

DRC2303 – Legal Aspects of Human Rights

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COURSE DESCRIPTION

An overview of international human rights law from its conceptual and historical origins through its current and evolving development including contemporary issues and challenges. Presentation of international law as a legal system that includes norms, principles, rules and other standards, institutions, mechanisms, bodies and procedures, a range of actors, as well as specific methodological research tools.

OBJECTIVES OF THE COURSE

This course is designed to provide basic knowledge for a better understanding of human rights for individuals who do not possess a legal education or background. After completing this course, the student should be able to:

- ✓ Understand the basic philosophical ideas and historical development of international human rights law;
- ✓ Analyze domestic and international legal texts relating to human rights;
- ✓ Summarize the concepts and legal texts through various formative and summative activities; and,
- ✓ Think critically about the implementation of human rights at the domestic and international levels.

COURSE STRUCTURE: HOW IS THE COURSE ORGANISED?

This course comprises an Introductory Module and five (5) Thematic Modules. The present Syllabus provides information about the purpose, the content, the readings (accompanying each Module) and the organization of the course, together with the means of evaluation and the course calendar. **Read it carefully (and perhaps more than once).**

- ❖ **Module 1:** The Concept and History of Human Rights
- ❖ **Module 2:** International Human Rights Law
- ❖ **Module 3:** Supervisory Bodies and Mechanisms
- ❖ **Module 4:** Meanwhile in Canada
- ❖ **Module 5:** Criticism of Human Rights

Each of the five thematic Modules is organized as follows:

- ✓ Reading Materials: obligatory readings subject to assessment;

- ✓ Reference Materials: optional extra reading materials;
- ✓ Legal instruments (with in some cases repetition from one Module to the next); NB it is imperative to become familiar (i.e. to READ) primary sources of international law (such as treaties).
- ✓ A Forum posing a problem/topic for discussion.

For each module you will have to complete one assignment on the course notes and the mandatory readings. To do so, each student will have to read the course notes and the mandatory readings. We also encourage students to read the suggested readings for your own benefit (i.e. to appreciate details, nuances and to gain insights) and also to read the action section to get to know more about various

human rights associations/organisations/actors around the world (and maybe consider getting involved yourself?).

Students will have to participate in the Forum discussion. **(NB During the Forum discussions students are graded not only on the substantive quality and relevance of their answers, but also by the way they interact with other students.)** Students are not permitted simply to ‘copy-paste’ an answer without responding directly to another student; you will need to engage in genuine discussions and present your own arguments.

Finally, at the end of the semester, you must submit a **Final Paper** related to a specific topic on human rights. For this, **you must submit your choice of right/issue for approval by March 31st, 2024, with your Final Paper due on April 25th, 2024.** See the Final Paper document for the details.

The Assignments: The assignments consist of a few questions drawing from the course notes and the mandatory readings in order to ensure the proper understanding of the theoretical concepts and of the given material, and to evaluate your ability to link theory with real issues. Unless stated otherwise, you do not need to do additional research to complete the assignments. All the information is contained in the modules. We therefore expect your papers to be clear and concise.

All the deadlines are included in the section List of assignments on **Brightspace**.

All assignments must be submitted via **Brightspace**. You can find them all under the **“Assignments”** tab on the left of your screen. **Do not submit your papers directly on the page and do not submit your papers in PDF format; submit ONLY as a Word document.** Your document must be identified by your full name and student number written in the title of the message or as the file name. Points will be deducted if the paper is not correctly identified.

The Forum: At the end of each module, each student will have the opportunity to discuss with other students and the professor. In these exchanges, students will have to draw upon the information they have learned through the course notes and the readings in order to reflect and debate complex issues and current events. This activity will help you structure your thoughts, develop your critical thinking and share your knowledge.

In contrast to the assignments, you must post your personal reflections directly on the page of your journal, under the **“Discussions”** tab. Students may participate in the Forum as many times as they want – in order to start a discussion, share news of current events, comment on interesting links and documents, and to debate different issues (NB the more participation, the more possibilities of addressing all the points).

❖ ***How does the discussion Forum work?***

Each student (YOU!) can start a new topic of discussion linked to the content of the course and/or participate in other discussions started by the professor or your course-mates. **(!) You must participate in the forum for at least five (5) times (!)** We aim to generate meaningful exchanges and nurture substantial discussions rather than simply multiply the directions that these discussions may take. You should avoid repeating already posted statements or posted comments.

At all times, the discussion must be respectful.

