

# GLOBAL JUSTICE CLINIC

NYU SCHOOL OF LAW

PROFESSORS MARGARET SATTERTHWAITE AND SARAH KNUCKEY

FALL 2011 SYLLABUS

THURSDAYS, 9 AM – 11:50 AM  
FH 328

*Assignments, readings, and guest speakers are subject to change.*

*Unless otherwise noted, all readings should be downloaded from the web using a commercial browser or subscription databases available to NYU Law students (Westlaw, Lexis, Muse, etc.). Materials listed as “Readings” are required; “Further Resources” are optional.*

## **Seminar overview**

This seminar is a collaborative effort to generate rigorous, strategic, interdisciplinary, creative, critical and self-reflexive international advocacy that responds to global injustice. The seminar provides a map of the field of international human rights advocacy – its dominant forms of action, strategies, and range of methods – and teaches the core elements and skills of that work, including the collection of evidence of human rights abuses, interviewing witnesses and perpetrators, physical and digital security, trauma and vicarious trauma and resilience, report writing, media work, planning campaigns, advocacy strategies, litigation, and measuring effectiveness. The seminar also introduces the ethical principles and professional rules related to human rights lawyering. Through discussion of Global Justice Clinic cases and projects, the seminar will provide a space for critical praxis.

The clinic addresses the obstacles to effective global justice and human rights work, and the technical, procedural, and substantive problems with the manner in which advocates investigate abuses, seek accountability, and conduct advocacy. The seminar offers an entry point to grounded, self-reflexive advocacy that productively interrogates its own foundations, goals, ethics, language, methods and effectiveness, and that acknowledges the limits of human rights discourses. Such advocacy aims to dissect and improve efforts to address abuses through reflection, innovation and redefinition.

Teaching materials are drawn from a diverse range of fields and interdisciplinary sources including law, medicine, psychology, political science, social theory, critical theory, toolkits and how-to-guides, stories, video, podcasts, human rights reports, witness testimony, forensic materials, guest speakers and the experiences of students. The success of the seminar depends, to a great extent, on the active, engaged, and critical participation of students.

**NB: A separate course session will be scheduled for students needing to refresh their knowledge of international human rights law and mechanisms.**

## **PART I:INTRODUCTION, CRITICAL ACTIVISM, STRATEGY AND ETHICS**

### **INTRODUCTION: Global Justice, Human Rights Lawyering, and Clinical Work**

**September 1, 2011**

*Concept of global justice, concept of human rights clinic, what is human rights lawyering/advocacy?, critiques of human rights, overview of the global justice clinic, description and selection of clinic projects.*

#### **Assignments:**

- Write a 1-2 page discussion of a human rights issue you have worked on in the past and any insights the critical readings shed on that issue and/or the approach you took to the issue. *Due Tuesday, August 30 at 10 am* (by email to Diana Limongi).
- Clinic project selection form, updated resume, class schedules, and conflict form. *Due Friday, September 2 by 10 am* (by email to Diana Limongi).

#### **Readings:**

- Human Rights Watch, *Trail of Death: LRA Atrocities in Northeastern Congo* (2010) [pp. 18-41].
- This American Life, *Episode 331: Habeas Schmabeas* [Listen to Act 3: “We Interrogate the Detainees”] available at <http://www.thisamericanlife.org/radio-archives/episode/331/habeas-schmabeas-2007> and *Episode 119: Lockup* [Listen to Act 5: “Color Bar”] available at <http://www.thisamericanlife.org/radio-archives/episode/119/Lockup?act=5>.
- David Kennedy, *The International Human Rights Movement: Part of the Problem?*, 15 HARV. HUM. RTS. J. 99 (2002).
- Caroline Bettinger-Lopez et al, *Redefining Human Rights Lawyering Through the Lens of Critical Theory: Lessons for Pedagogy and Practice*, 18 GEORGETOWN J ON POVERTY L AND POL’Y (2011).

