

The Johns Hopkins University
The Paul H. Nitze School of Advanced International Studies (SAIS)

International Human Rights Clinic

Tuesdays, 6:00PM – 8:30PM

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Julia Braunmiller, Director of Legal Affairs
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Johns Hopkins University
School of Advanced International Studies (SAIS)
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Office Hours: Mondays & Tuesdays 10:00AM – Noon

Course Description

The International Human Rights Clinic is designed to teach students skills for careers in international human rights advocacy and protection. These skills will be taught through the use of simulations, discussions, case studies and clinical work. Each student taking the course has the opportunity to gain practical experience in international human rights through working on a deliverable for The Protection Project (“TPP”). Such work *may* include, writing a human rights report, drafting a model law, conducting a fact-finding mission, developing human rights education materials and programming, etc. Moreover, students in the course may have the opportunity to showcase their work in conferences and panels on international human rights issues.

The course will contain both a classroom and clinical component. Students will have a total of seven classroom component sessions; five clinical component sessions; and one session for project presentation. In addition to the regularly scheduled course time and time that students will use to individually prepare, read, research, interview, and write, students may be asked to schedule additional meetings with course instructors, or to arrange for additional time to work on the project as a group. As such, students can expect to spend several hours a week working on their clinical project.

Prior Coursework

Students are encouraged to have taken one of the following courses: International Protection of Human Rights (650.736); International Human Rights (650.755); Multiculturalism & the Human Rights of Women (650.729). However, enrollment in these courses **is not** a prerequisite.

Clinic Application Process

The Clinic is open to **second year students and by application only**. Students in the International Law & Organizations Program may be given some preference, but all are encouraged to apply. Students are asked to

submit: 1) a one page statement of interest discussing why they would like to participate in the clinic and how they hope to benefit from and contribute to the clinic; and 2) a résumé or CV highlighting any experiences that may be relevant. Applications will be due on **Friday, August 17th** and should be submitted to the International Law & Organizations Program, saisilo@jhu.edu. Selected students will be notified before the close of registration. If there are still seats open after the application deadline, then additional applications will be accepted on a rolling basis.

Assessment

Grading will be assessed as follows:

- **Participation – 20%**
 - Participation counts towards 20% of the overall grade. Attendance will be recorded. Please show up to all classes, clinical sessions, and meetings on time and prepared to discuss the assigned topic.
 - If there is an **extenuating** circumstance, and you cannot attend class on a particular day, please let us know in advance.
- **Victim Interview Simulation – 10%**
 - The Victim Interview Simulation counts towards 10% of the overall grade. Each student will be assigned both a mock victim role and a mock interviewer role to facilitate the simulation. The grade will be based on each interviewer's ability to apply discussed interviewing techniques in a mock situation.
- **Op-Ed "Persuasive Writing Exercise" – 10%**
 - The Op-Ed writing exercise counts towards 10% of the overall grade. Each student will be asked to write a short op-ed style article on a human rights topic of their choosing. The grade will be based on each student's ability to apply discussed persuasive writing techniques, analysis of human rights, and general writing considerations – e.g., style, proofreading. If time permits, you may also be asked to present this paper to the class.
- **Identification and Summarizing of Best Practices (Individual Assignment) – 25%**
 - The Identification and Summarization of Best Practices counts towards 25% of the overall grade. The students will identify companies, collect information on corporate social responsibility practices, and analyze to determine the best practices. Each student will identify and summarize five best practices.
- **Draft of a Model Code of Conduct with Commentary (Group Assignment) – 25%**
 - The Draft of a Model Code of Conduct with Commentary counts towards 25% of the overall grade. The students will work on this Draft as a group, taking their best practice findings and analyzing existing codes of conduct, international human rights principles and international best practices to produce a Model Code of Conduct that reflects the highest standards of corporate social responsibility, based on the five main principles of corporate social responsibility, i.e. observance of human rights, implementation of labor rights, environmental standards, anti-corruption policies, and fair competition.
- **Presentation of Project(s) to SAIS Community – 10%**
 - The Project Presentations count towards 10% of the overall grade. The students will organize the presentation as a group with each individual presenting for 5 – 7 minutes. The course instructors will provide a general overview of the projects to the audience. The grade will be based on form and substance of the presentation.

