

INTERNATIONAL HUMAN RIGHTS

Prof. Tom Ginsburg

University of Chicago Law School

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V. 1.0

This course is an introduction to international human rights law, covering the major instruments and institutions that operate on the international plane. It includes discussion of the conceptual underpinnings of human rights, the structure of the United Nations System, the major international treaties, regional human rights machinery, and the interplay of national and international systems in enforcing human rights. There are no prerequisites. Grading will be on the basis of an eight-hour take-home exam at the end of the quarter. Students who wish to write, in lieu of the exam, a paper sufficient to satisfy the substantial requirement, may do so upon approval of the topic in advance. That paper will be due at the end of the Winter Quarter.

The course will use a newly published casebook: Louis Henkin, et al., *International Human Rights Law*: (2nd ed., 2009). The Documentary Supplement is recommended—many of the sources are publicly available but you will find it helpful at times to have them in one place. In addition, there will be supplementary materials distributed by the instructor and available on Chalk.

The course meets on Mondays, Tuesdays and Wednesdays at 8:30 am. The following syllabus is tentative and subject to change as the quarter goes on.

Introduction

September 29 The Human Rights Idea 42-53; 136-41; 153-74

September 30 A Primer on International Law 190-213

Norms of International Human Rights Law

October 5 Major Multilateral Treaties 214-31 [skim texts of Universal Declaration, ICCPR and ICESR from supplement]

October 6 The Case of Extraordinary Renditions 1-24

October 7 Refugees 276-92; 299-303

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|---------------|---|----------------------------------|
| October 12 | CEDAW and Women's Rights | 815-39 |
| | 4 pm: Special Lecture By Ruth Gavison, Association of Civil Rights, Israel "Constitution as a Form of Nation Building: The Israeli Experience" | |
| October 13 | CEDAW Continued | 839-58; 874-82. |
| October 14 | Self-determination and Third generation rights | 346-62; 367-72 & skim to 377 |
| October 16-17 | [Optional Make-up] Conference on Comparative Constitutional Design | |
| October 19 | Rights of Gays and Lesbians | 1208-30 |
| October 20 | Right to Life | 1148-90 |
| October 21 | Economic & Social Rights | 1375-84; skim to 1402; CASES TBA |

Enforcement Mechanisms

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| October 26 | United Nations Mechanisms | 415-43 |
| October 27 | Treaty bodies/ ICJ | 479-508 |
| October 28 | Use of Force and Humanitarian Intervention | 533-68 |

November 2-4: No Class

Regional Machinery

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| November 9 | Introduction to Regionalism; The Inter-American System | 568-97 |
| November 10 | Inter-American System Continued | 601-22 |
| November 11 | The European Convention and the EU | 622-47; 670-75 |

International Criminal Law

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| November 16 | International Criminal Law Intro | 698-712 |
| November 17 | International Criminal Law Continued | 712-41 |
| November 18 | Universal Jurisdiction | 769-87 |

The Roles of Nonstate Actors

November 23 NGOs; Alien Tort Claims Act 790-813; 1081-93

November 24 Corporations 900-24

What Works? Empirical Studies of Compliance

November 30 IR Theory and Compliance 381-411

December 1 The US: Outlier or Leader? 956-76

December 2 US Human Rights Continued; Summary 997-1041