#### **Further Resources:**

- Scott L. Cummings, *The Internationalization of Public Interest Law*, 57 DUKE L. J. 891 (2008) [excerpts: pages 969-993 and 1006-1036].
- Dina F. Haynes, *Client-Centered Human Rights Advocacy*, 13 CLINICAL L.R. 379 (2006).
- Makau Mutua, *Savages, Victims, and Saviors: The Metaphor of Human Rights*, 42 HARV. INT’L L.J. 201 (2001).
- Costas Douzinas, *HUMAN RIGHTS AND EMPIRE: THE POLITICAL PHILOSOPHY OF COSMOPOLITANISM* (2007) [Chapter 1: *The end of human rights?*]
- Julie Mertus, *The Rejection of Human Rights Framings: The Case of LGBT Advocacy in the US*, 29 HUM RTS Q 1036 (2007) [read *Introduction; LGBT Engagement in International Human Rights; LGBT Advocacy in the US – The Assimilation-Oriented 1990s and Beyond; Conclusion*].

### **STRATEGY: Defining Problems, Identifying Goals, Deciding on Strategies, and Backlash**

**September 8, 2011**

*Points of origin: what counts as a “human rights problem” and who decides?, facts known and unknown, thinking analytically and strategically about human rights work, identifying opportunities and obstacles, establishing short-and long-term goals, deciding on methods and approaches, enlisting allies, mitigating backlash*

**Project Rounds during Final Hour of Seminar**

### Assignment:

- Write a 1 page personal statement for the Global Justice Clinic. *Due Tuesday, September 6 by 10 am* (by email to Diana Limongi). Your statement should address: your goals and hopes for the clinic; the skills you aim to develop; obstacles or difficulties you foresee in the attainment of those goals/skills and how you might address them.

### Readings:

- Case study: EJEs
  - Project on Extrajudicial Executions, "DRC Human Rights Activist Killed" at <http://extrajudicialexecutions.org/News/Filter/june2010>
  - Project on Extrajudicial Executions, "Kenyan newspaper urges Parliament to "give teeth" to proposed police oversight body" at <http://extrajudicialexecutions.org/News/Filter/june2010>
  - Project on Extrajudicial Executions, "Mexico: Special Rapporteur speaks out against killing of human rights activists" at <http://extrajudicialexecutions.org/News/Filter/may2010>
  - Project on Extrajudicial Executions, "Kenya: Two prominent human rights defenders assassinated in Nairobi" at <http://extrajudicialexecutions.org/News/Filter/march2009>
- Case study: Extraordinary Rendition and Secret Detention
  - Mohamed Farag Ahmed Bashmilah, "Disappeared in the Name of National Security," available at [http://www.huffingtonpost.com/mohamed-farag-bashmilah/disappeared-in-the-name-o\\_b\\_168200.html](http://www.huffingtonpost.com/mohamed-farag-bashmilah/disappeared-in-the-name-o_b_168200.html)
  - Amended Complaint in *Mohamed v. Jeppesen Dataplan*, available at [http://www.chrgj.org/docs/Amended\\_Jeppesen\\_Complaint\\_-\\_Final080107.pdf](http://www.chrgj.org/docs/Amended_Jeppesen_Complaint_-_Final080107.pdf)
  - NYT Editorial, "Torture is a Crime, Not a Secret," available at <http://www.nytimes.com/2010/09/09/opinion/09thurs2.html>
  - Sudarsan Raghavan & Julie Tate, "African Commission Asked to Take Case Challenging CIA Rendition Program," available at <http://www.washingtonpost.com/wp-dyn/content/article/2011/02/28/AR2011022803848.html>
- Case study: GBV in Haiti's IDP Camps
  - CHRGI, *Sexual Violence in Haiti's IDP Camps: Results of a Household Survey*, available at <http://www.chrgj.org/publications/docs/HaitiSexualViolenceMarch2011.pdf>
  - Ross Mountain, "The Debating Chamber - Haiti: now is the time to work on gender issues," available at <http://www.trust.org/alertnet/blogs/the-debating-chamber/haiti-now-is-the-time-to-work-on-gender-issues>
  - Cléo Fatoorehchi, "Women Turn Spotlight on Haiti's Silent Rape Epidemic," available at <http://www.ipsnews.net/news.asp?idnews=55044>
- The New Tactics in Human Rights Project, *New Tactics in Human Rights: A Resource for Practitioners* (3<sup>rd</sup> ed) [skim contents and read selections of your choosing], available at <http://www.newtactics.org/ToolsforAction>.
- Tactical Technology Collective, *Ten Tactics for Turning Information into Action and Basics Every Campaign Should Consider*, at <http://www.informationactivism.org> [read the "Ten Tactics" and "Basics"].
- Douglas A Johnson and Nancy L Pearson, *Tactical Mapping: How Nonprofits Can Identify the Levers of Change*, THE NONPROFIT QUARTERLY 92 (2009).