Office Locations & Contact Information

The Protection Project is located in BOB, Suite 501. Professor Mohamed Mattar, Executive Director of The Protection Project, may be reached at mmattar@jhu.edu or 202-663-5887. The Director of Legal Affairs at The Protection Project, Julia Braunmiller may be reached at jb Braunmiller@jhu.edu or 202-665-5939.

The International Law & Organizations Program is located in Rome, Suite 420. Professor Tiffany Basciano may be reached at tbascia1@jhu.edu or 202-663-5982.

Texts

The following text is required:

Hurst Hannum ed., *Guide to International Human Rights Practice* [paperback](4th ed. 2004) ISBN-10 1571050639

The following text is recommended:

P.R. Ghandi, *International Human Rights Documents* [paperback] (7th ed. 2010) ISBN -10 0199582378

Additional readings will be accessible *via* ERes.

Clinical Project

This semester students will work on deliverables for TPP regarding Corporate Social Responsibility. Each student will identify five companies, design a survey, and conduct interviews to identify company codes of conduct and other policies of corporate social responsibility. The students will then take this data, and based on their knowledge of international human rights and corporate social responsibility, identify any gaps and omissions. Moreover, students will further identify best practices for corporate social responsibility. Each student will be responsible for identifying and summarizing five best practices based on their research and conducted interviews, in consultation with course instructors and fellow students to avoid duplicative efforts.

- October 16th Identify Companies
- October 23rd Design Questionnaire
- October 30th Schedule, Conduct Interviews, Transcribe Data
- November 13th Evaluate Interviews and Research to Identify Best Practices
- November 27th Draft of Model Code of Conduct
- Final Summaries of Best Practices Due no later than **Friday, November 16th**

Contemporaneously, students, as a group, will use the information that they collect and analyze to produce a draft model code of conduct for corporate social responsibility with commentary.

- Draft Report due no later than **Friday, November 30th**
- Final Report due no later than **Friday, December 21st**

Three students in the clinic will form a panel that will be part of the conference “Corporate Social Responsibility in the Arab World – First Regional Annual Conference” to be held at Beirut Arab University on **December 5-6, 2012 in Beirut, Lebanon**.

- The conference will be organized and funded by TPP.
- Students will talk at a special panel during the conference on “Corporate Social Responsibility – Comparative Models from the United States.”
- TPP will be responsible for organizing the students’ travel to Beirut.
- TPP will fully cover all travel and lodging costs of the students to Beirut for the purpose of the conference.

- The three student panelists will be selected based upon course performance.

Submitting Written Work

Please submit written work by email to all the course instructors (email addresses are listed above) as Word documents. Assignments are due by close of business on the date listed. If there is an **extenuating** circumstance, an extension may be requested.

Honor Code Statement

Enrollment at SAIS obligates each student to conduct all activities in accordance with the rules and spirit of the school's [Honor Code](#). The Honor Code governs student conduct at SAIS. It covers all activities in which students present information as their own, including written papers, examinations, oral presentations and materials submitted to potential employers or other educational institutions. It requires that students be truthful and exercise integrity and honesty in their dealings with others, both inside SAIS and in the larger community. While the Honor Code goes well beyond plagiarism, it is important that each student understand what is and what is not plagiarism. The Turnitin software is available to faculty in detecting plagiarism. Plagiarism will definitely result in failure of the paper or exam and may result in failing the course depending on the judgment of the professor.

