

*This is a preliminary syllabus and it is subject to change by the instructor before the start of Fall 2018 semester*

**GRADUATE SEMINAR  
790:534:90: INTERNATIONAL HUMAN RIGHTS  
AND THE UNITED NATIONS SYSTEM  
RUTGERS UNIVERSITY  
FALL 2018  
ONLINE**

**INSTRUCTOR**

**PROFESSOR ENGY ABDELKADER, JD, LL.M.**


Rutgers University MA Program in Political Science

Concentration in United Nations and Global Policy Studies

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Office Hours: By appointment

**COURSE DELIVERY**

This course is fully online. To access the course, please visit [sakai.rutgers.edu](https://sakai.rutgers.edu) . For more information about course access or support, contact the Sakai Help Desk via email at [sakai@rutgers.edu](mailto:sakai@rutgers.edu) or call 848-445-8721.

**COURSE DESCRIPTION**

This course will introduce participants to the realm of international human rights, with a particular focus on the United Nations system. In addition to surveying the history and foundation of human rights, we will explore myriad substantive areas including civil and political rights, economic and social rights, elimination of racial discrimination, gender rights and freedom of religion or belief. We will consider legal, political and other mechanisms used to protect human rights as well as contemporary discourses in the field. Course materials will encompass international declarations, agreements and instruments as well as materials from political scientists, legal academia, NGOs and news media. No prior familiarity with the subject matter is necessary.

**COURSE OBJECTIVES**

By the end of this course, students should be able to:

- Understand the historical, theoretical and practical foundations of the international human rights system vis-à-vis the United Nations.
- Define and differentiate between myriad substantive areas of international human rights including civil and political rights, economic, social and cultural rights and women's and children's rights.
- Discuss legal, political and other mechanisms employed to protect human rights.

- Research and analyze contemporary developments related to international human rights and the United Nations system.

## **TEXTBOOKS AND SUPPLEMENTAL READINGS**

AVAILABLE AT BARNES AND NOBLE COLLEGE AVENUE CAMPUS

1. Henry J. Steiner, Philip Alston, and Ryan Goodman (SAG), *INTERNATIONAL HUMAN RIGHTS IN CONTEXT: LAW, POLITICS, MORALS*, 3RD ED. (designated as SAG below).
2. A number of supplemental readings may be placed in Sakai.

## **TECHNOLOGY REQUIREMENTS**

- **BASELINE TECHNICAL SKILLS NECESSARY FOR ONLINE COURSES**
  - Basic computer and web-browsing skills
  - Navigating Sakai
- **REQUIRED EQUIPMENT**
  - Computer: current Mac (OS X) or PC (Windows 7 or newer) with high-speed internet connection
- **REQUIRED SOFTWARE**
  - Microsoft Word

## **COURSE REQUIREMENTS AND GRADES**

### *Class Attendance & Participation (25% of grade)*

Class attendance and participation is mandatory and you are expected to log-on at least twice per week to learn material, and post to the Discussion Forums (one original post, plus two replies). To be successful in this course, one should be prepared to devote at least 10 hours per week. In the event of a significant scheduling conflict or illness, please email the instructor as soon as you are aware that you will be unlikely to attend class. Unexplained absences will otherwise be looked upon unfavorably.

### *Response Papers (30% of grade)*

Students will be required to write five brief response papers throughout the semester. The response papers, representing an informal analysis of one to two double-spaced pages, should raise questions or address issues about the readings (not just summarize them). They are intended to help students critically engage with the readings. They should be submitted via Sakai.

### *Writing Requirement (45% of grade)*

Students are expected to produce a research paper analyzing a topic related to the subject matter. Class participants must have their paper topic approved by the instructor. Research papers should be 20 double-spaced pages in length (excluding the title page and citations), and are due on the last day of class.