- Kate Thompson and Camille Giffard, *Reporting Killings as Human Rights Violations – How to document and respond to potential violations of the right to life within the international system for the protection of human rights* (2002) [pp. 11-13; skim and read selections from pp. 75-149].
- Philip Zimbardo, *The Psychology of Evil* (TED talk) (2008), available at <http://www.ted.com>.
- Upendra Baxi, *The Future of Human Rights* (2<sup>nd</sup> ed) (2006) [Read Chapter 3, “The Practices of ‘Contemporary’ Human Rights Activism”] [to be distributed before class].

**Further Resources:**

- Makau Mutua, *Standard Setting in Human Rights: Critique and Prognosis*, 29 Hum Rts Q 547 (2007), [Section V, “The Role of NGOs in the Creation of Norms”].
- For more academic analysis of network mapping, see: Skye Bender deMoll, *Potential Human Rights Uses of Network Analysis and Mapping* (28 April 2008) available at [http://shr.aaas.org/networkmapping/Net\\_Mapping\\_Report.pdf](http://shr.aaas.org/networkmapping/Net_Mapping_Report.pdf).
- Andrew K Woods, *A Behavioral Approach to Human Rights*, 51(1) HARV INT’L LJ 51 (2010).
- International Federation for Human Rights, *Corporate Accountability for Human Rights Abuses: A Guide for Victims and NGOs on Recourse Mechanisms* (2010), available at <http://www.fidh.org/Corporate-Accountability-for-Human-Rights-Abuses> [Introduction, and skim contents].

**ETHICS AND ACCOUNTABILITY: The Human Rights Lawyer and Human Rights Organizations**

**September 15, 2011**

*Rules of professional responsibility, ethics, the role of the human rights lawyer, NGO accountability, responsibility to funders, clients, beneficiaries*

**Readings:**

- ABA MODEL RULES OF PROFESSIONAL CONDUCT (2010): Preamble; Rule 1.1: Competence; Rule 1.2: Scope of Representation and Allocation of Authority Between Client and Lawyer; Rule 1.3: Diligence; Rule 1.4: Communication; Rule 1.6: Confidentiality of Information, Rule 3.3 Candor Before The Tribunal, available at: [http://www.abanet.org/cpr/mrpc/mrpc\\_toc.html](http://www.abanet.org/cpr/mrpc/mrpc_toc.html)
- NEW YORK RULES OF PROFESSIONAL CONDUCT (2009, as amended through 2011): Rule 1.1: Competence; Rule 1.2: Scope of Representation and Allocation of Authority Between Client and Lawyer; Rule 1.3: Diligence; Rule 1.4: Communication; Rule 1.6: Confidentiality of Information, Rule 3.3 Conduct Before a Tribunal, available at <http://www.nysba.org/Content/NavigationMenu/ForAttorneys/ProfessionalStandardsforAttorneys/RulesofProfessionalConductasamended041511.pdf>
- CODE OF CONDUCT FOR NGOs IN DISASTER RELIEF, available at: <http://www.gdrc.org/ngo/codesofconduct/ifrc-codeconduct.html>
- INTERNATIONAL NON-GOVERNMENTAL ORGANISATIONS’ ACCOUNTABILITY CHARTER, available at: <http://www.ingoaccountabilitycharter.org/read-the-charter/>
- Humanitarian Accountability Partnership, 2010 HAP STANDARD IN ACCOUNTABILITY AND QUALITY MANAGEMENT (2010) [read pages 1-4, 8-9; skim pages 10-25].
- Daniel A. Bell & Joseph H. Carens, *The Ethical Dilemmas of International Human Rights and Humanitarian NGOs: Reflections on A Dialogue Between Practitioners and Theorists*, 26 HUM. RTS. Q. 300 (2004).

- Betty Plewes & Rieky Stuart, *The Pornography of Poverty: A Cautionary Fundraising Tale*, in DANIEL A. BELL & JEAN-MARC COICAUD, EDs., *ETHICS IN ACTION: THE ETHICAL CHALLENGES OF INTERNATIONAL HUMAN RIGHTS NONGOVERNMENTAL ORGANIZATIONS* 23-37 (2007).