❖ ***How are the discussion Forum interventions evaluated?***

The following considerations will inform the evaluation:

- ✓ Relevance of the contribution regarding the topic debated and the preceding entries;
- ✓ Quality of the arguments and/or the issues raised and presented;
- ✓ Use of **information from the course notes and readings** with opinions based on facts and scientific sources;
- ✓ Grasp of the elements of the course (demonstrated by the choice of terms, approach to the questions, etc.);
- ✓ Quality of language used (including vocabulary and style);
- ✓ Respect for others in the tone and content of the interventions.

Originality and critical thinking are encouraged.

The Final Paper: At the end of the course, you will have to submit a written paper on a selected right or freedom or human rights issue of your choice. Your topic must be approved by the professor.

All documentation (including evaluation and participatory questions) is available in the relevant folders for each Module. Do not forget to consult the course Calendar which specifies all necessary information including the electronic transmission date for ALL assignments and contributions to the forum/discussion board. Each assessment provides for an indicative length of short papers (e.g.: 200 words). As well, the document named “Evaluation” provides for the allocation of marks per evaluation unit. Finally, when you submit an assignment or post a discussion comment, make sure to identify it (i.e. include your name and student number as well as the assignment number). Deadlines for transmission of assignments as well as for contributions to the forum must be respected.

EVALUATION

- ✓ Because of their importance in achieving the objectives of the course work offered throughout the 5 modules, the **Assignments** on the course notes and the reading material amount to 50 points (i.e. 5 assignments x 10 points each).
- ✓ Participation in the discussion **Forum** is graded on 25 points (i.e. 5 Fora x 5 points each).
- ✓ The **Final Paper** is graded on 25 points. NB Your choice/topic for the Final Paper must be agreed with the professor by March 31st, 2024. Failure to obtain such agreement will result in a deduction of 10% of the grade for the Final Paper (and likely further compromise the paper and grade).

EVALUATION and CALENDAR for the Semester

Assignments	Grading	Deadlines
Assignment Module 1	10	January 28, 2024
Discussion Forum participation Module 1	5	
Assignment Module 2	10	February 11, 2024
Discussion Forum participation Module 2	5	
Assignment Module 3	10	February 25, 2024
Discussion Forum participation Module 3	5	
Assignment Module 4	10	March 10, 2024
Discussion Forum participation Module 4	5	
Assignment Module 5	10	March 24, 2024
Discussion Forum participation Module 5	5	
Choice of Final Paper Topic	-	March 31, 2024
Final Paper	25	April 25, 2024

Policy on language quality and delays in the delivery of work:

You will be judged on the quality of the language, so take the necessary steps to avoid mistakes with spelling, syntax, punctuation, improper use of terms, etc... You may be penalized by a 10% deduction in your grade.

Any delay in the delivery of work will not be tolerated unless illness or other serious reason is accepted by the professor. Unauthorized late submissions will be penalized. Note that uOttawa regulations provide that, in order to avoid a deduction, absence from an examination or test or a late submission of an assignment due to illness must be justified by the presentation of a medical certificate. The Faculty reserves the right to accept or refuse the reason advanced if it is not a medical reason. Reasons such as travel, work and errors in reading the schedule are not usually accepted.

In case of illness or discomfort, only the uOttawa counseling service and the campus clinic (located at 100 Marie-Curie) may issue valid certificates to justify a delay or absence.

Each day of delay in submission may result in a deduction of 10% of the grade (NB weekends are not included as “non-working”). This also applies for work to be submitted by e-mail, in which case the date and time of receipt of the e-mail by the recipient shall be evidence of the date and time of delivery.

We advise you to notify your professor as soon as possible if a religious holiday or a religious event requires your absence during, or delay in, an evaluation.

Resources for You:

Mentoring Centre/ Faculty of Social Sciences - For the Web link click [here](#)

The Mentoring Centre of the Faculty of Social Sciences aims to lend a hand to students of all study programs of the Faculty, no matter where they are in their programs studies.

The reasons are varied to meet a mentor: exchange with a student who is in his third or fourth year of study, more information about the programs and services offered at the University of Ottawa, or just improve study skills (time management, note taking, test preparation, etc.).

The mentoring centre is a forum for discussion on the methods of study and university life. And mentors are students and students of experience, trained to properly respond to your questions.

Academic Writing Help Centre - For the Web link click [here](#)

In AWHC, you will learn to understand and correct your mistakes and write well independently.

In working with our Writing Advisors, you will develop the skills you need to:

- ✓ Master the written language of your choice
- ✓ Improve your critical thinking
- ✓ Develop your argumentation skills
- ✓ Know everything there is to know about academic writing

Career Services - For the Web link click [here](#)

Career Services offers a variety of services and a career development program that allows you to recognize and develop the skills you'll need for your transition into the labor market.