Topics for the paper include:

- Origin of Human Rights

- Civil and Political Rights
- Economic, Social, and Cultural Rights
- International Women's Rights
- Cultural Universalism and Cultural Relativism
- The United Nations Human Rights System
- Genocide and Humanitarian Intervention
- The Responsibility to Protect
- Remedies for Massive Human Rights Violations
- If you would like to propose an alternative topic not reflected above, please submit it for approval by the end of the second week of class.

### COURSE RUBRIC

With respect to evaluation, the following rubric will be used in assessing your performance, including forum posts, response papers and research paper. It sets the most basic criteria of assessment, but it will at least provide you with some idea of my expectations.

|                       | <b>A</b><br><b>4 pts</b>   | <b>B</b><br><b>3 pts</b>  | <b>C</b><br><b>2 pts</b>   | <b>D/F</b><br><b>1/0 pts</b>   |
|-----------------------|--|---|--|--|
| Argument and analysis | Makes clear and compelling argument. Solid reasoning. Offers insightful analysis.        | Makes clear argument, based on plausible readings. Some effort to sustain argument throughout the analysis. | Attempts to offer a cogent argument and analysis, but argument and analysis are based on faulty reasoning. | Fails to make a cogent argument or to offer sound analysis.            |
| Writing and grammar   | Writes well, making appropriate word choices and avoiding grammar and spelling mistakes. | Writes well, but may include a handful of grammar, spelling, or word choice mistakes.                       | Makes multiple errors, but still writes in a clearly intelligible manner.                                  | Makes multiple errors that interfere substantially with comprehension. |

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| Organization and structure              | Presents clear, navigable structure with introduction, body, and conclusion. Provides reader with a "road map" of essay.                       | Offers clear organization with some road map for reader.                               | Makes some effort to structure the paper, but organization is problematic or difficult to follow. | Structures the paper in a way that is disorganized and difficult or impossible to follow. |
| Mastery and use of readings: References | Uses multiple readings and demonstrates mastery of facts and arguments made in readings.   | References multiple readings and demonstrates a good degree of understanding.          | Makes minimal use of readings and/or fails to demonstrate adequate mastery of readings.           | Fails to use readings.  |
| Mastery and use of readings: Concepts   | Knows the analytical concepts, provides their definition(s), and applies them precisely and systemically in the analysis of specific problems. | Knows most of the concepts. Makes minor definitional errors.                           | Makes some headway toward knowing and applying the relevant concepts.                             | Fails to know and apply basic concepts.   |
| Mastery and use of readings: Evidence   | Marshals appropriate evidence to describe, understand, and explain political   | Marshals appropriate evidence to describe, understand, and explain political problems, | Attempts to provide and explain evidence but with substantial omissions or errors in              | Fails to provide relevant evidence.   |

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|   | problems.   | with small errors.   | interpretation .  |  |
| Mastery and use of readings: Theoretical Analyses                   | Explains the relevance and applicability of a wide range of theoretical analyses to specific political problems.  | Is able to apply successfully some of the course's theoretical analyses to selected political problems.                                | Has difficulty connecting theoretical analyses to the political problems.               | Fails to connect the course's theoretical analyses to analyzed political problems. |
| Mastery and use of readings: Application to real political problems | Exhibits a nuanced understanding of the relationship between the analytical tools learned in class and "real life" global/comparative political problems. | Demonstrates a general understanding of the relevance of political scientific theories for the analysis of the global political world. | Has difficulty connecting the theories to actual issues of global/comparative politics. | Fails to connect the theories to actual issues of global/comparative politics.     |

#### ACADEMIC INTEGRITY POLICY

Principles of academic integrity require that every Rutgers University student:

- properly acknowledge and cite all use of the ideas, results, or words of others
- properly acknowledge all contributors to a given piece of work
- make sure that all work submitted as his or her own in a course or other academic activity is produced without the aid of unsanctioned materials or unsanctioned collaboration
- obtain all data or results by ethical means and report them accurately without suppressing any results inconsistent with his or her interpretation or conclusions
- treat all other students in an ethical manner, respecting their integrity and right to pursue their educational goals without interference. This requires that a student neither facilitate academic dishonesty by others nor obstruct their academic progress
- uphold the canons of the ethical or professional code of the profession for which he or she is preparing.

