construction, as well as many other fields are all subject to HRBA.

Finland's housing strategy, social policies in Latin America, decentralization reforms in Ukraine and Moldova, international assistance policies of Sweden, Finland and Germany, UN strategies of work in most countries of Eastern Europe, operational strategies of many well-known international non-governmental organizations (Oxfam, ActionAid, Save the Children) are, to a various extent, examples of Human Rights-Based Approach.

COVID-19 policies were another immediate example for potential application of HRBA. Had HRBA been applied to managing the COVID-19 crisis, the situation today would arguably have been much better, with thousands of deaths prevented and less social damage inflicted.

Objectives of the Course

This course is designed to provide students with knowledge and understanding of key concepts and elements of HRBA. The primary course objectives are:

- To explore the main conceptual underpinnings and practical dimensions of Human Rights Based Approach;

- To become familiar with the range of positions in current debates on Human Rights Based Approach;

- To analyze international and national legal texts and policy documents related to Human Rights Based Approach;

- To study critically and comparatively various approaches coming under the same HRBA "label", drawing on shared features and substantive distinctions;

- To explore connected ("sister") approaches, such as Human Security, Sustainable Development and Gender Based Analysis, identifying differences and points, as well as potential for convergence;

- To develop new practical skills in implementation of human rights, notably through HRBA and "sister" approaches, at the domestic and international levels;

- To develop abilities to apply grand conceptual frameworks to specific problems and issues;

- To develop the ability to critically analyze arguments in primary texts, and to detect and address weaknesses in arguments;

- To learn how to present and support ideas and defend clear positions on potentially controversial issues;

- To become proficient at writing essays with complex arguments, as well as at practice-oriented assignments.

Course Instructor

The instructor for this course is Slava (Veaceslav) Balan, a human rights researcher and practitioner, originally from Moldova, now established in Canada. Mr. Balan has an experience of 15 years of professional work with and within the United Nations, including as the head of UN Human Rights Office (OHCHR) in Moldova, consultant with the UN Special Rapporteur on Minority Issues, international consultant with UN Women Ukraine. Other Mr. Balan's professional assignments include consultancy work with the Organization for Security and Cooperation in Europe (OSCE), US-based international human rights NGO Freedom House, trainings for the national human rights institutions and elections management bodies in Moldova,

Ukraine, and Romania, international elections observation missions in the United States (in 2020 and 2022). In 2005-2008, Mr. Balan served as mobilization and campaigns coordinator with Amnesty International Moldova. In 2004-2007, Mr. Balan worked as lecturer at the Moldovan Academy of Public Administration.

Mr. Balan holds LL.M. in Comparative Law from McGill University in Canada (2015), another LL.M. in Comparative Constitutional Law from the Central European University (2002), a Diploma in Sustainable Development and Human Rights from the UN-mandated University for Peace (2018) and an equivalent of Bachelor in Law degree from the Moldova State University (2000). In present, Mr. Balan pursues a PhD in Law program at the University of Ottawa, under the guidance of Prof. John Packer, Director of the University of Ottawa Human Rights Research and Education Center. Mr. Balan's PhD project focuses on human rights-based approach (HRBA) to international, national and local development, policy and law-making.

CONTENT OF THE COURSE: HOW IS THE COURSE ORGANISED?

This course comprises 13 thematic modules progressively unpacking HRBA concepts and issues:

- **Module 1:** Universal Human Rights Standards & the United Nations Human Rights System
- **Module 2:** Introduction to the Human Rights Based Approach
- **Module 3:** HRBA: Foundational Principles, Key Concepts and Ideas
- **Module 4:** Human Rights as Primary Governance and Development Objective; Effective Human Rights Realization
- **Module 5:** Structural / Systemic Inequality and Discrimination, Vulnerable Groups and "Leave No One Behind"
- **Module 6:** Primary Agency of the Rights-holders, Empowerment and Power Shifts
- **Module 7:** HRBA in International Assistance and Cooperation
- **Module 8:** HRBA at the National and Local Levels
- **Module 9:** HRBA, Human Security, GBA/GBA+ and Other "Sister" Approaches
- **Module 10:** Limitations and Criticisms of HRBA. HRBA and Neocolonialism
- **Module 11:** The "Added Value" of HRBA and Its Promotion
- **Module 12:** HRBA and the 2030 Sustainable Development Agenda
- **Module 13:** The Internal (Organizational and Individual) Dimension of HRBA

The 13 weekly thematic modules are organized as follows:

- Short video and/or lecture notes that introduce the topic and set the stage;
- Reading materials: mandatory and optional;
- A Discussion Forum setting issues / topics for discussion (a mandatory discussion thread will be launched by the course instructor every 2-3 weeks).