**Further Resources:**

- Lisa Jordan and Peter van Tuijl (eds.), *NGO ACCOUNTABILITY: POLITICS, PRINCIPLES AND INNOVATIONS* (2006).
- International Council on Human Rights Policy (ICHRP), *Human Rights Organizations: Rights and Responsibilities, Draft Report for Consultation* (2009).
- Diana Hortsch, *The Paradox of Partnership: Amnesty International, Responsible Advocacy, and NGO Accountability*, 40 COLUM. HUM. RTS. L. REV. 1 (2010).

**SECURITY AND TRAUMA: Identifying and Managing Security Risks, Trauma, and Vicarious Trauma  
September 22, 2011**

*Security at home and in the field (physical, information, emotional); trauma (working with survivors and witnesses); vicarious trauma; sustainable human rights work through attention to secondary PTSD; developing coping strategies and resilience*

**Guest speakers:** Adam Brown (Assistant Professor, PTSD Research Program, Department of Psychiatry, NYU School of Medicine) and Amy Joscelyne (Visiting Fellow, NYU School of Medicine; Clinic Staff, Traumatic Stress Clinic, UNSW)

**Assignment:**

- Prepare a personal reflection of no more than 1-2 pages on the various trauma and vicarious resilience readings below. Consider addressing: any concerns you do or have had about primary or vicarious trauma and human rights work; coping strategies you have employed or would consider employing; measures you think the human rights community could take to improve the way we deal with trauma and vicarious trauma. Please note: these reflections will be shared with the guest speakers. *Due Tuesday, September 20 at 10 am* (by email to Diana Limongi).

**Readings:**

- UN Office of the High Commissioner for Human Rights, *Training Manual on Human Rights Monitoring*, [Chapter XXII, "Stress, Vicarious Trauma and Burn-Out", Chapter XXIV, "Security"].
- Janine di Giovanni, "I believed I had escaped trauma ... but I was not as unbroken as I thought" (26 June 2011) *The Guardian*.
- StuffExPatAidWorkersLike, "#72: Untreated PTSD" (11 July 2011), at <http://stuffexpataidworkerslike.com/2011/07/11/ptsd/>.
- Jane Barry, *What's the Point of Revolution if We Can't Dance?*, Urgent Action Fund for Women's Human Rights (2007) [read selections of your choosing]
- Lisa McCann and Laurie Anne Pearlman, *Vicarious Traumatization: A Framework for Understanding the Psychological Effects of Working with Victims*, 3(1) J of Traumatic Stress 131 (1990) and/or Christian Pross, *Burnout, vicarious traumatization and its prevention*, 16 *Torture* (2006).
- Pilar Hernandez, David Gangsei, David Engstrom, *Vicarious Resilience: A New Concept tin Work With Those Who Survive Trauma*, 46(2) *Family Process* 229 (2007).
- Protection International, *New Protection Manual for Human Rights Defenders* (3<sup>rd</sup> ed) (2010) [skim and read selections of your choosing]

- Koenraad Van Brabant, *Operational Security Management in Violent Environments*, Humanitarian Practice Network, Overseas Development Institute (2000) [read selections of your choosing].
- Kim Zetter, “Nokia-Siemens Spy Tools Aid Police Torture in Bahrain” *Wired.com – Threat Level blog* (23 August 2011) at <http://www.wired.com/threatlevel/2011/08/nokia-siemens-spy-systems/>.
- For information on digital security, peruse the following websites: security in-a-box: tools and tactics for your digital security (<https://security.ngoinabox.org>); WITNESS; MobileActive.

## PART II: EVIDENCE

### TYPES OF EVIDENCE, FACT-GATHERING, AND CHOICE OF METHODS: Matching Means to Purpose September 29, 2011

*Types of evidence, fact-gathering, data collection, and an overview of methodologies*  
Project Rounds during Final Hour of Seminar