Course Schedule

WEEK 1 – SEPTEMBER 4TH – INTRODUCTION – WHAT IS A HUMAN RIGHT? (BASCIANO)

- Course Overview
- Course Requirements
- What is a Human Right?
 - Categories of Human Rights
 - 1st generation (**blue**); 2nd generation (**red**); 3rd generation (**green**)
 - Cultural Relativism
 - Are human rights universal?
 - Should human rights be universal?
 - “Margin of Appreciation”
 - *Handyside v. United Kingdom* (ECHR)
 - Interdependence of Human Rights
 - Does the right to vote have any meaning, if one cannot read (right to an education)?
- Readings:
 - Hurst Hannum, Chapter 1, *An Overview of International Human Rights Law*
 -
 - *Handyside v. United Kingdom* (ECHR)
<http://cmiskp.echr.coe.int/tkp197/view.asp?action=html&documentId=695376&portal=hbkm&source=externalbydocnumber&table=F69A27FD8FB86142BF01C1166DEA398649>
- Review (Skim):
 - ICCPR, ICESCR, ECHR, ACHR, and ACHPR in P.R. Ghandi, *International Human Rights Documents*
 - Arab Charter on Human Rights, <http://www1.umn.edu/humanrts/instree/loas2005.html>

WEEK 2 – SEPTEMBER 11TH THE ARCHITECTURE OF THE INTERNATIONAL HUMAN RIGHTS SYSTEM (BASCIANO)

- UN Human Rights Procedures
 - UN Human Rights Council
 - Universal Periodic Review
 - Special Procedures

- Complaint Procedure
- UN Treaty Bodies
 - Committees that Adjudicate Complaints
 - Human Rights Committee (ICCPR)
 - CEDAW Committee
 - CERD Committee
 - CAT Committee
 - CRPD Committee
 - ESCR Committee
 - CMW Committee
- European System
- Inter-American System
- African System
- Arab System
- ASEAN Working Group on Human Rights Mechanism
- Domestic Judicial Systems
- **Readings:**
 - Hurst Hannum, Chapter 2 *Implementing Human Rights: An Overview of NGO Strategies and Available Procedures* **19 – 39**; Chapter 4 *United Nations Nontreaty Procedures for Dealing with Human Rights Violations* **75-87**; Chapter 10 *International Reporting Procedures* **200 – 203; 211 – 215**; Chapter 13 *The Role of Domestic Courts in Enforcing International Human Rights Law* **267 – 289** in *Guide to International Human Rights Practice*.
 - Anne F. Bayefsky, *How to Complain to the UN Human Rights Treaty System* (2002), Chapter II pages **37 – 55**.
 - Henry J. Steiner, Philip Alston, Ryan Goodman, *International Human Rights in Context: Law Politics Morals* (3rd ed. 2008), Chapter 9 *The United Nations Human Rights System, Part D The UN Human Rights Council* **791 – 823**.

WEEK 3 – SEPTEMBER 18TH HUMAN RIGHTS FACT FINDING & MONITORING (BASCIANO)

- Fact-Finding
 - Accuracy
 - Confidentiality
 - Impartiality
 - Gender-sensitivity
 - Interviewing Victims
 - Informed Consent
 - Confidentiality
- Documenting
 - Reports
 - Record-Keeping
- Monitoring
- Persuasive Oral Advocacy
 - Know your audience
 - What do you want the audience to do?
 - Present illustrative examples
 - Specificity
 - Accuracy
 - Credibility
 - Simplicity
 - Consistency

- Active Voice vs. Passive Voice
- Style
- Tone
- Body language
- Pace
- **Readings:**
 - David Weissbrodt, et.al *International Human Rights Law, Policy and Process* (3rd ed 2001), Chapter 9 *International Human Rights Fact-Finding*, **455 – 482; 502 – 511**
 - Amnesty International and CODESRIA, *UKWELI: Monitoring and Documenting Human Rights Violations in Africa: A Handbook*, (2000), <http://www.hrea.org/erc/Library/Ukweli/ukweli-en.pdf>
 - C. Zimmerman, *WHO Ethical and Safety Recommendations for Interviewing Trafficked Women* (World Health Organization, 2003) <http://www.who.int/gender/documents/en/final%20recommendations%2023%20oct.pdf>