Students will have to complete periodic assignments such as responding to Forum questions about and around reading materials. In order to respond adequately, each student will have to

read the course notes and mandatory readings and view selected videos. Students are encouraged also to delve into the recommended readings in order to deepen their understanding.

Students will have to contribute to the Forum discussion in order to obtain their participation points. During the Forum discussions students are graded not only by the relevance and quality of their responses, but also for the quality of interactions with other students. Students must interact directly (and respectfully) with other students, generating or contributing to substantive discussion of topics and sharing opinions supported by evidence. Students are encouraged to initiate new and additional discussion threads.

ASSIGNMENTS

The assignments consist of:

- Mandatory readings/videos and Discussion Forum questions with a view to ensure the proper understanding of the materials and key conceptual points. Unless stated otherwise, students do not need to do additional research to complete the assignments. All the information is contained in the modules.

- Mid-term and Final papers, building further research and practice-oriented skills of the students. It is expected that submitted papers will be clear and concise and conform with usual academic standards.

All deadlines can be found under the section "List of Assignments" and included in the Syllabus, available on Brightspace.

All assignments must be submitted via Brightspace. Students can find them all under the **"Assignments" tab**. To submit papers, attach a Word document to the page. Submissions must be identified by the student's full name and student number.

The Discussion Forum

The Forum offers students the opportunity to discuss with each other and the course instructor. In these exchanges, students will have to draw upon the information they have learned through the course readings and notes to reflect on them and to debate relevant issues and/or current events. This activity will help students to structure their thoughts, develop critical thinking and share their knowledge and perspectives.

Forum discussions will centre around the discussion questions posted by course instructor at the beginning of selected modules (prior to or on the first day of the respective module period). Each student is expected to provide a substantive response drawing from the readings and supported by arguments. Each such response, unless indicated otherwise, should be at least 150 words long.

Other Forum inputs may take the form of a reflection, a question (with a background), a comment, an opinion, etc. Forum inputs must be posted directly on the student's page in

Brightspace, under the "Discussion Forum" tab. Students can provide inputs to the topics (threads) initiated by course instructor or other students, or by constructively initiating new discussion threads.

Each student must provide four (4) Forum inputs in the form of responses to the instructor's questions. Newly initiated topics (threads) and participations in discussions initiated by other students are strongly encouraged. This minimum requirement is intended to create meaningful exchange and nurture substantial discussions on issues of shared interest. Discussions should refer to mandatory readings or other relevant external scientific sources.

In order to qualify for grading Forum posting should be made before the end of the last day of the module period (specified below under the Course Schedule section).

Forum interventions will be evaluated based on the:
- Relevance of the interventions regarding the topic debated and the preceding entries, together with the quality of the arguments, their logic and support, and overall treatment of the issues raised;
- Originality, authenticity and critical thinking;
- Entries should relate to and/or contain information from the course notes and the readings with opinions based on facts and scientific sources;
- Interventions should demonstrate a proper understanding of the elements of the course (in the vocabulary used, in the understanding of the questions, etc.);
- Respect for others in the tone and content of the interventions.

In addition to the required minimum of original Forum inputs under selected course modules, students should feel free to add to the Forum discussions new stories, interesting links and documents or other relevant materials.

At all times the Forum discussion must be respectful!

Mid-Term Written Assignment (30% of the final mark)

Course students will have to identify a short policy document and perform an HRBA analysis of it. The instructor will provide a list to choose from, but students have an option of selecting another policy document to be approved in advance with the course instructor. The resulting analysis should take the form of a Policy Memo of 2,000 – 2,500 words in length.

The students will be provided with a list of documents for selection by 29 January. The students will have to make their choice by 5 February on a "first come first served" basis (each document will be assigned to only one student). Other policy documents (outside the instructor's list) should be proposed by students by the same deadline – 5 February.

The Mid-Term Papers (Memos) have to be submitted by **26 February 2024** end of the day (Ottawa time zone).

The Final Written Assignment (50% of the final mark)

Students will have to write an essay (5,000-7,000 words) on the following question: **"What, in your view, is one important challenge facing Canada, and how can Human Rights Based Approach be effectively applied to it?"** The students will be asked to choose just one issue and focus in detail on it. The selected issue will have to be discussed and agreed in advance with the course instructor.

You will need to submit your choice of **Topic for approval** on or before **6 March 2024**. The indicated working **title** (which can be modified for the final submission) must be accompanied by a short **abstract** (of between 100 and 150 words) stating the problem with intended argument and be accompanied by a **preliminary bibliography** of at least five (5) relevant sources.

During the following two weeks the submitted Topic for approval will be reviewed by course instructor, discussed (if the need be) with the relevant student, and approved (with eventual comments and recommendations). The students may (and are strongly encouraged to) proceed with the Final Paper writing immediately after approval of the topic.