#### Readings:

- Jonathan Horowitz, *OHCHR Pre-Deployment Human Rights Training: Adapting to the Evolving Roles, Responsibilities, and Influence of UN Human Rights Officers*, 2 J. HUMAN RTS. PRACTICE 28 (2010).
- Geoffrey Robertson QC, *Human Rights Fact Finding: Some Legal and Ethical Dilemmas*, International Bar Association, Human Rights Institute, Thematic Paper No 1 (2009).
- Navi Pillay, *Human Rights Investigations and their Methodology* (February 2010) (Speech), available at: <http://unispal.un.org/UNISPAL.NSF/0/C9222F058467E6F6852576D500574710>.
- Dermot Groome, "Human Rights Investigation," in THE HANDBOOK OF HUMAN RIGHTS INVESTIGATION (2<sup>nd</sup> ed., 2011) 37-53 [to be distributed before class].
- Kate Thompson and Camille Giffard, *Reporting Killings as Human Rights Violations – How to document and respond to potential violations of the right to life within the international system for the protection of human rights* (2002) [Read selections of your choosing from Part III: “How to Document Allegations of Unlawful Killings”].
- Guidelines on International Human Rights Fact-Finding Visits and Reports: The Lund-London Guidelines (June 1, 2009), available at: <http://www.factfindingguidelines.org/>
- Human Rights Watch, “Our Methodology,” available at: <http://www.hrw.org/en/node/75141>
- Amnesty International, “Our Methods,” in Amnesty International Statute, available at <http://www.amnesty.org/en/who-we-are/accountability/statute>
- Benetech, “HRDAG: Building Evidence of Human Rights Abuses,” available at [http://www.benetech.org/human\\_rights/hrdag.shtml](http://www.benetech.org/human_rights/hrdag.shtml)

### INTERVIEWING: WITNESSES, SURVIVORS, PERPETRATORS, OFFICIALS, EXPERTS October 6, 2011 In-Class Simulations

*Witness/victim interviews; witness memory and trauma; factors influencing recall and reliability; working with interpreters; perpetrator interviews; official, expert, other interviews; on and off the record interviews.*

**Readings:**

- Dermot Groome, "Interviewing Witnesses," in THE HANDBOOK OF HUMAN RIGHTS INVESTIGATION (2<sup>nd</sup> ed., 2011) 173-205 [to be distributed before class].
- OSI, "The Trial of Charles Taylor, Daily Summary: January 22, 2008," concerning the defense cross-examination of HRW researcher Corrine Dufka, *available at* <http://www.charlestaylortrial.org/2008/01/22/%e2%80%9cso-you-think-the-accused-has-blood-on-his-hands%e2%80%9d-defense-challenges-prosecution-witness-corinne-dufka%e2%80%99s-impartiality-prosecution-calls-linkage-witness-abu-keita/>
- Human Rights Watch, "Methodology," in WE'LL KILL YOU IF YOU CRY: SEXUAL VIOLENCE IN THE SIERRA LEONE CONFLICT (2003), *available at* <http://www.hrw.org/node/12376/section/6>
- UN Office of the High Commissioner for Human Rights, TRAINING MANUAL ON HUMAN RIGHTS MONITORING, [Chapter VIII, "Interviewing"; Appendix 1 to Chapter XX, "Questionnaire – Interview Form"].
- Ronald Fisher and Edward Geiselman, *Memory Enhancing Techniques for Investigative Interviewing: The Cognitive Interview* (1992) [excerpts to be provided].
- Matthew Bender, EYEWITNESS TESTIMONY, CIVIL AND CRIMINAL (4<sup>th</sup> ed.) (2008) [Chapter 2, "Factors Determining Perception", Chapter 3, "Factors Determining Retention and Retrieval of Events"] (to be distributed before class).
- Eileen Pittaway, Linda Bartolomei, and Richard Hugman '*Stop Stealing Our Stories': The Ethics of Research with Vulnerable Groups* 2 J HUMAN RIGHTS PRACTICE (2010) 229 [read the following sections: "The Importance of Individual Testimonies"; and "The Ethics of Collecting Individual Testimonies"].
- Benjamin Weiser, "In New Jersey, Rules are Changed on Witness IDs," N.Y. Times, Aug. 24, 2011, *available at* [http://www.nytimes.com/2011/08/25/nyregion/in-new-jersey-rules-changed-on-witness-ids.html?\\_r=1](http://www.nytimes.com/2011/08/25/nyregion/in-new-jersey-rules-changed-on-witness-ids.html?_r=1)

**Further Resources:**

- Jane Herlihy and Stuart Turner, *Memory and Seeking Asylum*, 9(3) EUROPEAN J OF PSYCHOTHERAPY AND COUNSELING 267 (2007).
- James Dawes, *Human Rights in Literary Studies*, 31 HUM RTS Q 394 (2009).

