

**COURSE SYLLABUS**  
**POLI 4505 HUMAN RIGHTS: LEGAL ISSUES**

**Instructor:** Dr. Megan Ross

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**Classroom:** Mona Campbell Building 1107

**Term:** Winter 2024

**Class time:** Tuesday 2:35-5:35

**Office Hours:** Monday 10-12 AM

Please send me an email to schedule an appointment to ensure fairness and equal access. I will have my office hours over zoom because I will be working from the law firm this semester.

Note I will respond to emails regarding logistical questions by email within 48 hours. I will not respond to emails during the weekends or on statutory holidays. If you have a question about substantive course related content, please make an appointment to speak with me about it during my office hours.

I encourage students to come talk to me in office hours, particularly if you are considering a career in law!

**COURSE DESCRIPTION**

This seminar course focuses on the legal issues and debates that are implicated in the development and enforcement of domestic and international human rights. It will address the changing legal status of international human rights treaties and conventions, with attention to the work of international treaty bodies, courts, tribunals, and the implications of their decisions and recommendations in domestic contexts. It will look at the impact of the development of international criminal courts and tribunals – with attention to the debates concerning state sovereignty and accountability, and what enables or restricts intervention in human rights crises. A central theme of the course will be theories and approaches to justice, and their relation to the force of law and the challenges of legal systems and obligations.

**COURSE OBJECTIVES**

At the end of this course, you will be able to:

- i. Explain key principles and prevailing assumptions of international human rights law.
- ii. Differentiate between the regional and international enforcement of human rights, including the various challenges involved in enforcement.
- iii. Analyze the historical transformation of human rights law and the consequences of this transformation.
- iv. Consider the future trajectory of international human rights law.

v. Effectively communicate your assessment of pressing issues in international human rights law and its relevance domestically.

## REQUIRED TEXTBOOK

Rhona K.M. Smith, *International Human Rights Law: 10th edition* (Oxford University Press, 2020). Available for purchase at the University Bookstore and online.

## EVALUATION

- Book Review, 1000 words 20%
- Reaction Papers, 500 words 40% total
- Human Rights Symposium 30%
- Participation 10%

## Grade Determination

Letter grade	Numerical equivalent	GPA	Definition	
A+	90-100	4.3	Excellent	Considerable evidence of original thinking; demonstrated outstanding capacity to analyze and synthesize; outstanding grasp of subject matter; evidence of extensive knowledge base.
A	85-89	4.0		
A-	80-84	3.7	Good	Evidence of grasp of subject matter, some evidence of critical capacity and analytical ability; reasonable understanding of relevant issues; evidence of familiarity with the literature.
B+	77-79	3.3		
B	73-76	3.0		
B-	70-72	2.7	Satisfactory	Evidence of some understanding of the subject matter; ability to develop solutions to simple problems; benefiting from university experience.
C+	65-69	2.3		
C	60-64	2.0		
C-	55-59	1.7	Marginal pass	Evidence of minimally acceptable familiarity with subject matter; critical and analytical skills (except in programs where a minimum grade of "C" or "C+" is required).
D	50-54	1.0		
F	0-49	0	Inadequate	Insufficient evidence of understanding of the subject matter; weakness in critical and analytical skills; limited or irrelevant use of literature

## COURSE POLICIES

### Discussion Guidelines

This course content is difficult. In the current political landscape internationally, it is even more challenging. There are reports of students feeling unsafe on campus, there are increased resorts

of both antisemitism and islamophobia on campuses. This class is about international human rights law. We discuss the history and development of international laws about human rights. Therefore, the contemporary political situation requires us to think carefully about classroom discussions. We will develop a collective learning agreement together in the first class and revisit this agreement after reading week. The purpose of this agreement is to have the class participate in creating a space that feels safe to discuss difficult aspects of international law. At the same time, substantial and constructive dialogue on challenging issues is an important part of the academic inquiry and exchange. It requires a willingness to listen and tolerance of opposing points of view. Consideration for others differences and tolerance alternative points of view is required of all class members. All conversations in class should remain within the bounds of civility and respect.