The Final Paper (essay) will have to be submitted by **25 April 2024** (11:59 pm).

Final Papers will be evaluated based on the quality of research, organization and writing (including style), insight, critical assessment and overall engagement with the topic. A good essay must present a clear thesis and be organized in a coherent manner that supports its principal argument.

Length: between 5,000 and 7,000 words (not including notes/citations or bibliography)

Course Materials

All course documentation is available in labelled folders for each Module. Most documents can be downloaded directly from the relevant module folders, while other documents could be found following the provided links.

EVALUATION

The University of Ottawa's official grading system is alphanumeric, including letters and numerical values (for example, the letter grade A+ represents a grade of between 90%–100%, and has a numerical value of 10). Please read more here: https://www.uottawa.ca/current-students/academic-regulations-explained/academic-standing-grading-system

Assignments	Final Grade (%)
Participation in the Discussion Forum	20% (5% for each of the four mandatory participations)
Mid-Term Assignment	30%
Final Paper Assignment	50%

Make sure to identify yourself clearly (your name, student number, and the title of the assignment), when you submit your paper or post a discussion comment.

Deadlines for submission of assignments should be respected. Accommodations are possible (please see the relevant section below).

Note: Any assignment submitted late will be subjected to a penalty of <u>minus one letter grade</u> per day of delay. This penalty takes effect after the end of the day set as the deadline.

Please note that for calculation considerations a letter grade is by default equalled to the <u>lowest value of percentage scoring</u>, but can (and sometimes will) be adjusted by the course instructor to reflect the variations in student performance. Thus, an "A-" grade will by default be reflected in the grading calculations as 80%.

COURSE SCHEDULE:

Welcome & Intro Zoom:	**8 January** (optional)	Module 7:	**19-25 February**
Module 1:	**8-14 January**	Module 8:	**26 February – 3 March**
Module 2:	**15-21 January**	Module 9:	**4-10 March**
Module 3:	**22-28 January**	Module 10:	**11-17 March**
Module 4:	**29 January - 4 February**	Module 11:	**28-24 March**
Module 5:	**5-11 February**	Module 12:	**25-31 March**
Module 6:	**12-18 February**	Module 13 & Concluding Zoom Session:	**1-7 April** Concluding / Q&A Session - **8 April** (optional)

LIST OF ASSIGNMENTS & IMPORTANT DEADLINES

Discussion Forum inputs are due as per below:
- Discussion Forum participation 1 – deadline 22 January 2024
- Discussion Forum participation 2 – deadline 5 February 2024
- Discussion Forum participation 3 – deadline 11 March 2024
- Discussion Forum participation 4 – deadline 25 March 2024

Selection of the document **for the mid-term** assignment is to be done by <u>5 February</u>.

Mid-Term Papers (Memo) are due by <u>**26 February 2024**</u> end of the day (Ottawa time zone).

Topic proposals for the final written paper are due on or before 6 March 2024.

The Final Paper is due to be submitted latest on <u>25 April 2024</u> end of the day, i.e. 11:59 pm (Ottawa time zone).

All assignments must be submitted via Brightspace!

Communications with the Course Instructor

Given the entirely online format of the course, meetings will be by appointment via Zoom, telephone or other mutually agreeable telecommunication means.

All questions should be sent to email address vbalan@uottawa.ca. You should receive a response within two working days of receipt.

Student Conduct in an Online Learning Environment

Students are expected to conduct themselves in a professional manner in all online learning platforms, including during synchronous/live sessions and asynchronous activities such as posting on discussion forums. This means showing courtesy, respect, kindness, and compassion for your colleagues, your professors, teaching assistants, and guest lecturers. Lectures should not be recorded unless the professor has explicitly notified students that they have permission to record. Materials provided by the professor and those posted by other students (e.g. in discussion forums and through chat functions) are intended for educational use of the students enrolled in this course only. As a result, you are not permitted to copy, distribute or share them with anyone else without explicit permission by the instructor (and in the case of materials posted by another students, with the explicit permission of the student posting the material as well), unless such disclosure is mandated or provided for by law. A deliberate violation of these principles will result in disciplinary measures.

For students in need of academic accommodation

To request an exam deferral, assignment extension, or other accommodation, please contact, clawaccess@uottawa.ca.

Circumstances that may warrant accommodation include but are not restricted to:
- a **permanent state of affairs** (e.g., a disability, a permanent medical condition);
- an **ongoing situation** (e.g., a personal crisis, pregnancy);
- **reasons related to equity concerns** (e.g., religious obligations, sole parenthood);
- a **one-time event** or **circumstance** (e.g., short illness, temporary injury, a day surgery); or
- **compassionate grounds** (e.g., a death in the family, a sick child or dependant).