**PHYSICAL AND DOCUMENTARY EVIDENCE**

**October 13, 2011**

**In-Class Simulations**

*Gathering documentary and other corroborating evidence; forensic evidence; medical and police reports; working with experts*

**Readings:**

- UN Office of the High Commissioner for Human Rights, *Training Manual on Human Rights Monitoring*, [Chapter VII "Information Gathering"].
- Dermot Groome, "Physical Evidence," in THE HANDBOOK OF HUMAN RIGHTS INVESTIGATION (2<sup>nd</sup> ed., 2011) 79-109 [to be distributed before class].
- Dermot Groome, "Documenting Physical Injuries," in THE HANDBOOK OF HUMAN RIGHTS INVESTIGATION (2<sup>nd</sup> ed., 2011) 111-129 [to be distributed before class].
- Samples of types of evidence [to be distributed before class]

- UN Special Rapporteur on extrajudicial executions, *Report on Mission to Kenya* (UN doc. A/HRC/11/2/Add.6) [paras. 5-17, 25-27, 38-64].
- Physicians for Human Rights, *Toxic Metals and Indigenous Peoples Near the Marlin Mine in Western Guatemala - Potential Exposures and Impacts on Health* (May 2010) [pp. 3-9, 14-16].
- WITNESS, “In the news”, at <http://blog.witness.org/2011/08/authenticating-video-footage-as-evidence-in-sri-lanka/>. See further (optional): Channel 4, *Sri Lanka’s Killing Fields* (14 June 2011) (50 min. episode) at <http://www.channel4.com/programmes/sri-lankas-killing-fields/4od#3212461>.
- Louis Fondebrider, *Uncovering Evidence: The Forensic Sciences in Human Rights* (2004), available at <http://www.scribd.com/doc/33379023/Uncovering-the-Evidence-The-forensic-sciences-in-human-rights-English>.

### **IMPROVING OUR METHODS: Using Interdisciplinary Expertise & Methods**

**October 20, 2011**

*Assessing interdisciplinary expertise; using social science (qualitative and quantitative) methods*

#### **Readings:**

- Eitan Felner, *Closing the ‘Escape Hatch’: A Toolkit to Monitor the Progressive Realization of Economic, Social, and Cultural Rights*, 1 J. HUM. RTS. PRACTICE 402 (2009)
- Athena R. Kolbe & Royce A. Hutson, *Human Rights Abuse and Other Criminal Violations in Port-au-Prince, Haiti: A Random Survey of Households*, 368 THE LANCET 864 (2006).
- Priscila R. Ulin, Elizabeth T. Robinson, and Elizabeth E. Tolley, *Collecting Qualitative Data: The Science and the Art*, in *Qualitative Methods in Public Health: A Field Guide for Applied Research* 71-104 (2005).
- Eileen Pittaway, Linda Bartolomei, and Richard Hugman ‘*Stop Stealing Our Stories’: The Ethics of Research with Vulnerable Groups* 2 J HUMAN RIGHTS PRACTICE (2010) 229 [read only the following sections: “Introduction”; “Negotiating an Ethical Research Framework with Refugee and IDP Communities”; “A Participatory Approach – Integrating Human Rights and Social Work Practice”].
- Ryan Goodman, Derek Jinks, Andrew K Woods, *Social Science and Human Rights*, NYU School of Law, Public Law and Legal Theory Research Paper Series, Working Paper No 11-57 (August 2011).

## **PART III: ADVOCACY**

*What do we do with the evidence we have gathered; medium and methods for human rights advocacy; identifying advocacy targets, partners, and obstacles; anticipating and mitigating backlash.*

### **HUMAN RIGHTS REPORTS: Using, Expanding, and Questioning the Genre**

**October 27, 2011**

#### **Project Rounds during Final Hour of Seminar**

*A critical examination of the traditional “name and shame” human rights report; consideration of new approaches; discussion of the purpose, form, and function of human rights report-writing*

#### **Readings:**

- Examples of human rights reports [to be distributed before class].

- James Ron, Howard Ramos & Kathleen Rodgers, *Transnational Information Politics: NGO Human Rights Reporting, 1986-2000*, 49 INT'L STUD. Q. 557 (2005).
- Richard Wilson, *Representing Human Rights Violations: Social Contexts and Subjectivities*, in HUMAN RIGHTS, CULTURE & CONTEXT: ANTHROPOLOGICAL PERSPECTIVES 134-160 (1997). [to be distributed before class].
- Stanley Cohen, *Government Responses to Human Rights Reports: Claims, Denials, and Counterclaims*, 18 HUM RTS Q 517 (1996).

