

**INTERNATIONAL HUMAN RIGHTS CLINIC 07-08**  
**NYU SCHOOL OF LAW**

**PROFESSORS SMITA NARULA AND MARGARET SATTERTHWAITE**

**FALL 2007 SYLLABUS**

*Assignments, readings, and guest speakers are subject to change.*  
*All readings will be posted on Blackboard on a weekly basis.*

**I. August 29 Introductory Class: Syllabus Overview, Clinic Overview, Projects, and Discussion of Selection Process**

Assignments

- Clinic project selection form and class schedules due Thursday, August 30 by 2:00 p.m. (by email with a copy to Michelle)
- Short case example of human rights problem and approach – due Friday, August 31 at 10 a.m. (on Blackboard)
- Turn in conflicts form to Michelle.

*No class on September 5, legislative Monday*

**II. September 12 Substantive Law Session 1: Review of Intl. Human Rights Law**

Readings

- (1) International Covenant on Civil and Political Rights
- (2) International Covenant on Economic, Social and Cultural Rights
- (3) International Convention on the Elimination of All Forms of Racial Discrimination
- (4) *The Nature of States Parties Obligations*, General Comment 3, U.N. CESCR, 5th Sess. (1990).
- (5) *The Nature of the General Legal Obligation Imposed on States Parties to the Covenant*, General Comment 31, U.N. CCPR, Human Rights Committee, 80th Sess. (2004).
- (6) *General Recommendation XXIX on Article I, Paragraph 1, of the Convention (Descent)*, CERD Committee, 61st Sess. (2002).
- (7) *The Practice of Human Rights Treaty Bodies with Respect to Reservations to International Human Rights Treaties* (2005).

**III. September 19 Skills Session 1: Human Rights Players, Strategies and Tactics**

Readings

- (1) Henry J. Steiner & Philip Alston, *Civil Society: Human Rights NGOs and Other Groups*, in INTERNATIONAL HUMAN RIGHTS IN CONTEXT: LAW, POLITICS, MORALS 938-964 (2d ed., 2000).
- (2) Makau Mutua, *Savages, Victims, and Saviors: The Metaphor of Human Rights*, 42 HARV. INT'L L.J. 201 (2001).
- (3) Excerpts from Center for Victims of Torture, *New Tactics in Human Rights: A Resource for Practitioners* (2004). Please read the introduction and the description of each tactic (i.e., read the following pages: 12-18, 28-30, 34, 42, 50-52, 62, 68, 76, 84-86, 96, 104, 116-118, 126, 134, 144). Please also read at least one case study of each tactic.

Assignment

- Background readings for project rounds to be sent to class by 10 a.m., Friday, September 21 (by email).

**IV. September 26 Project Rounds**Assignment

- Background readings for project rounds to be sent to class by 10 a.m., Friday, September 28 (by email).

**V. October 3 Project Rounds****VI. October 10 Substantive Law Session 2: Review of International Human Rights System**Readings

To be announced.

**VII. October 17 Skills Session 2: Ethics and the Professional Responsibility of the Human Rights Lawyer**Readings

- (1) ABA Model Rules of Professional Conduct, with Commentary (2002, *as amended* 2003): 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.
- (2) International Bar Association, International Code of Ethics (1988).
- (3) Dina F. Haynes, *Client-Centered Human Rights Advocacy*, 13 CLINICAL L.R. 379 (2006).
- (4) Deena R. Hurwitz, *Lawyering for Justice and the Inevitability of Human Rights Clinics*, 28 YALE J. INT'L L. 505 (2003).
- (5) 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).

**VIII. October 24 Skills Session 3: Fact-Finding and Documenting Human Rights Abuses**

Guest Speaker: TBA

Readings

- (1) FORUM-ASIA & Union for Civil Liberty, HANDBOOK ON FACT-FINDING AND DOCUMENTATION OF HUMAN RIGHTS VIOLATIONS.
- (2) Manuel Guzman & Bert Verstappen, *What is Documentation?* (Vol. 2 of HURIDOCS Human Rights Monitoring and Documentation Series) 1-21 (2003).
- (3) Martus FAQ at <http://www.martus.org/concept/faqs.shtml>
- (4) Handbook\_of\_Human\_Rights\_Investigation.pdf
- (5) Human\_Rights\_Quarterly\_Testimony.pdf

Assignment

- Background readings for project rounds to be sent to class by 10 a.m., Friday, October 26 (by email).

**IX. October 31 Project Rounds**Assignment

- Background readings for project rounds to be sent to class by 10 a.m., Friday, November 2 (by email).

**X. November 7 Project Rounds**Assignment

- Prepare for in-class simulation exercise.

**November 14----RESCHEDULED FOR MONDAY, NOVEMBER 26 1-4 PM ROOM 328**

**XI. November 21 Skills Session 5: Documenting Abuses and Gathering Information from Governments and Other Potential Opponents**

*In-class simulations.*

Assignment

- Prepare for in-class simulation exercise.

**XII. November 26 Skills Session 4: Gathering Information from Eyewitnesses and Survivors of Human Rights Abuses**

*Make-up class; In-class simulations*

Assignment

- Prepare for in-class simulation exercise.

**XIII. November 28 Skills Session 6: Interviewing Simulations Continued**

*In-class simulations.*

**XIV. December 5 Semester Wrap Up**Assignment

- Mid-year self evaluation and portfolio due Friday, December 7 at 10 a.m. (evaluation to be submitted via email and portfolio hard copy to Michelle).

**TO BE COVERED IN SPRING 2008 SEMINAR:**

- Substantive Review of International Humanitarian Law
- Approaches to Economic & Social Rights
- Human Rights Report Writing
- Messaging and Media Work
- Choosing Venues and Lodging Petitions
- Litigating for Change
- Preventing and Combating Secondary Stress