Students should consult the Equity and Academic Success portion of the Common Law Student Centre website for complete details regarding accommodation procedures.

For students in need of learning support

Students who require accommodation or academic support because of a physical or learning disability, or any ongoing condition which affects their ability to learn, are invited to register with **ACADEMIC ACCOMMODATIONS SERVICE:**

Office:	Desmarais Building, room 3172 (3rd floor)
Telephone:	613.562.5976
TTY:	613.562.5214
E-mail:	adapt@uottawa.ca
Web:	www.sass.uottawa.ca/access/

As part of the registration process, students will meet with a Learning Specialist to identify their individual needs, discuss appropriate strategies, and establish adaptation measures. The Academic Accommodations Service assesses, establishes, and implements appropriate academic accommodations for students who have a disability, while adhering to the University of Ottawa's policies, procedures, and administrative regulations, as well as Human Rights legislation. The Academic Accommodations Service works collaboratively with our faculty to facilitate the academic accommodation process.

COURSE MODULES

Welcome Session

For the Welcome Session the course instructor will introduce themselves and the course, including a brief overview of its contents and technical / procedural issues. For this session course participants will be asked to briefly introduce themselves and their interest in the course through a welcome Discussion Forum thread.

Module 1: Universal Human Rights Standards & the UN Human Rights System

This module will start by recalling the core constitutive notions of the "universal human rights", as well as the process of building the contemporary international human rights system. Given that almost all models of Human Rights Based Approach (HRBA) build on the international human rights principles and standards, the 1948 Universal Declaration of Human Rights, as well as other core international human rights documents will be first explored and discussed. The making of the contemporary UN human rights system will be further presented and analyzed.

Mandatory readings:

- *Universal Declaration of Human Rights* (1948) http://www.un.org/en/documents/udhr/
- *International Covenant on Civil and Political Rights* (1966) https://treaties.un.org/doc/publication/unts/volume%20999/volume-999-i-14668-english.pdf
- *International Covenant on Economic, Social and Cultural Rights* (1966) https://treaties.un.org/Pages/ViewDetails.aspx?src=IND&mtdsg_no=IV-3&chapter=4&lang=en

Optional readings:

- Office of the UN High Commissioner for Human Rights (OHCHR), *The United Nations Human Rights Treaty System: Fact Sheet No. 30 / Rev.1* (2012), online: https://www.ohchr.org/Documents/Publications/FactSheet30Rev1.pdf

- Paulo Sérgio Pinheiro, Book Review of "Eric Tistounet, The UN Human Rights Council, a Practical Anatomy (Edward Elgar Publishing 2020)" [2021], 43 *Human Rights Quarterly* 404
- Slava Balan, "The Isolation of Human Rights and an Appeal for the Human Rights Based Approach" (14 Mar 2019), *McGill Centre for Human Rights and Legal Pluralism Blog* https://www.mcgill.ca/humanrights/article/inclusive-citizenship-and-deliberative-democracy/united-nations-75-has-it-delivered-promise-human-rights

Module 2: Introduction to the Human Rights Based Approach (HRBA)

This module will discuss the evolution of thinking around governance, development and human rights, including the human development approach inspired by Amartya Sen. The module will further explore the plurality of HRBAs, as well as the definition and key documents about HRBA within the United Nations system.

Mandatory readings and video:

- [VIDEO] Cristosal, *Rights-based approach to development* https://www.youtube.com/watch?v=ozT5DWs4zd4
- *The Human Rights Based Approach to Development Cooperation Towards a Common Understanding Among UN Agencies* (2003) https://undg.org/document/the-human-rights-based-approach-to-development-cooperation-towards-a-common-understanding-among-un-agencies/
- Slava Balan, "The United Nations at 75: Has It Delivered the Promise of Human Rights?" (7 Dec 2020), *McGill Centre for Human Rights and Legal Pluralism Blog* https://www.mcgill.ca/humanrights/article/inclusive-citizenship-and-deliberative-democracy/united-nations-75-has-it-delivered-promise-human-rights

Optional readings:

- Office of the UN High Commissioner for Human Rights (OHCHR), *Frequently Asked Questions on a Human Rights-Based Approach to Development Cooperation* (2006) https://www.ohchr.org/Documents/Publications/FAQen.pdf
- Peter Uvin, "From the right to development to the rights-based approach: how 'human rights' entered development" (2007), 17:4-5 *Development in Practice* 597
- John Packer and Slava Balan, "A genuine human rights-based approach for our post-pandemic future" (27 July 2020), *OpenGlobalRights Blog*, https://www.openglobalrights.org/genuine-human-rights-based-approach-for-post-pandemic-future/

Module 3

Human Rights Based Approach: Foundational Principles, Key Concepts and Ideas

This module will discuss the idea of human rights as minimum standards of treatment and guarantees positively owed by the state to individuals and groups. It will present the core human rights principles of universality, equality, indivisibility, inalienability, individuality, as well as

groups and issues of coherence. It will proceed with discussion of the resulting primary and priority governmental function and activity – realization of human rights, as well as of the idea that selected goods and services as a subject matter of human rights, not political choice. The module will conclude with the exploration of the rights-holders / duty-bearers type of relationship at the core of human rights, and of the resulting principles of enforceability and accountability.

