

**INTERNATIONAL LAW AND HUMAN RIGHTS STUDENT FELLOWSHIP PROGRAM
SPRING 2010 SEMINARS**

(Final)

With the exception of the ILC seminars which are subject to normal course requirements, all NYU law students are welcome to attend the seminars as long as they have prepared in advance by completing the noted readings.

Note: the seminars are NOT listed in chronological order.

1. OVERVIEW OF INTERNATIONAL HUMAN RIGHTS LAW

Lecturer: Jayne Huckerby, CHRJ Research Director
Date: Monday, February 22, 2010
Time: 4:00 to 6:00 PM
Location: Furman Hall, Room 316
Mandatory: All Fellows who have not taken a law school international human rights law course at NYU or elsewhere
Optional: All other Fellows and NYU law students

Readings: (Available at: http://www.chrgj.org/docs/fellows_hr_readings.pdf) Primary readings in noted by asterisk (*). Please bring copies of the: International Covenant on Civil and Political Rights; International Covenant on Economic, Social and Cultural Rights and the International Convention on the Elimination of All Forms of Racial Discrimination, all of which are available at: <http://www2.ohchr.org/english/law/>.

TREATY LAW

Core universal and regional human rights instruments State obligations with respect to civil and political rights

- *Human Rights Committee, General Comment 31: Nature of the General Legal Obligation on States Parties to the Covenant, U.N. Doc. CCPR/C/21/Rev.1/Add.13 (2004)
- *Report of the Special Rapporteur on extrajudicial, summary or arbitrary executions, Philip Alston, E/CN.4/2005/7 (22 December 2004)
- *Basil Fernando, "The anatomy of impunity", Article 2, Vol. 1, No. 1 (February 2002)
- *Human Rights Committee, General Comment No. 18: Non-discrimination (1989) 14

State obligations with respect to economic, social and cultural rights

- *Committee on Economic, Social and Cultural Rights, General Comment 3: The nature of States parties obligations (Art. 2, par.1) (1990)
- *Committee on Economic, Social and Cultural Rights, General Comment 12: The right to adequate food (Art.11) (1999)

Derogations from rights during states of emergency

- *Human Rights Committee, General comment no. 29: states of emergency (article 4) (2001)

Limitations on rights

- *Siracusa Principles on the Limitation and Derogation of Provisions in the International Covenant on Civil and Political Rights
- Inter-American Court of Human Rights, Advisory Opinion OC-5/85, Compulsory Membership in an Association Prescribed by Law for the Practice of Journalism (Arts. 13 and 29 American Convention on Human Rights) (November 13, 1985)

Examples: Applications of treaty law on human rights, state obligations, derogations, and limitations

- Amnesty International, "Zimbabwe: Constitutional reform - an opportunity to strengthen human rights protection" (2 February 2000)
- Statement by Professor Philip Alston, Special Rapporteur on extrajudicial, summary or arbitrary executions to the UN Human Rights Council, 27 March 2007
- International Commission of Jurists, "More Power, Less Accountability: Thailand's New Emergency Decree" (August 2005)

DECLARATIONS, PRINCIPLES, "SOFT LAW"

Overview of soft law instruments

Examples, analyses, and comments on soft law instruments

- *International Council on Human Rights Policy, "Human Rights Standards: Learning from Experience" (2006)
- Walter Kälin, "How Hard is Soft Law? The Guiding Principles on Internal Displacement and the Need for a Normative Framework"

- General Assembly resolution 58/177, "Protection of and assistance to internally displaced persons" (12 March 2004)
- Human Rights Watch, Hearts and Minds: Post-war Civilian Deaths in Baghdad Caused by U.S. Forces (October 2003)
- Human Rights Watch, Ravaging the Vulnerable: Abuses Against Persons at High Risk of HIV Infection in Bangladesh (August 2003)
- Human Rights Watch, Algeria: Six Months Later, Cover-Up Continues in Prison Clash that Left 100 Inmates Dead: Report by Defense Lawyers Charges Inmates Were Deliberately Massacred (August 1995)
- Amnesty International, The Armed Forces Special Powers Act (AFSPA) Review Committee takes one step forward and two backwards (November 2006)
- Report of the Special Rapporteur on extrajudicial, summary or arbitrary executions, Philip Alston, UN Doc. No. A/61/311 (2006)