WEEK 4 – SEPTEMBER 25TH – IN CLASS SIMULATION – INTERVIEWING VICTIMS OF HUMAN RIGHTS VIOLATIONS (BASCIANO)

WEEK 5 – OCTOBER 2ND CORPORATE SOCIAL RESPONSIBILITY AND HUMAN RIGHTS (MATTAR)

- Specialized training in corporate social responsibility and human rights, including the following concepts:
 - The concept of corporate social responsibility: definitions, sources, theories, and distinctions
 - Global governance and corporate liability: the crisis of multinational enterprises
 - Self-regulation, codes of conduct, and voluntary compliance
 - Internationally recognized labor rights: reconciling the interests of management and workers
 - The role of governments in business: regulatory rules of foreign direct investment, privatization, and free and fair competition
 - The role of NGOs and other elements of civil society in fighting corporate greed and combating corruption
 - Illicit business practices: child labor, forced labor, and labor trafficking
 - “Protect, Respect and Remedy”: human rights and the social responsibility of business
- **Readings:**
 - Mohamed Mattar, *Corporate Liability for Violations of International Human Rights Law*, in *LABOUR MIGRATION, HUMAN TRAFFICKING AND MULTINATIONAL CORPORATIONS – THE COMMODIFICATION OF ILLICIT FLOWS 9* (Ato Quayson and Antonela Arhin, 2012)
 - The United Nations Global Compact: unglobalcompact.org
 - John Ruggie, *Human Rights Policies and Management Practices of Fortune Global 500 Firms: Results of a Survey*, JOHN F. KENNEDY SCHOOL OF GOVERNMENT HARVARD UNIVERSITY (2006)
 - United Nations Human Rights Council, *Report of the Special Representative of the Secretary-General on the issue of human rights and transnational corporations and other business enterprises*, John Ruggie (2008)

WEEK 6 – OCTOBER 9TH ADVOCACY TECHNIQUES: PERSUASIVE WRITTEN & ORAL ADVOCACY (BASCIANO)

- Persuasive Writing Techniques
 - Organization
 - Sentence Structure
 - Repetition
 - Quotations
- Some examples of Persuasive Writing
 - Letters to Policy Makers
 - Media (Op-Eds, Press Releases)
- Considerations

- What is your advocacy objective?
- Who is your targeted audience?
- **Readings**
 - A Sample Lobbying Letter
 - <http://www.icbl.org/index.php/icbl/What-You-Can-Do/Write-a-Lobbying-Letter/USA-Letter>
 - Op-ed
 - Jimmy Carter, “A Cruel and Unusual Record,” NY Times, June 24, 2012, <http://www.nytimes.com/2012/06/25/opinion/americas-shameful-human-rights-record.html>
- Persuasive Oral Advocacy Techniques
 - Know your audience
 - What do you want the audience to do?
 - Present illustrative examples
 - Specificity
 - Accuracy
 - Credibility
 - Simplicity
 - Consistency
 - Active Voice vs. Passive Voice
 - Style
 - Tone
 - Body language
 - Pace
- Some examples of Persuasive Oral Presentations
 - Briefings before deliberative bodies
 - Launching reports
 - Testimony before legislative bodies
 - Hearings before tribunals
- **Assignment Due Friday, October 26th**
 - Submit a short op-ed on a human rights issue of your choosing (600-1200 words)
 - Clearly and persuasively present the issue
 - Persuade reader(s) to agree with your view on the issue

WEEK 7 – OCTOBER 16TH IDENTIFICATION OF COMPANIES (MATTAR/BRAUNMILLER)