Adherence to these principles is necessary in order to insure that:

- everyone is given proper credit for his or her ideas, words, results, and other scholarly accomplishments
- all student work is fairly evaluated and no student has an inappropriate advantage over others
- the academic and ethical development of all students is fostered
- the reputation of the University for integrity in its teaching, research, and scholarship is maintained and enhanced.

Failure to uphold these principles of academic integrity threatens both the reputation of the University and the value of the degrees awarded to its students. Every member of the University community therefore bears a responsibility for ensuring that the highest standards of academic integrity are upheld.

– *The Rutgers University Academic Integrity Policy*

### **CHEATING AND PLAGIARISM**

Short version: Don't cheat. Don't plagiarize.

Longer version: Cheating on tests or plagiarizing materials in your papers deprives you of the educational benefits of preparing these materials appropriately. It is personally dishonest to cheat on a test or to hand in a paper based on unacknowledged words or ideas that someone else originated. It is also unfair, since it gives you an undeserved advantage over your fellow students who are graded on the basis of their own work. In this class we will take cheating very seriously. All suspected cases of cheating and plagiarism will be automatically referred to the Office of Judicial Affairs, and we will recommend penalties appropriate to the gravity of the infraction. The university's policy on Academic Integrity is available above and at

[http://academicintegrity.rutgers.edu/files/documents/AI\\_Policy\\_9\\_01\\_2011.pdf](http://academicintegrity.rutgers.edu/files/documents/AI_Policy_9_01_2011.pdf)<sup>1</sup> I strongly advise you to familiarize yourself with this document, both for this class and for your other classes and future work. To help protect you, and future students, from plagiarism, we require all papers to be submitted through Turnitin.com.

Since what counts as plagiarism is not always clear, I quote the definition given in Rutgers' policy:

**Plagiarism:** Plagiarism is the use of another person's words, ideas, or results without giving that person appropriate credit. To avoid plagiarism, every direct quotation must be identified by quotation marks or appropriate indentation and both direct quotation and paraphrasing must be cited properly according to the accepted format for the particular discipline or as required by the instructor in a course. Some common examples of plagiarism are:

- Copying word for word (i.e. quoting directly) from an oral, printed, or electronic source without proper attribution.
- Paraphrasing without proper attribution, i.e., presenting in one's own words another person's written words or ideas as if they were one's own.
- Submitting a purchased or downloaded term paper or other materials to satisfy a course requirement.

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<sup>1</sup> This web link was corrected on July 13, 2012. S. Lawrence.

- Incorporating into one's work graphs, drawings, photographs, diagrams, tables, spreadsheets, computer programs, or other nontextual material from other sources without proper attribution.<sup>2</sup>

A SPECIAL NOTE: Students often assume that because information is available on the Web it is public information, does not need to be formally referenced, and can be used without attribution. This is a mistake. *All* information and ideas that you derive from other sources, whether written, spoken, or electronic, must be attributed to their original source. Such sources include not just written or electronic materials, but people with whom you may discuss your ideas, such as your roommate, friends, or family members. They deserve credit for their contributions too!

Judgments about plagiarism can be subtle. If you have any questions, please feel free to ask for guidance.

## READING ASSIGNMENTS AND COURSE OUTLINE

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### *Module 1: Course Introduction*

#### **LESSON ONE INTRODUCTION AND COURSE OVERVIEW**

Visit the United Nation's website on International Human Rights Law at <http://www.ohchr.org/EN/ProfessionalInterest/Pages/InternationalLaw.aspx> and explore related links for an overview of the United Nations human rights system in its normative aspect.

Visit and explore the Council on Foreign Relations' webpage examining the Global Human Rights Regime, <http://www.cfr.org/human-rights/global-human-rights-regime/p27450>.

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### *Module 2: Foundations of International Human Rights*

#### **LESSON TWO HUMAN RIGHTS: BACKGROUND AND ORIGINS**

SAG 58-148.