## **BEYOND REPORTING AND LITIGATING: Innovative Strategies and Technologies**

**November 3, 2011**

### **In-class simulations**

*Global and local campaign strategies, strategic partnerships, negotiations, harnessing “new” technologies for human rights, student-directed simulations and training*

**Guest speaker: Sam Gregory, Program Director, WITNESS**

### **Readings:**

- UN Special Rapporteur Philip Alston, *2010 Report to the General Assembly*, UN Doc A/65/321 (2010), (section II, “New technologies and human rights fact-finding).
- Peruse the websites of WITNESS and iRevolution and read a selection of project descriptions and blog posts of your choosing. See also links provided by @SamGregory, @swiftriver, @rjkirkpatrick, @whiteafrican and @PatrickMeier on Twitter.
- Erik Hersman, *On reporting crisis via texting* (TED talk) at <http://www.ted.com>, and/or Albert Lim, *Tedx MidAtlantic 2010* (2010) at <http://www.youtube.com/watch?v=5Xv9kqxVMH0>.
- Louise Mallinder, *Review: Law, Politics and Fact-Finding: Assessing the Impact of Human Rights Reports*, 2 J HUM RTS PRACTICE 166 (2010).
- Additional resources to be distributed before class.

### **Further Resource:**

Melissa E. Crow, *From Dyad to Triad: Reconceptualizing the Lawyer-Client Relationship for Litigation in Regional Human Rights Commissions*, 26 MICHIGAN J. INT'L L. 1097 (2005).

## **WORKING WITH THE MEDIA: Framing, Messaging, and Spinning**

**November 10, 2011**

### **In-Class Simulations**

*How to access, communicate with, and “use” the media; media toolkit and resources; framing your issue and delivering your message; new media strategies*

### **Assignment:**

- Press Release. Assignment to be distributed by email. Refer to the “Elements of a Strong Press Release” handout when completing this assignment. *Due Monday, November 7 at 10 am* (by email to Diana Limongi).

### **Readings:**

- The Opportunity Agenda, *TALKING HUMAN RIGHTS IN THE UNITED STATES: A COMMUNICATIONS TOOLKIT* (2009), pp 9-20, *available at*: [http://opportunityagenda.org/talking\\_human\\_rights\\_united\\_states\\_communications\\_toolkit](http://opportunityagenda.org/talking_human_rights_united_states_communications_toolkit).
- E-How on Giving Onscreen Media Interviews: <http://www.ehow.co.uk/videos-on-2511-giving-on-screen-interviews.html>.

- Upendra Baxi, THE FUTURE OF HUMAN RIGHTS (2<sup>nd</sup> ed) (2006), [Chapter 7 “Human Rights Movements and Human Rights Markets”, Section VII “Techniques of Commodification of Human Suffering”].
- Paul Slovic, David Zions, Andrew K Woods, Ryan Goodman and Derek Jinks, *Psychic Numbing and Mass Atrocity* (2011), available at: [http://papers.ssrn.com/sol3/papers.cfm?abstract\\_id=1809951](http://papers.ssrn.com/sol3/papers.cfm?abstract_id=1809951).
- Tactical Technology Collective, *Message in-a-box*, “Designing your strategy” at <http://messageinbox.tacticaltech.org/designingyourstrategy>.
- Handout on guidelines for writing press releases. [to be distributed before class].
- Examples of Press Releases and Press Stories [to be distributed before class].
- Watch a selection of multimedia campaigns of your choosing from <http://www.hrw.org/multimedia> and/or <http://www.witness.org/campaigns/all-campaigns>.

**Further Resources:**

- Stanley Cohen, STATES OF DENIAL: KNOWING ABOUT ATROCITIES AND SUFFERING (2001).
- Susan Sontag, REGARDING THE PAIN OF OTHERS (2004).

**HUMAN RIGHTS LITIGATION: Using Judicial and Quasi-Judicial Mechanisms to Advance Rights  
November 17, 2011**

*The opportunities and risks of using litigation as a human rights tool; structural, strategic, and client-centered litigation; litigation for civil and political and economic, social and cultural rights; domestic, regional, and international litigation*