- Students will learn how to apply their theoretical knowledge to identify companies in the U.S. that follow a corporate social responsibility model. Students will decide which topics relating to social justice and human rights to focus on. These may include issues pertaining to the relationship between the employer and the employees, liability of the corporation for illicit business practices and for subcontracting, and outsourcing, periodical business reports, training on human rights for employees, raising awareness about labor trafficking, forced labor, and child labor, working conditions, and business environment, responsibility of the business to the share-holders and the stake-holders etc. Each student will identify five companies for their individual projects. Students will also discuss how to reach out to the relevant stakeholders at the identified companies to schedule a visit for an interview.

WEEK 8 – OCTOBER 23RD DESIGN OF QUESTIONNAIRE (MATTAR/BRAUNMILLER)

- Students will design a questionnaire on corporate social responsibility which they will use to conduct interviews with the responsible executives at each of the five companies they identified. The questionnaire will include questions on whether or not the company has a code of conduct in compliance with international human rights standards, labor rights, environmental standards, anti-

corruption measures, and fair competition. The questionnaire will also be designed to document activities conducted by a company that may benefit the community at large, the company's contributions to good causes and adherence to social, economic, and quality standards, and policies that are designed to prevent price-fixing, bid-rigging, unreasonable restricting of quotas, market monopolies. Each company will be asked to provide documentation on answers provided in the questionnaire.

WEEK 9 – OCTOBER 30TH INTERVIEW WITH COMPANY REPRESENTATIVES (MATTAR/BRAUNMILLER)

- Students will prepare for the interview at the companies. They will meet with a representative at the company they chose, conduct an interview based on the questionnaire developed in class, and collect documentation. After the interview, students will transcribe the context.

WEEK 10 – NOVEMBER 6TH INTERNATIONAL HUMAN RIGHTS ADVOCACY TOOLS & STRATEGIES (BASCIANO)

- Challenging Cultural Norms
- Community Education & Engagement
- Use of Social Media to Advance Human Rights
- Advancing Economic, Social and Cultural Rights
- **Readings:**
 - Bell, D. & Carens, J., “*The Ethical Dilemmas of International Human Rights and Humanitarian NGOs: Reflections on a Dialogue Between Practitioners and Theorists*,” *Human Rights Quarterly* 26 (2004) 300-329. http://muse.jhu.edu/journals/human_rights_quarterly/v026/26.2bell_d.pdf
 - Eric Tars, *Who Knows What Lurks in the Hearts of Human Rights Violators? The Shadow (Reporter) Knows: Human Rights Shadow Reporting: A Strategic Tool for Domestic Justice*, 42 *Clearinghouse Rev.* 475 (Jan./Feb. 2009).
 - “Using Social Media to Promote Human Rights,” Office of the High Commissioner on Human Rights (10 Aug. 2011). <http://www.ohchr.org/EN/NewsEvents/Pages/InternetFreedom.aspx>
- **In Class**
 - If time permits, presentation and discussion of op-eds.

WEEK 11 – NOVEMBER 13TH EVALUATION OF INTERVIEWS AND IDENTIFICATION OF BEST PRACTICES (MATTAR/BRAUNMILLER)

- Students will analyze gaps, omissions, problems, and obstacles in the company's approach to corporate social responsibility. Students will be asked to provide a set of recommendations based upon the evaluation of the interviews. Class discussions will also identify best practices and good models of corporate social responsibility. After careful evaluation, students will identify five best practices, i.e. examples of corporate social responsibility at each company that are noteworthy. Each best practice will be summarized on a one-page document which will be included in TPP's upcoming publication “100 Best Practices in Corporate Social Responsibility.” The publication will follow Volume 1 of the 100 Best Practices Series published by TPP which focused on “100 Best Practices on Combating Trafficking in Persons – The Role of Civil Society.”