2. OVERVIEW OF INTERNATIONAL LAW ON REFUGEES AND INTERNALLY DISPLACED PEOPLE I

Lecturer: Kirsten Hagon, Humanitarian Policy Advisor, Oxfam International
 Date: Tuesday, February 23
 Time: 6:00 PM to 8:00 PM
 Location: Vanderbilt Hall, Room 206
 Mandatory: Fellows with internships at UNHCR and RLP
 Optional: All other Fellows and NYU law students

Readings:

- 1951 Convention Relating to the Status of Refugees (<http://www.unhcr.org/basics.html>)
- 1967 Protocol Relating to the Status of Refugees (<http://www.unhcr.org/basics.html>)
- Statute of the Office of the United Nations High Commissioner for Refugees (1950) (<http://www.unhcr.org/basics.html>)
- Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, Article 3 (<http://www.ohchr.org/english/law/>)
- International Covenant on Civil and Political Rights, Article 7 (<http://www.ohchr.org/english/law/>)
- Reports on the Work of the Standing Committee: International Protection: Note on International Protection, A/AC.96/1038, 29 June 2007 (<http://www.unhcr.org/excom/EXCOM/46939b882.pdf>)
- Handbook on Procedures and Criteria for Determining Refugee Status under the 1951 Convention and the 1967 Protocol relating to the Status of Refugees (<http://www.unhcr.org/publ/PUBL/3d58e13b4.pdf>)
- Convention Governing the Specific Aspects of Refugee Problems in Africa ("OAU Convention") 1969 (http://www.africa-union.org/Official_documents/Treaties_%20Conventions_%20Protocols/Refugee_Convention.pdf)
- Guiding Principles on Internal Displacement (http://www.reliefweb.int/ocha_ol/pub/idp_gp/idp.html)

3. OVERVIEW OF INTERNATIONAL LAW ON REFUGEES AND INTERNALLY DISPLACED PEOPLE II

Lecturer: Kirsten Hagon, Humanitarian Policy Advisor, Oxfam International
 Date: CANCELLED
 Time:
 Location:

Readings:

- 1951 Convention Relating to the Status of Refugees (<http://www.unhcr.org/basics.html>)
- 1967 Protocol Relating to the Status of Refugees (<http://www.unhcr.org/basics.html>)
- Statute of the Office of the United Nations High Commissioner for Refugees (1950) (<http://www.unhcr.org/basics.html>)
- Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, Article 3 (<http://www.ohchr.org/english/law/>)
- International Covenant on Civil and Political Rights, Article 7 (<http://www.ohchr.org/english/law/>)
- Reports on the Work of the Standing Committee: International Protection: Note on International Protection, A/AC.96/1038, 29 June 2007 (<http://www.unhcr.org/excom/EXCOM/46939b882.pdf>)
- Handbook on Procedures and Criteria for Determining Refugee Status under the 1951 Convention and the 1967 Protocol relating to the Status of Refugees (<http://www.unhcr.org/publ/PUBL/3d58e13b4.pdf>)

- Convention Governing the Specific Aspects of Refugee Problems in Africa ("OAU Convention") 1969 (http://www.africa-union.org/Official_documents/Treaties_%20Conventions_%20Protocols/Refugee_Convention.pdf)
- Guiding Principles on Internal Displacement (http://www.reliefweb.int/ocha_ol/pub/idp_gp/idp.html)

4. INTERNATIONAL CRIMINAL LAW I

Lecturer: Natalie Reid, Debevoise & Plimpton
 Date: Wednesday, February 24
 Time: 6:00 to 8:00 PM
 Location: Furman Hall, Room 330
 Mandatory: All Fellows with internships at: ECCC, ICTJ, ICTY, IDEHPUCP, STL, UNHCR and RLP
 Optional: All other Fellows and NYU law students

Readings: (Available with password to those who may attend session at <http://www.chrgj.org/opportunities/docs/ICL-SessionOneReadings.pdf>. Contact Tish Armstrong (tish.armstrong@nyu.edu) for password. Please note that full footnotes are included only for reference even when only excerpts of articles are provided.