Mandatory readings and video:

- [VIDEO] The Danish Institute for Human Rights, *Human rights-based approach* (2018) https://www.youtube.com/watch?v=DchjpjHOoaE
- Brigitte I Hamm, "A Human Rights Approach to Development" (2001), 23:4 *Human Rights Quarterly* 1005–31
- World Conference on Human Rights in Vienna, *Vienna Declaration and Programme of Action* (1993), http://www.ohchr.org/Documents/ProfessionalInterest/vienna.pdf

Optional readings:

- Amartya Sen, "Development as Freedom", *Oxford University Press* (1999) or *New York: Alfred A. Knopf* (1999, 2000), Chapter 1 & 2
- Amartya Sen, "Human Rights and Capabilities" (2005), 6:2 *Journal of Human Development* 151

Module 4: Human Rights as Primary Governance and Development Objective.

Effective Human Rights Realization

This module will discuss the first pillar of HRBA - objectives formulation in terms of humans and human rights. It will then proceed with discussing "objective" v. "subjective" indicators of human rights realization, as well as with discussing availability, accessibility, acceptability and quality (3A+Q), as necessary pre-requisites for effective human rights realization. Lastly the module will explore case studies of HRBA-compliant and non-compliant objectives formulations.

Mandatory readings:

- United Nations Research Institute for Social Development, *The Human Rights-Based Approach to Social Protection*, Issue Brief 02, August 2016 rb.gy/bo8ejl [short link]
- Office of the UN High Commissioner for Human Rights (OHCHR), *Frequently Asked Questions on Economic, Social and Cultural Rights: Fact Sheet No. 33* (2008) https://www.ohchr.org/Documents/Publications/FactSheet33en.pdf
- UN Committee on Economic, Social and Cultural Rights, *General Comment No. 13: The Right to Education (Art. 13)* [1999], UN document E/C.12/1999/10 https://www.refworld.org/pdfid/4538838c22.pdf

    OR (choose any of the two: one is mandatory, the other one is optional for reading)

- UN Committee on Economic, Social and Cultural Rights, General Comment No. 14: The Right to the Highest Attainable Standard of Health (Art. 12) [2000], UN document E/C.12/2000/4 https://www.refworld.org/pdfid/4538838d0.pdf

- Office of the UN High Commissioner for Human Rights (OHCHR), *Human Rights Indicators: A Guide to Measurement and Implementation* (2012) https://www.ohchr.org/documents/publications/human_rights_indicators_en.pdf
- Case studies (United Nations Development Assistance Frameworks in countries of Eastern Europe)

Module 5: Structural / Systemic Inequality and Discrimination, Vulnerable Groups and "Leave No One Behind"

This module will start by discussing historic systemic / structural inequality and discrimination requiring systemic and structural solutions. It will then discuss the concept of vulnerable groups and the headline sustainable development objective "Leave no one behind". The module will further explore the next key pillar of HRBA – priority focus and action on most vulnerable (i.e. at highest risk and left behind), requiring targeted actions, affirmative programs, temporary measures (quotas, positive incentives, etc). Lastly, the module will focus on data disaggregation, intersectionality and intersectional disaggregation.

Mandatory readings (and video):

- Kayla Winarsky Green, *Twice the work and half the support: COVID-19 and single working mothers* (2020), published at OpenGlobalRights https://www.openglobalrights.org/covid-19-and-single-working-mothers/
- Stephan Klasen and Marc Fleurbaey, *Leaving no one behind: Some conceptual and empirical issues* (2018), UN Department of Economic and Social Affairs, CDP Background Paper No. 44, UN document ST/ESA/2018/CDP/44 https://www.un.org/development/desa/dpad/wp-content/uploads/sites/45/publication/CDP_BP44_June_2018.pdf
- [VIDEO] Swedish Association of Local Authorities and Regions (SALAR), *SALAR Starter Kit for Sustainable Gender Equality* https://www.youtube.com/watch?v=xYikioYiilU

Optional readings:

- [Highly Recommended] Leaving No One Behind: A UNSDG Operational Guide for UN Country Teams (2019 – Interim Draft) https://unsdg.un.org/sites/default/files/Interim-Draft-Operational-Guide-on-LNOB-for-UNCTs.pdf
- [Highly Recommended] Office of the UN High Commissioner for Human Rights (OHCHR), *A Human Rights-Based Approach to Data: Leaving No One Behind in the 2030 Agenda for Sustainable Development* (2018) https://www.ohchr.org/Documents/Issues/HRIndicators/GuidanceNoteonApproachtoData.pdf
- UN Partnership on the Rights of Persons with Disabilities and UN Women, *Intersectionality Resource Guide and Toolkit: An Intersectional Approach to Leave No One Behind* (2023)

Module 6: Primary Agency of the Rights-holders, Empowerment and Power Shifts

This module will look into the third key dimension of HRBA – primary agency of rights-holders ("Nothing about us, without us!"). It will discuss the origins of this dimension, deriving from the foundational human rights principles of inherent equality and human dignity, as well as the considerations of effectiveness and efficiency (the best experts on individuals and groups are the respective individuals and groups themselves). The module will further explore the concepts of empowerment and power shifts, transparency, participation and accountability, leading to a genuine sustainability.

Mandatory readings (and video):

- [VIDEO] Pacific Community, A Human Rights Based Approach – PLANET (2019) https://www.youtube.com/watch?v=tVPvzvTROLQ
- Brianne Peters and Julien Landry (Coady Institute), *Human Rights Based Approaches and Citizen-Led, Asset-Based and Community-Driven Development: Discussion Paper* (2018)

Optional readings:

- Guillermo Torres, *A post-pandemic world: well-being for all or deepening inequality?* (2020), published at OpenGlobalRights https://www.openglobalrights.org/post-pandemic-world-well-being-for-all-or-deepening-inequality/
- ActionAid, "Action on Rights: Human Rights Based Approach Resource Book" (2010)

Module 7: HRBA in International Assistance and Cooperation

This module will present HRBA varieties from leading international development agencies and organizations, both governmental, inter-governmental and non-governmental. In addition, the comparative scholarly analyses of the deployed HRBAs will be studied and discussed.

Mandatory readings:

- Paul J Nelson and Ellen Dorsey, "Who practices rights-based development? A progress report on work at the nexus of human rights and development" (2018) 104 *World Development* 97
- D D'Hollander, A Marx and J Wouters, "Integrating Human Rights in Development Policy: Mapping Donor Strategies and Practices" (June 2013), 108 *Working Paper* 9, papers.ssrn.com/sol3/papers.cfm?abstract_id=2286204
- H. P. Schmitz, "A human rights-based approach (HRBA) in practice: Evaluating NGO development efforts" (2012) 44:4 *Polity* 523

Optional readings:

- United Nations Population Fund (UNFPA), A Human Rights-Based Approach to Programming: Practical Implementation Manual and Training Materials (2010)
- Global Affairs Canada, *Canada's Feminist International Assistance Policy* (2017)
- Swedish International Development Agency (SIDA), *Human Rights Based Approach*, online: https://www.sida.se/en/for-partners/methods-materials/human-rights-based-approach
- Finland's Ministry for Foreign Affairs, *Human Rights Based Approach in Finland's Development Cooperation: Guidance Note* (2015)

- J Kirkemann Boesen and T Martin, "Applying a Rights-Based Approach. An Inspirational Guide for Civil Society" (2007), Danish Institute for Human Rights, www.crin.org/docs/dihr_rba.pdf
- Equitas, *A Human Rights-Based Approach* (March 2018), PowerPoint Presentation by Vincenza Nazzari and Jean-Sébastien Vallée
- Save the Children Sweden, *Child Rights Programming – How to Apply Rights-Based Approaches to Programming: A Handbook for International Save the Children Alliance Members*, 2nd ed. (2006) https://resourcecentre.savethechildren.net/node/2658/pdf/2658.pdf
- Oxfam, *Our Commitment to Human Rights*, online https://oxf.am/2sp23Vw
- Organization for Economic Cooperation and Development (OECD) and The World Bank, *Integrating Human Rights into Development: Donor Approaches, Experiences and Challenges (2016),* pp.52-92
- European Commission [of the European Union], COMMISSION STAFF WORKING DOCUMENT "Applying the Human Rights Based Approach to international partnerships: An updated Toolbox for placing rights-holders at the centre of EU's Neighbourhood, Development and International Cooperation (2021)

Module 8: Human Rights Based Approach at the National and Local Levels

This module will present the examples of HRBA deployment at the national and local (municipal) levels level. A selection of publications about HRBA application from Europe and Latin America will be studied and discussed. The engagement with HRBA is Canada will also be explored.