**Guest Speaker: Hina Shamsi, Director, American Civil Liberties Union’s National Security Project**

**Readings:**

- Martin, Schnably, Wilson, Simon & Tushnet, *International Human Rights Tribunal Procedure and Remedies*, in *International Human Rights & Humanitarian Law: Treaties, Cases, & Analysis* 270-306 (2006) [to be distributed prior to class].
- Beth Van Schaack, *With All Deliberate Speed: Civil Human Rights Litigation as a Tool for Social Change*, 57 VAND. L. REV. 2305 (2004) [read the text but feel free to skip the footnotes].
- Alice Donald and Elizabeth Mottershaw, *Evaluating the Impact of Human Rights Litigation on Policy and Practice: A Case Study of the UK*, 1 J. HUM. RTS. PRACTICE 330 (2009) [skim].
- Malcolm Langford, *Domestic Adjudication and Economic, Social, and Cultural Rights: A Socio-Legal Review*, 6 SUR INT’L J. HUM. RTS. 91 (2009).
- Stanley Cohen, *Memory wars and peace commissions*, Index on Censorship 1 (2001)
- Orly Lobel, *The Paradox of Extralegal Activism: Critical Legal Consciousness and Transformative Politics*, 120 HARV. L. REV. 937 (2007) [read “Introduction”; “Unbundling Cooptation”; “An Alternative? “Outside” the Law Today”; “Problematising the Concept of Exit”; “Restoring Critical Optimism in the Legal Field”].

**THANKSGIVING HOLIDAY: Class Cancelled  
November 24, 2011**

**OUTCOMES: Identifying, Measuring, and Judging the Impact of Human Rights Work  
December 1, 2011**

*How do we know if our efforts are working; what counts as success and who decides; what methods are most suited to evaluating the impact of human rights work?*

**Project Rounds during Final Hour of Seminar**

**Readings:**

- Steven Teles & Mark Schmitt, *The Elusive Craft of Evaluating Advocacy*, STANFORD SOCIAL INNOVATION REVIEW 39-43 (Summer 2011).
- Ian Gorvin, *Producing the Evidence that Human Rights Advocacy Works: First Steps towards Systematized Evaluation at Human Rights Watch*, 1 J. HUM. RTS. PRACTICE 477 (2009).
- Martina Björkman & Jacob Svensson, *Power to the People: Evidence from a Randomized Field Experiment on Community-Based Monitoring in Uganda*, QUARTERLY J. ECON. 735 (2011)
- UNIFEM, EVALUATION REPORT: FACILITATING CEDAW IMPLEMENTATION IN SOUTHEAST ASIA (2008) [read only the executive summary], available at <http://erc.undp.org/unwomen/evaluationadmin/manageevaluation/viewevaluationdetail.html?evalid=4474>.
- Colleen Duggan, *Aligning for Impact: Human Rights*, 3 J. HUM. RTS. PRACTICE 214 (2011).
- Emilie M. Hafner-Burton & James Ron, *Seeing Double: Human Rights Impact through Qualitative and Quantitative Eyes*, 61 WORLD POLITICS 360 (2009) [skim].
- Jim Igoe, *Scaling up Civil Society: Donor Money, NGOs and the Pastoralist Land Rights Movement in Tanzania*, 34 DEV. & CHANGE 863 (2003) [skim].

**Further Resource:**

- Srilatha Batliwala & Alexandra Pittman, *Capturing Change in Women's Realities: The Challenge of Monitoring and Evaluating Our Work* (AWID, N.D.).

## **PART IV: WRAP-UP AND EVALUATION**

### **ENDINGS AND BEGINNINGS: Reflecting on the Clinical Experience, Reflecting on Human Rights December 8, 2011**

*What have we learned from this collaborative endeavor? What lessons can we offer to future clinic members? What is the future of human rights, and what is our place in it?*

**Readings:**

- David Petrasek, *Human Rights—The Last Big Thing?*, 3 J. HUMAN RTS. PRACTICE 105 (2011).
- Martti Koskeniemi, *Human Rights, Politics, and Love*, in THE POLITICS OF INTERNATIONAL LAW 153-167(2011) [to be distributed before class].
- Samuel Moyn, *The Burden of Morality*, in THE LAST UTOPIA: HUMAN RIGHTS IN HISTORY (212-227 (2010), or Samuel Moyn, *Reflections on 'The Last Utopia': A conversation with Samuel Moyn*, 3:2 J OF HUM RTS PRACTICE 129 (2011) [to be distributed before class].
- Wendy Brown, "Suffering the Paradoxes of Rights", in Wendy Brown and Janet Halley (eds.), *Left Legalism/Left Critique* (2002) [to be distributed before class].
- William P. Quigley, *Letter to a Law Student Interested in Social Justice*, 1 DEPAUL J. FOR SOC. JUSTICE 7 (2007).
- Additional resources to be distributed before class.