- UN Security Council Resolution 955 (1994)
- UN Press Release, Secretary-General Welcomes Rwanda Tribunal's Genocide Judgement As Landmark In International Criminal Law, SG/SM/6687, L/2896 (2 September 1998)
- Payam Akhavan, Beyond Impunity: Can International Criminal Justice Prevent Future Atrocities?, 95 *American Journal of International Law* 7 (2001)
- Tom Ginsberg, The Clash of Commitments at the International Criminal Court, 9 *Chicago Journal of International Law* 499 (2009)
- Jane E. Stromseth, Pursuing Accountability for Atrocities after Conflict: What Impact on Building the Rule of Law?, 38 *Georgetown Journal of International Law* 251 (2007)
- Okechukwu Oko, The Challenges of International Criminal Prosecutions in Africa, 31 *Fordham International Law Journal* 343 (2008)

5. INTERNATIONAL CRIMINAL LAW II

Lecturer: Natalie Reid, Debevoise & Plimpton
 Date: Wednesday, March 3
 Time: 6:00 to 8:00 PM
 Location: Furman Hall, Room 330
 Mandatory: All Fellows with internships at: ECCC, ICTJ, ICTY, IDEHPUCP, STL, UNHCR and RLP
 Optional: All other Fellows and NYU law students

Readings: Available with password to those who may attend session at <http://www.chrgj.org/opportunities/docs/ICL-SessionTwoReadings.pdf>. Contact Tish Armstrong (tish.armstrong@nyu.edu) for password.

- Monroe Leigh, Witness Anonymity is Inconsistent with Due Process, 91 *American Journal of International Law* 80 (1997)
- Christine H. Chinkin, Due Process and Witness Anonymity, 91 *American Journal of International Law* 75 (1997)
- Innocent Until Alleged Guilty: Provisional Release at the ICTR, 44 *Harvard International Law Journal* 577 (2003)
- Decision on Prosper Mugiraneza's Motion to Dismiss the Indictment for Violation of Article 20(4)(C) of the Statute, Demand for Speedy Trial and for Appropriate Relief, *The Prosecutor v. Prosper Mugiraneza, Case No. ICTR-99-50-I* (2 October 2003)
- Decision on Prosper Mugiraneza's Interlocutory Appeal from Trial Chamber II Decision of 2 October 2003 Denying the Motion to Dismiss the Indictment, Demand Speedy Trial and for Appropriate Relief, *The Prosecutor v. Prosper Mugiraneza, Case No. ICTR-99-50-AR73* (27 February 2004)
- Decision on Prosper Mugiraneza's Application for a Hearing or Other Relief on his Motion for Dismissal for Violation of his Rights to a Trial Without Undue Delay, *The Prosecutor v. Casimir Bizimungu et al., Case No. ICTR-99-50-T* (3 November 2004)

- Anna Petrig, *Negotiated Justice and the Goals of International Criminal Tribunals -- With a Focus on the Plea-Bargaining Practice of the ICTY and the Legal Framework of the ICC*, 8 *Chicago-Kent Journal of International and Comparative Law* 2
- Julian A. Cook, III, *Plea Bargaining at the Hague*, 30 *Yale Journal of International Law* 473 (2005)

6. INTERNATIONAL CRIMINAL LAW III (The Creation and Interpretation of Elements of International Crimes)

Lecturer: Natalie Reid, Debevoise & Plimpton
 Date: Wednesday, March 10
 Time: 6:00 to 8:00 PM
 Location: Furman Hall, Room 330
 Mandatory: All Fellows with internships at: ECCC, ICTJ, ICTY, IDEHPUCP, STL, UNHCR and RLP
 Optional: All other Fellows and NYU law students

Readings: Available with password to those who may attend session at <http://www.chrgj.org/opportunities/docs/ICL-SessionThreeReadings.pdf>. Contact Tish Armstrong (tish.armstrong@nyu.edu) for password.