WEEK 12 – NOVEMBER 27TH DRAFT OF MODEL CODE OF CONDUCT (MATTAR/BRAUNMILLER)

- Students will discuss elements of a Model Code of Conduct that reflects the basic principles of corporate social responsibility based upon the interviews that they conducted and the best practices that they identified. The Model Code of Conduct will be drafted in accordance with international standards, especially the United Nations Global Compact (2011); UN Norms on the responsibilities of transnational corporations and other business enterprises with regard to human rights, United Nations Economic and Social Council (2003); ILO Tripartite Declaration of Principles Concerning Multinational Enterprises and Social Policy, International Labour Office 4 (2006); The OECD Guidelines for Multinational Enterprises, Organization for Economic Co-Operation and Development (2008). Samples of codes of conduct from various companies will be discussed.

WEEK 13 – NOVEMBER 30TH – PRESENTATION ON CLINICAL PROJECTS TO SAIS COMMUNITY

Students will present their projects at a luncheon open to the SAIS Community and the public from 12:30PM – 2:00PM on Friday, November 30th.

Please note the time and date. This will be our last class. There will be no class on Tuesday, December 4th

International Human Rights
Helpful Websites

- The Protection Project at The Johns Hopkins University SAIS
 - www.protectionproject.org
- American Society of International Law – Electronic Resource Guide for International Law
 - <http://www.eisil.org/>
- Center for Human Rights Documentation and Research – Columbia University
 - <http://www.columbia.edu/cu/lweb/indiv/humanrights/guide.html>
- University of Minnesota – Human Rights Library
 - www1.umn.edu/humanrts
- HuriSearch – Human Rights Search Engine
 - <http://www.hurisearch.org/>
- Human Rights Professionals
 - <http://www.humanrightspersonals.org>
- United Nations
 - www.un.org
- UN Human Rights Council
 - www.ohchr.org/english/bodies/hrcouncil
- UN Human Rights Committee
 - <http://www2.ohchr.org/english/bodies/hrc/>
- European Court of Human Rights
 - <http://www.echr.coe.int/echr/>
- Inter-American Human Rights Commission
 - www.iachr.org
- Inter-American Court of Human Rights
 - www.corteidh.or.cr/index.cfm
- African Court on Human and Peoples’ Rights
 - http://www.aict-ctia.org/courts_conti/achpr/achpr_home.html
- African Commission on Human and Peoples’ Rights
 - <http://www.achpr.org/>
- International Criminal Tribunal for Yugoslavia
 - www.un.org/icty
- International Criminal Tribunal for Rwanda
 - www.un.org/ictc
- The Department of State – Bureau of Democracy, Human Rights and Labor
 - www.state.gov/g/drl/hr/
- Amnesty International
 - www.amnesty.org
- Human Rights First
 - www.hrweb.org
- International Helsinki Federation for Human Rights
 - www.ihf-hr.org/index.php
- Human Rights Watch
 - www.hrw.org
- Iran Human Rights Documentation Center
 - <http://www.iranhrdc.org/httpdocs/English/faq.htm>
- The Human Rights Research and Advocacy Consortium

- <http://www.afghanadvocacy.org.af/>
- Global Rights
 - www.globalrights.org
- Center for Economic and Social Rights
 - www.cesr.org
- Human Rights Internet
 - www.hri.ca
- World Press Freedom Committee
 - www.wpfc.org
- Article 19
 - www.article19.org
- Human Rights Education
 - www.humanrightseducation.org
- Center for Constitutional Rights
 - <http://ccrjustice.org/>
- International Commission of Jurists
 - www.icj.org
- Universal Rights Network
 - www.universalrights.net
- Freedom House
 - www.freedomhouse.org
- Human Rights Education Associates
 - <http://www.hrea.org/index.php>
- The United Nations Human Rights Treaties
 - <http://www.bayefsky.com/>
- African Human Rights Case Law Analyser
 - <http://caselaw.ihrda.org>