We will be meeting once per week and actively participating in class is essential for success in this course. Most weeks we will have a guest speaker who will talk for approximately 20 minutes. At that point we will have a discussion on how the presentation related to our readings. We will have a break and return for group discussions which dig more deeply into the readings for the week. You need to attend class and come prepared to participate in discussions, both in class and small group.

### **The Use of Course Materials**

Lectures and course materials prepared by the instructor are the instructor's intellectual property and are covered by the Canadian Copyright Act. Students wishing to record lectures or other course materials in any way (this includes tape recording, filming, photographing PowerPoint slides, Brightspace materials, etc.,) are required to ask the instructor's explicit permission. It is absolutely forbidden for a student to post, publish, or circulate the instructor's work on a website or to sell them in other forms without formal permission.

### **Accessibility**

Students with diverse learning styles and needs are welcome in this course. In particular, if you have accessibility-related needs that may require accommodations, please feel free to contact me and/or Student Accessibility Services as soon as possible:

[https://www.dal.ca/campus\\_life/academic-support/accessibility.html](https://www.dal.ca/campus_life/academic-support/accessibility.html)

### **Submission of Work**

Submit a paper copy of assignments in class at the beginning of class on the day the assignment is due.

### **Missed Assignments**

If you miss class, it is your responsibility to catch up with missed lecture and reading material. If you fall behind and need an extension, I will automatically grant one extension per semester. No questions asked. If you require additional extensions, you will need a documented reason for the request. All late assignments will be penalized 5% per day late, including weekends.

### **Procedure for Appealing Assignment Grades**

Should you have legitimate concerns regarding assignment grades, you are welcome to submit a half-page typed appeal that explains the reasons why you are contesting the grade (to be submitted to the instructor no later than 5 days, weekends included, past the date that you received your assignment grade). Please note that the re-evaluation of an assignment may result in a higher or lower grade, or the grade may remain the same.

### **University Policies, Statements, Guidelines, and Other Resources for Support**

This course is governed by the academic rules and regulations set forth in the University Calendar and the Senate.

#### ***University Statements***

##### *Territorial Acknowledgment*

Dalhousie University is located in Mi'kma'ki, the ancestral and unceded territory of the Mi'kmaq. We are all Treaty people.

##### *Academic Integrity*

At Dalhousie University, we are guided in all of our work by the values of academic integrity: honesty, trust, fairness, responsibility and respect (The Center for Academic Integrity, Duke University, 1999). As a student, you are required to demonstrate these values in all of the work you do. The University provides policies and procedures that every member of the University community is required to follow to ensure academic integrity.

##### *Student Code of Conduct*

Everyone at Dalhousie is expected to treat others with dignity and respect. The Code of Student Conduct allows Dalhousie to take disciplinary action if students do not follow this community expectation. When appropriate, violations of the Code can be resolved in a reasonable and informal manner—perhaps through a restorative justice process. If an informal resolution cannot be reached, or would be inappropriate, procedures exist for formal dispute resolution.

Students are required to comply with health and safety requirements on campus, and should be considerate of others' health concerns. Non-compliance may be reported under the Code of Student Conduct.

### *Diversity and Inclusion – Culture of Respect*

Every person at Dalhousie has a right to be respected and safe. We believe inclusiveness is fundamental to education. We stand for equality. Dalhousie is strengthened in our diversity. We are a respectful and inclusive community. We are committed to being a place where everyone feels welcome and supported, which is why our Strategic Direction prioritizes fostering a culture of diversity and inclusiveness (Strategic Priority 5.2).

### *Recognition of Mi'kmaq Territory*

Dalhousie University would like to acknowledge that the University is on Traditional Mi'kmaq Territory. The Elders in Residence program provides students with access to First Nations elders for guidance, counsel and support. Visit their office at:

Room 107, Indigenous Student Centre

1321 Edward Street

Phone: (902) 494-6803

### **University Policies and Programs**

- Important Dates in the Academic Year

[http://www.dal.ca/academics/important\\_dates.html](http://www.dal.ca/academics/important_dates.html)

- University Grading Practices: Statement of Principles and Procedures

[https://www.dal.ca/dept/university\\_secretariat/policies/academic/grading-practicespolicy.html](https://www.dal.ca/dept/university_secretariat/policies/academic/grading-practicespolicy.html)