- Theodor Meron, *Rape as a Crime under International Humanitarian Law*, 87 *American Journal of International Law* 424 (1993)
- *Judgement, Prosecutor v. Jean-Paul Akayesu*, Case No. ICTR-96-4-T (ICTR, 2 September 1998)
- *Judgement, Prosecutor v. Anto Furund@Ija*, Case No.: IT-95-17/1-T (ICTY, 10 December 1998)
- *Judgement, Prosecutor v. Dragoljub Kunarac et al.*, Case No.: IT-96-23-T & IT-96-23/1-T (ICTY, 22 February 2001)
- *Convention on the Prevention and Punishment of the Crime of Genocide*, Articles 1 and 2 (1948)
- *Rome Statute of the International Criminal Court*, selected articles (1998)
- Claus Krefß, *The Crime of Genocide and Contextual Elements*, A Comment on the ICC Pre-Trial Chamber's Decision in the Al Bashir Case, 7 *Journal of International Criminal Justice* 297 (2009)

7. INTERNATIONAL LAW COMMISSION: Treaties and Responsibility: Selected Topics in the Current Work of the U. N. Intl Law Commission (L05.3587.001)

Lecturer: Santiago Villalpando, UN Office of Legal Affairs
 Date: Mondays, per course schedule, 14 sessions
 Time: 6:00 to 7:50 PM
 Location: Furman Hall, Room 310
 Mandatory: All 2L and LLM Fellows with internship placements at the ILC; 1L Fellows with such internships for Units 1 and 2 and other sessions as may be relevant to Commissioner assignment
 Optional: Strictly limited to those enrolled in the class
Readings: Provided to those enrolled in course.

8. RESEARCH ON INTERNATIONAL AND FOREIGN LAW

Lecturer: Mirela Roznovschi, Reference Librarian for International and Foreign Law, Law Library
 Date: Wednesday, March 24
 Time: 4:00 to 6:00 PM
 Location: Furman Hall, Room 214
 Mandatory: All 1L Fellows
 Optional: All other Fellows and NYU law students

Readings:

- *International and Foreign Legal Research : a coursebook* / Marci Hoffman, Mary Rumsey. Martinus Nijhoff Publishers, c2008 Reference K85 .H64 2008
- *Accidental Tourist on the New Frontier: an introductory guide to global legal research* / edited by Jeanne Rehberg & Radu D. Popa. Littleton, Colo.: F.B. Rothman, 1998. Part II. Chapter Four: Finding foreign Law. Part III: International Law, Reserve K85 .A27 1998
- *Toward a Cyberlegal Culture*, Mirela Roznovschi. Ardsley, N.Y.: Transnational Publishers, c2002.: Chapter 2.: *Legal Research on the Frontier of Innovation. (International and foreign law)*; Reserve K87 .R69 2002

- International Law Research articles at GlobaLex <http://www.nyulawglobal.org/Globalex/index.html>

9. PRACTICAL INFORMATION SESSION*

Lecturer: Tish Armstrong, Fellowship Coordinator
Date : Tuesday, April 13
Time: 4:00 to 5:00 PM
Location: Furman Hall, Room 326
Mandatory: All Fellows

*Note: JD Fellows (1Ls and 2Ls) are also required to attend a PILC meeting as a Summer Funding Grant requirement entitled "Tips for Successful International Internships" on April 5, at 12:30-1:30 PM in Furman Hall, Room 216.