Eleanor Roosevelt, The Promise of Human Rights, *Foreign Affairs*, April 1948.

United Nations Charter, <http://www.un.org/en charter-united-nations/index.html>

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<sup>2</sup> [http://academicintegrity.rutgers.edu/files/documents/AI\\_Policy\\_9\\_01\\_2011.pdf](http://academicintegrity.rutgers.edu/files/documents/AI_Policy_9_01_2011.pdf) Updated with the University's current language on July 13, 2012. S. Lawrence

Universal Declaration of Human Rights, <http://www.un.org/en/universal-declaration-human-rights/>

### **LESSON THREE CIVIL AND POLITICAL RIGHTS**

SAG 149-57, 185-89

International Covenant on Civil and Political Rights,  
<http://www.ohchr.org/EN/ProfessionalInterest/Pages/CCPR.aspx>

Optional Protocol to the International Covenant on Civil and Political Rights,  
<http://www.ohchr.org/EN/ProfessionalInterest/Pages/OPCCPR1.aspx>

Second Optional Protocol to the International Covenant on Civil and Political Rights, aiming at the abolition of the death penalty, <http://www.ohchr.org/EN/ProfessionalInterest/Pages/2ndOPCCPR.aspx>

### **LESSON FOUR ECONOMIC, SOCIAL AND CULTURAL RIGHTS**

SAG 263-307

International Covenant on Economic, Social and Cultural Rights,  
<http://www.ohchr.org/EN/ProfessionalInterest/Pages/CESCR.aspx>

Optional Protocol to the International Covenant on Economic, Social and Cultural Rights,  
<http://www.ohchr.org/EN/ProfessionalInterest/Pages/OPCESCR.aspx>

### **LESSON FIVE INTERNATIONAL WOMEN'S RIGHTS**

SAG 175-223

Convention on Elimination of Discrimination against Women (CEDAW),  
<http://www.un.org/womenwatch/daw/cedaw/cedaw.htm>

Optional Protocol to the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW-OP), <http://www.un.org/womenwatch/daw/cedaw/protocol/text.htm>



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*Module 3: The role of culture*

**LESSON SIX**  
**CULTURAL UNIVERSALISM AND CULTURAL RELATIVISM**

SAG 517-639

Amartya Sen, *Human Rights and Asian Values*,  
<https://www.carnegiecouncil.org/publications/archive/morgenthau/254.html>.

Makau Mutua, *Savages, Victims, and Saviors: The Metaphor of Human Rights*, 42 HARV. INT'L L.J. 201 (Winter, 2001), [https://papers.ssrn.com/sol3/papers.cfm?abstract\\_id=1525547](https://papers.ssrn.com/sol3/papers.cfm?abstract_id=1525547)

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*Module 4: The United Nations Human Rights System*

**LESSON SEVEN**  
**THE UNITED NATIONS HUMAN RIGHTS SYSTEM**

SAG 735-50, 754-758, 765-769, 774-75, 799-802

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*Module 5: Human Rights Violations and Enforcement*

**LESSON EIGHT**  
**GENOCIDE AND HUMANITARIAN INTERVENTION**

SAG 1163-7, 125, 1275-88

United Nations, Convention on the Prevention and Punishment of the Crime of Genocide,  
<https://treaties.un.org/doc/publication/unts/volume%2078/volume-78-i-1021-english.pdf>

Samantha Power, *Bystanders to Genocide: Why the United States Let the Rwandan Tragedy* <sup>[1]</sup><sub>SEP</sub> Happen,  
THE ATLANTIC MONTHLY, September 2001.  
<http://www.theatlantic.com/magazine/archive/2001/09/bystanders-to-genocide/4571>.