- Scent-Free Program

<https://www.dal.ca/dept/safety/programs-services/occupational-safety/scent-free.html>

### **Learning and Support Resources**

- General Academic Support - Academic Advising: [https://www.dal.ca/campus\\_life/academic-support/advising.html](https://www.dal.ca/campus_life/academic-support/advising.html)

- Copyright and Fair Dealing: <https://libraries.dal.ca/services/copyright-office/fairdealing/fair-dealing-guidelines.html>

- Libraries: <http://libraries.dal.ca>

- Student Health Services: [https://www.dal.ca/campus\\_life/health-and-wellness/services-support/student-health-and-wellness.html](https://www.dal.ca/campus_life/health-and-wellness/services-support/student-health-and-wellness.html)

- Counseling and Psychological Services: <https://www.dal.ca/counselling>

- Black Student Advising: [https://www.dal.ca/campus\\_life/communities/blackstudent-advising.html](https://www.dal.ca/campus_life/communities/blackstudent-advising.html)
- Indigenous Student Centre: [https://www.dal.ca/campus\\_life/communities/indigenous.html](https://www.dal.ca/campus_life/communities/indigenous.html)
- eLearning Website: <https://www.dal.ca/dept/elearning.html>
- Student Advocacy Services: <http://www.dsu.ca/dsas>
- Dalhousie Ombudsperson: [https://www.dal.ca/campus\\_life/safety-respect/student-rights-and-responsibilities/where-to-get-help/ombudsperson.html](https://www.dal.ca/campus_life/safety-respect/student-rights-and-responsibilities/where-to-get-help/ombudsperson.html)
- Writing Centre: [https://www.dal.ca/campus\\_life/academic-support/writing-andstudy-skills.html](https://www.dal.ca/campus_life/academic-support/writing-andstudy-skills.html). Assistance with learning to write academic documents, reviewing papers for discipline -specific writing standards, organization, argument, transitions, writing styles and citations.
- Studying for Success program and tutoring: [https://www.dal.ca/campus\\_life/academic-support/study-skills-and-tutoring.html](https://www.dal.ca/campus_life/academic-support/study-skills-and-tutoring.html)

## Reading Schedule

### Week 1: Introduction

Tuesday, January 9, 2023

- No reading

### Week 2: Historical Background and International Law Introduction

Tuesday January 16, 2023

- Chapters 1, 2 & 3

### Week 3: Enforcement Mechanisms

Tuesday, January 23, 2023

- Chapters 5 & 9

### Week 4: Right to Life and Freedom From Torture

Tuesday, January 30, 2023

- Chapters 13 & 17
- Guest Speaker: Prison conditions, Emma Halpern and Renford Farrier

### Week 5: Freedom of Expression

Tuesday, February 6, 2023

- Chapter 14 (pages 274-283), Chapter 20
- Guest speaker: Protestor rights, Asaf Rashid, Lawyer

### Week 6: Equality and Non-Discrimination

Tuesday, February 13, 2023

- Chapters 12 & 15
- Guest speaker: police violence, Harry Critchley, Lawyer

Winter Break, February 19-23

Week 8: Indigenous Peoples' Rights and the Rights to Self-Determination

Tuesday, February 27, 2023

- Chapters 18 & 19, UNIDRIP
- For Class: Public Hearing 3 ENG - Human Rights Situation of Wet'suwet'en Indigenous Peoples in Canada, held during the 187 Period of Sessions.
- <https://www.youtube.com/watch?v=2W2KpljDhLo>

Week 9: Future of Socio-Economic Rights

Tuesday, March 5, 2023

- Chapters 16, 21 & 22
- Guest speaker: Campbell McClintock and Representative of Pete's Workers

Week 10: Human Trafficking Laws

- Hila Shamir, *Neo-abolitionist Feminists, Markets, Borders and the State*, Chapter 5 of Janet Halley, Prabha Kotiswaran, Rachel Rebouche and Hila Shamir, *Governance Feminism: An Introduction*, University of Minnesota Press

Week 11: Human Rights Student Panels

Tuesday, March 19, 2023

Week 12: Human Rights Student Panels

Tuesday, March 26, 2023

Week 13: Human Rights Student Panels

Tuesday, April 2, 2023