Counselling and Coaching Service - For the web link click [here](#)

The Counselling Service and personal development can serve you in many ways. We offer the following types of counseling:

- ✓ Personal counseling
- ✓ Career counseling
- ✓ Counseling on study methods

Access service - For the Web link click [here](#)

The University of Ottawa has always tried to meet the needs of students with a disability or a learning disability. In 1985, she put up support designed to help these students achieve their full potential throughout their university studies. A wide range of services and resources offered with their expertise, professionalism and confidentiality.

Community Life Service - For the Web link click [here](#)

Resource centres for students have as their objectives to meet a variety of different needs. Check the list of centres.

Beware of Academic Fraud!

Academic fraud is an act committed by a student or a student who can distort school evaluation (that is to say, assignments, tests, exams, etc...). It is not tolerated by the University. Anyone found guilty of fraud is liable to severe penalties.

Here are some examples of academic fraud:

- ✓ Plagiarism or cheating in any way whatsoever;
- ✓ Present research data that have been tampered with;
- ✓ Submission of work which is not yours or of which, in whole or in part, you are not the author;
- ✓ Presenting, without written authorization of the professors concerned, the same work in more than one course.

In recent years, the development of the Internet has greatly facilitated the discovery of cases of plagiarism. The tools available to your professors allow, using just a few words, to retrace the web the exact origin of a text.

For more information on fraud and how to avoid it, you can visit the website of the faculty offering advice for your education and academic writing to this address: [here](#)

You can also visit the website of the faculty identifying information documents on the integrity and plagiarism in academic work at this address: [here](#)

The person who has committed or attempted to commit academic fraud or who was an accomplice will be penalized. Examples of sanctions that may be imposed:

- ✓ a grade of "F" for the assignment or course in question;
- ✓ adding an additional requirement (from 3 to 30 credits) curriculum;
- ✓ suspension or expulsion from the Faculty.

During the last session, the majority of people found guilty of fraud were given an "F" in the course and must obtain three to twelve extra credits in their program of study.

REFERENCES

NB There is no textbook for this course. Instead, the following works are to be used in addition to materials distributed or cited for each Module:

Donnelly, Jack, *Universal Human Rights Theory and Practice* (New York: Cornwell University Press, 2003) 71.

Fagan, Andrew, "The Philosophical Foundations of Human Rights", in: Cushman, Thomas (ed.), *Handbook of Human Rights* (New York: Routledge, 2012) 9.

Dembour, Marie-Bénédicte, "What Are Human Rights? Four Schools of Thought", (2010) 32:1 *Human Rights Quarterly*, 1-20.

The Stanley Foundation, "Actualizing the Responsibility to Protect", (2008) report of the 43rd Conference on the United Nations of the Next Decade, found online at: <https://www.stanleyfoundation.org/publications/report/UNND808.pdf>

International Committee of the Red Cross (ICRC), "International humanitarian law and International human rights law: Similarities and differences – Factsheet" (2003), found online at: <https://www.icrc.org/en/document/international-humanitarian-law-and-international-human-rights-law-similarities-and>

Conlon, Justin, "Sovereignty vs. Human Rights or Sovereignty and Human Rights?", (2004) 46:1 *Race & Class*, 75-100.

Donnelly, Jack, "The Relative Universality of Human Rights", (2007) 29:2 *Human Rights Quarterly*, 281-306.

Collins, Dana, Sylvanna Falcon, Sharmila Lodhia and Molly Talcott, "New Directions and Feminism in Human Rights", (2010) 12:3-4 *International Feminist Journal of Politics*, 298–318.

Ssenyonjo, Manisuli, "Reflections on state obligations with respect to economic, social and cultural rights in international human rights law", (2011) 15:6 *The International Journal of Human Rights*, 969–1012.

Megret, Frederic and Florian Hoffmann, "The UN as a Human Rights Violator? Some Reflections on the United Nations Changing Human Rights Responsibilities", (2003) 25:2 *Human Rights Quarterly*, pp. 314-342.

Heyns, C. H. and Viljoen, Frans, "The Impact of the United Nations Human Rights Treaties on the Domestic Level", (2001) 23:3 *Human Rights Quarterly*, 483-535.

Ssenyonjo, Manisuli, "The Applicability of International Human Rights Law to Non-State Actors: What Relevance to Economic, Social and Cultural Rights?", (2008) 12:5 *The International Journal of Human Rights*, 725–760.

Mertus, Julie, "The Rejection of Human Rights Framings: The Case of LGBT Advocacy in the US", (2007) 29:4 *Human Rights Quarterly*, 1036-1064.