Michael J. Glennon, *The New Interventionism*, FOREIGN AFFAIRS, May/June 1999,  
<https://www.foreignaffairs.com/articles/1999-05-01/new-interventionism-search-just->

international-law

Jon Western and Joshua Goldstein, *Humanitarian Intervention Comes of Age: Lessons From Somalia to Libya*, FOREIGN AFFAIRS, November/December 2011,  
<https://pdfs.semanticscholar.org/330c/2cb8a81cfadee0a29e1c4071006d88dcd33c.pdf>

## **LESSON NINE**

### **THE RESPONSIBILITY TO PROTECT**

Gareth Evans and Mohamed Sahnoun, The Responsibility to Protect, Foreign Affairs,  
<http://faculty.maxwell.syr.edu/rdenever/PPA-730-00/Evans.pdf>

Outcome Document of the 2005 United Nations World Summit,  
<http://www.un.org/womenwatch/ods/A-RES-60-1-E.pdf>

*Presidential Study Directive on Mass Atrocities (PSD-10)*, THE WHITE HOUSE, Aug. 4, 2011,.  
<https://obamawhitehouse.archives.gov/the-press-office/2011/08/04/presidential-study-directive-mass-atrocities>

Celeste Ward Gventer, *Interventionism Run Amok*, FOREIGN POLICY, Aug. 10, 2011,  
<http://foreignpolicy.com/2011/08/10/interventionism-run-amok/>

## **LESSON TEN**

### **REMEDIES FOR MASSIVE HUMAN RIGHTS VIOLATIONS**

SAG 835-43, 1243-54, 1273-88

*Skim*, International Criminal Tribunal for the Former Yugoslavia, S.C. Res. 808, U.N. SCOR, 48th Sess., 3175th mtg., U.N. Doc. S/Res/808 (1993).

*Skim*, International Criminal Tribunal for Rwanda, *Report of the Secretary-General Pursuant to Paragraph 5 of the Security Council Resolution 955* (1994), U.N. SCOR, 50th Sess., U.N. Doc. S/1995/134 (1995).

*Skim*, The 1998 adoption in Rome of the Statute of the International Criminal Court of an International Criminal Court, U.N. Doc. A/Conf/183/9 (1998). *Rome Statute of the International Criminal Court*, U.N. Diplomatic Conference of Plenipotentiaries on the Establishment.

**LESSON ELEVEN**  
**HANDLING VICTIMS SEEKING ASYLUM AND REFUGEE STATUS**

UNHCR 2011, *World Refugee Day: UNHCR Report Finds 80 per cent of World's Refugees in Developing Countries*, UNITED NATIONS HIGH COMMISSIONER FOR REFUGEES (UNHCR), June 20, 2011, <http://www.unhcr.org/4dfb66ef9.html>.

Convention and Protocol Relating to the Status of Refugees, <http://www.unhcr.org/3b66c2aa10.html>.

Guiding Principles on Internal Displacement, 2001,  
<http://ochanet.unocha.org/p/Documents/GuidingPrinciplesDispl.pdf>

Consult and explore the website of the UN High Commissioner for Refugees,  
<http://www.unhcr.org/pages/49c3646c2.html>.

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*Module 6: National Security and Human Rights*

**LESSON TWELVE**  
**INTERNATIONAL HUMAN RIGHTS AND TERRORISM**

SAG 375-85, 416-430

No Discussion Forum or Response Paper this week. Happy Thanksgiving!

**LESSON THIRTEEN**  
**UNMANNED AERIAL VEHICLES (“DRONES”)**

*U.N. Resolution*, [http://www.un.org/ga/search/view\\_doc.asp?symbol=A/HRC/25/L.32](http://www.un.org/ga/search/view_doc.asp?symbol=A/HRC/25/L.32)

*HRW Letter to U.N. Human Rights Council*, <http://www.hrw.org/news/2014/03/27/un-human-rights-council-letter-remotely-piloted-aircraft-or-armed-drones>

*U.S. Mission to the U.N. Letter*, <https://geneva.usmission.gov/2014/03/28/eov-on-resolution-on-the-use-of-remotely-piloted-aircraft-or-armed-drones-in-counter-terrorism-and-military-operations/>