Mandatory readings:

- Government of Canada, *Canada's First National Housing Strategy*, online: https://www.placetocallhome.ca/
- Ontario Human Rights Commission, *Policy statement on a human rights-based approach to managing the COVID-19 pandemic*, online: http://www.ohrc.on.ca/en/policy-statement-human-rights-based-approach-managing-covid-19-pandemic
- Slava Balan and John Packer, *Why the world should follow Scotland's embrace of a human-rights based approach* (July 2021), online: https://www.openglobalrights.org/why-the-world-should-follow-scotlands-embrace-of-a-hr-based-approach/

Optional readings:

- K.Schwan & N.Ali, *A Rights-Based, GBA+ Analysis of the National Housing Strategy. Toronto, ON: Women's National Housing & Homelessness Network* (2021);
- Pearl Eliadis, "Inscribing Charter Values in Policy Processes" (2006), 33 *The Supreme Court Law Review* (second series);
- Amnesty International Canada, *It is time for a human rights based approach to national security* (19 October 2016), online: https://www.amnesty.ca/blog/it-time-human-rights-based-approach-national-security;
- Statement *Canada Must Adopt a Human Rights-Based Approach to Drug Policy* (22 November 2018), online: http://www.hivlegalnetwork.ca/site/statement-canada-must-adopt-a-human-rights-based-approach-to-drug-policy/?lang=en;

- Canadian Council for Refugees, *Canada must take action on a human rights-based approach to migration* (18 December 2018), online: https://ccrweb.ca/en/media/international-migrants-day-2018;
- ARCH Disability Law Centre for the Law Commission of Ontario, *Enforcing the Rights of People with Disabilities in Ontario's Developmental Services System* (30 June 2010);
- Maytree, *Submission to the City of Toronto regarding a human rights-based approach to its assessment of Inclusionary Zoning* (December 2020);
- Valeria Esquivel, "The rights-based approach to care policies: Latin American experience" (2017) 70:4 *International Social Security Review* 87;
- María-Luisa Escobar, Leonardo Cubillos, and Roberto Iunes, "Looking for Evidence of the Impact of Introducing a Human Rights-Based Approach in Health: The SaluDerecho Experience" (2015), 17:2 *Health and Human Rights*;
- Magdalena Sepúlveda, "The rights-based approach to social protection in Latin America: From rhetoric to practice" (December 2014), *ECLAC - Social Policy* series No.189 (United Nations ECLAC and Norwegian Ministry of Foreign Affairs);
- Alicia Ely Yamin and Ariel Frisancho, "Human-rights-based approaches to health in Latin America" (04 April 2015, online 15 October 2014), 385:9975 *The Lancet*, e26-e29;
- Parliament of Moldova, Law no.68 of 05 April 2012 on approval of National Decentralization Strategy and of Action Plan on implementation of National Decentralization Strategy 2012-2018, online: http://lex.justice.md/viewdoc.php?action=view&view=doc&id=344005&lang=1

Module 9: HRBA, Human Security, GBA/GBA+ & Other "Sister" Approaches

This module will explore connections, similarities and distinctions between HRBA and some of "sister" approaches, such as Human Development approach, Gender-Based Analysis Plus (GBA+), "equality proofing", intersectionality approaches. It will also discuss major differences between a genuine HRBA and human rights activities labelled "HRBA", as well as between human rights mainstreaming and HRBA.

Mandatory readings:

- Olena Hankivsky, "The Lexicon of Mainstreaming Equality: Gender Based Analysis (GBA), Gender and Diversity Analysis (GDA) and Intersectionality Based Analysis (IBA)" (2012), 6:2-3, *Canadian Political Science Review* 171
- Ilona C M Cairns, "Gender Mainstreaming & 'Equality Proofing' in British Law-Making: A Comment on the Impact of the Equality Act 2010" (2013), *4 Aberdeen Student L. Rev.* 92
- UN General Assembly, *Resolution 66/290 "Follow-up to paragraph 143 on human security of the 2005 World Summit Outcome"* (10 September 2012)

Optional readings:

- Status of Women Canada, "What is GBA+?" at https://cfc-swc.gc.ca/gba-acs/index-en.html
- Olena Hankivsky and Linda Mussell, "Gender-Based Analysis Plus in Canada: Problems and Possibilities of Integrating Intersectionality" (2018), 44:4 *Canadian Public Policy* 303

- Hankivsky, O., and R. Cormier, "Intersectionality and Public Policy: Some Lessons from Existing Models" (2017), 64:1 *Political Research Quarterly* 217-29
- Crowley Brian Lee and Sean Speer, "Applying Gender-Based Analysis Where Every person Counts" (2018), Macdonald-Laurier Institute; online: https://www.macdonaldlaurier.ca/applying-gba-where-every-person-counts-crowley-and-speer-inside-policy/
- Parken, Alison, "A multi-strand approach to promoting equalities and human rights in policy making" (2010), 38:1 *Policy & Politics* 79-99
- [International] Commission on Human Security, *Report "Human Security Now"* (2003)
- UNDP, *Special Report "New threats to human security in the Anthropocene: Demanding greater solidarity"* (2022)

Module 10: Limitations and Criticisms of HRBA. HRBA and Neocolonialism

This module will explore the main limitations and criticisms of HRBA, including HRBA's conceptual complexity, and questioned HRBA's effectiveness and efficiency. It will further discuss the idea of international human rights as Western neocolonialist project, and the place and role of HRBA in this debate. The module will lastly look into the potential responses to criticisms.