Public Opinion Polling in Pakistan's Tribal Regions, NEW AMERICA FOUNDATION,

<http://www.newamerica.net/sites/newamerica.net/files/policydocs/FATApoll.pdf>

Recommendations and Report of the Taskforce on U.S. Drone Policy, STIMSON,  
<https://s3.amazonaws.com/s3.documentcloud.org/documents/1209482/task-force-report-final-web-062414.pdf>

Micah Zenko, Robot Wars: What happens when other countries start droning, POLITICO,  
<http://www.politico.com/magazine/story/2013/11/what-happens-when-other-countries-start-droning-98996.html#.VliaB-dthFw>

#### **LESSON FOURTEEN FULLY AUTONOMOUS WEAPONS (“KILLER ROBOTS”)**

U.N. Report Calling for Moratoria on Lethal Robots, <http://news.usni.org/2013/05/03/document-u-n-report-calling-for-moratoria-on-lethal-robots>

Killer Foundations: Human Rights Implications of Killer Robots, HUMAN RIGHTS WATCH AND HARVARD LAW SCHOOL INTERNATIONAL HUMAN RIGHTS CLINIC,  
[http://www.hrw.org/sites/default/files/reports/arms0514\\_ForUpload\\_0.pdf](http://www.hrw.org/sites/default/files/reports/arms0514_ForUpload_0.pdf)

MARY ELLEN O’CONNELL, Banning Autonomous Killing: The Legal and Ethical Requirement that Humans Make Near-Time Lethal Decisions, <https://www.law.upenn.edu/live/files/3802-oconnell-mary-banning-autonomous-killing-the-legal>

#### **STUDENT-WELLNESS SERVICES**

##### *Just In Case Web App*

<http://codu.co/cee05e>

Access helpful mental health information and resources for yourself or a friend in a mental health

crisis on your smartphone or tablet and easily contact CAPS or RUPD.

##### *Counseling, ADAP & Psychiatric Services (CAPS)*

(848) 932-7884 / 17 Senior Street, New Brunswick, NJ 08901/ [www.rhscaps.rutgers.edu/](http://www.rhscaps.rutgers.edu/)

CAPS is a University mental health support service that includes counseling, alcohol and other drug assistance, and psychiatric services staffed by a team of professional within Rutgers Health services to support students’ efforts to succeed at Rutgers University. CAPS offers a variety of services that include: individual therapy, group therapy and workshops, crisis intervention, referral

to specialists in the community and consultation and collaboration with campus partners.

##### *Violence Prevention & Victim Assistance (VPVA)*

(848) 932-1181 / 3 Bartlett Street, New Brunswick, NJ 08901 / [www.vpva.rutgers.edu/](http://www.vpva.rutgers.edu/)

The Office for Violence Prevention and Victim Assistance provides confidential crisis intervention, counseling and advocacy for victims of sexual and relationship violence and stalking to students, staff and faculty. To reach staff during office hours when the university is open or to reach an advocate after hours, call 848-932- 1181.

#### *Disability Services*

(848) 445-6800 / Lucy Stone Hall, Suite A145, Livingston Campus, 54 Joyce Kilmer Avenue, Piscataway, NJ 08854 / <https://ods.rutgers.edu/>

Rutgers University welcomes students with disabilities into all of the University's educational

programs. In order to receive consideration for reasonable accommodations, a student with a disability must contact the appropriate disability services office at the campus where you are officially enrolled, participate in an intake interview, and provide documentation:

<https://ods.rutgers.edu/students/documentation-guidelines>. If the documentation supports your request for reasonable accommodations, your campus's disability services office will provide you

with a Letter of Accommodations. Please share this letter with your instructors and discuss the accommodations with them as early in your courses as possible. To begin this process, please complete the Registration form on the ODS web site at:

<https://ods.rutgers.edu/students/registration-form>.

#### *Scarlet Listeners*

(732) 247-5555 / <http://www.scarletlisteners.com/>

Free and confidential peer counseling and referral hotline, providing a comforting and supportive safe space.