Mandatory readings:

- Morten Broberg and Hans-Otto Sano, "Strengths and weaknesses in a human rights-based approach to international development – an analysis of a rights-based approach to development assistance based on practical experiences" (2018), 22:5 *International Journal of Human Rights* 664
- Makau Mutua, "Savages, Victims and Saviours: The Metaphor of Human Rights" (2001) 42:1 *Harvard International Law Journal* 201
- Salil Shetty (the then Secretary General Amnesty International), "Decolonising human rights", speech delivered at the London School of Economics (22 May 2018)

Optional readings:

- Larissa Ramina, "TWAIL – Third World Approaches to International Law and human rights: some considerations" (2018), 5:1 *Journal of Constitutional Research* 261

Module 11: "Added Value" of HRBA and Its Promotion

This module will start by discussing the HRBA's repositioning of human rights – from "an area" to the main organizing framework, and of its heavy focus on addressing power imbalances through empowerment of vulnerable. It will further pinpoint HRBA's key "added values" and promotion points – its potential for fostering genuine sustainability, and its effectiveness and efficiency. The module will also discuss core promotional approaches – trainings, experiential and practical learning, oversight and 'control' mechanisms.

Mandatory readings:

- Office of the UN High Commissioner for Human Rights (OHCHR), *Opening Statement by the UN High Commissioner for Human Rights Michelle Bachelet at the 40th session of the Human Rights Council* (2019)
- W Vandenhole and P Gready, "Failures and Successes of Human Rights-Based Approaches to Development: Towards a Change Perspective" (2014), 32:4 *Nordic Journal of Human Rights* 291;
- Paul Gready, "Rights-based approaches to development: what is the value-added?" (2008), 18:6 *Development in Practice* 735

Module 12: Human Rights Based Approach and 2030 Sustainable Development Agenda

This module will explore the interplay between the 2030 Sustainable Development Agenda and the Human Rights Based Approach. Both positive and critical view on this interplay will be studied and discussed.

Mandatory readings:

- United Nations General Assembly, Resolution 70/1 "Transforming our world: the 2030 Agenda for Sustainable Development" (2015), 70th session, with Declaration, UN Doc A/RES/70/1
- United Nations General Assembly, Resolution 71/313 "Work of the Statistical Commission pertaining to the 2030 Agenda for Sustainable Development" 71st session, with Annex, UN Doc A/RES/71/313 (2017)
- Heloise Weber, "Politics of 'Leaving No One Behind': Contesting the 2030 Sustainable Development Goals Agenda" (2017) 14:3 *Globalizations* 399

Optional readings:

- The Danish Institute for Human Rights, "Human Rights and the 2030 Agenda for Sustainable Development: Lessons Learned and Next Steps" (2018)
- The Danish Institute for Human Rights, The Human Rights Guide to the Sustainable Development Goals, online: https://sdg.humanrights.dk/en
- Government of Canada, "Canada's Implementation of the 2030 Agenda for Sustainable Development: Voluntary National Review" (2018)
- Charis Enns, Brock Bersaglio, Thembela Kepe, "Indigenous voices and the making of the post-2015 development agenda: the recurring tyranny of participation" (2014) 35:3 *Third World Quarterly* 358

Module 13: Internal (Organizational and Individual) Dimension of HRBA

This module will discuss the ultimate importance of reconnecting the external with the internal for successful promotion of HRBA. In particular it will focus on such aspects as organization's vision, mission and objectives, organization's "products", organization's team, organization's working processes. The module will lastly explore the starting points for the internal transformations.

Mandatory readings:

- [VIDEO] City of Edmonton, *Gender-Based Analysis + : What is it and Why?* (2018) https://www.youtube.com/watch?v=p6w-d1mmjFU
- Canadian Centre for Diversity and Inclusion, *National Diversity and Inclusion Benchmarking Study* (2019)
- Course Note prepared by the authors of the course (2021)

Optional readings:

- Office of the UN High Commissioner for Human Rights (OHCHR), UN House in Moldova: Diversity in Action (2019)
- Equality Council of Moldova, Study on Equality Perceptions and Attitudes in the Republic of Moldova (2015) [pp.17-22]
- ActionAid, "Action on Rights: Human Rights Based Approach Resource Book" (2010)