



Spring 2021 - International Perspectives on Human Rights

LWSOC-UA 9251/ANTH-UA 9071/POL-UA 9751
Wednesday 2:00 PM - 4:45 PM CET

Blended / Remote Synchronous

Aula Siena

Spring 2021

We know that you may be taking courses at multiple locations this semester. If you are enrolled in this course 100% remotely and are not a Go Local/Study Away student for this course site, please make sure that you've completed the online academic orientation via NYU Classes so you are aware of site specific support, policies and procedures.

Please contact florence.academicssupport@nyu.edu if you have trouble accessing the NYU Classes site.

If you are attending in person, you will be instructed to choose your seat on the first day and are expected to use that seat for the entire semester due to NYU COVID-19 safety protocol.

Class Description:

The course aims to provide a basic introduction to international human rights, their conceptual and historical foundations, as well as the main international legal instruments and institutions aimed at protecting and promoting human rights worldwide. The course will offer a variety of disciplinary perspectives on the subject of human rights starting most prominently from international law, but including also history, philosophy, social anthropology and theories of international relations. Throughout the course, concrete case studies will be used to illustrate the range of human rights problems as well as the utility of the accountability paradigm to current international and national events and problems. The combination of theoretical approaches, legal analysis and an investigation into specific historical events and concrete case studies will enable students to acquire key skills in the application of human rights to their research and practice in a variety of

areas. Current affairs and student interests will also shape the topics to be discussed as case studies under the core syllabus below.

The first part of the course aims to introduce the legal, philosophical and historical foundations of human rights, the main international human rights legal instruments and institutions, and the distinction between civil and political rights and economic, social and cultural rights. This will include an introduction to the International Bill of Rights, the basic functioning of international law and theories of state compliance. The sessions will introduce a number of questions relating to the nature of human rights obligations, including ‘where do human rights come from?’, ‘who are the obligations owed by?’, ‘to whom?’ and ‘what types of action do such obligations entail?’. Starting from civil and political rights, the thematic focus will then shift to economic, social and cultural rights, and women’s rights.

The second part of the course continues the focus on specific groups of rights holders (refugees and migrants), moving then to particular categories of rights and specific challenges to human rights including government policies in counter-terrorism, the EU migration crisis and humanitarian crises and debates surrounding humanitarian intervention. Different sessions aim to combine the international human rights law perspective with more critical interdisciplinary approaches to current political questions. The course concludes with a critical investigation into the role of non-state actors in human rights, and a special session on human rights in the context of COVID-19.

Instructor Details:

Name: Dr. Lisa Ginsborg

NYUGlobalHome Email Address:

Office Hours: Appointments available via Zoom or in person on request

Villa Ulivi Phone Number:

Inclusion, Diversity, Belonging and Equity

NYU is committed to building a culture that respects and embraces diversity, inclusion, and equity, believing that these values – in all their facets – are, as President Andrew Hamilton has said, “...not only important to cherish for their own sake, but because they are also vital for advancing knowledge, sparking innovation, and creating sustainable communities.” At NYU Florence, we are committed to creating a learning environment that:

- fosters intellectual inquiry, research, and artistic practices that respectfully and rigorously take account of a wide range of opinions, perspectives, and experiences; and
- promotes an inclusive community in which diversity is valued and every member feels they have a rightful place, is welcome and respected, and is supported in their endeavours.

NYU Florence embraces diversity and recognizes our responsibility to foster an open, welcoming environment where students, faculty and staff of all backgrounds can collaboratively learn, work and

communicate. We will continually strive to work together to nurture a culture of inclusivity, compassion and mutual respect.

There are both on-campus and NYU Global resources available to students and staff wishing to share their experiences with us or offer suggestions for improvement. On-campus, students, faculty and staff can contact any one of our three local [IDBE Liaisons](#), [Mary Barbera](#), [Lisa Cesarani](#) and [Angelica Pesarini](#). Students can also contact the [Office of Academic Support](#) or the [Office of Student Life](#) to talk to a member of staff. Students are invited to join the NYU Florence IDBE Student Committee and take on an active role in planning encouraging dialogues on issues around diversity and inclusion.

The Global NYU community can access the [Office of Global Inclusion, Diversity and Strategic Innovation](#) who works closely with students, faculty, administrators, and staff, regardless of where you may be located, to help make every aspect of NYU more equitable. You can contact them at globalinclusion@nyu.edu for more information and resources.

Bias Response Line

NYU's [Bias Response Line \(BRL\)](#) provides an open forum to members of our community and helps to ensure that our community is equitable and inclusive. It is a centralized way to share or report experiences and concerns regarding bias, discrimination, or harassing behavior that may occur within our local or global NYU community. To contact the BRL, please email or call: 212-998-2277.

Desired Outcomes:

On completion of this course, students should:

- Have improved their ability to think critically, engage in complex reasoning and express their thoughts clearly through their written work
- Be able to identify the human rights and accountability dimensions in contemporary international affairs and issues
- Understand the historical background of the international human rights movement
- Have improved their understanding of the different disciplinary approaches to the study of human rights
- Have improved their understanding of the main international human rights legal instruments and institutions
- Have mastered a basic understanding of the nature of human rights obligations, including the distinction and relationship between civil and political rights and economic social and cultural rights
- Have mastered a basic understanding of how to research questions in international human rights and to formulate arguments in defense of a position
- Have mastered a basic understanding of some of the key contemporary challenges in international human rights.

Assessment Components

- Academic Commitment**: 15%
- Written Assignments (two 3 page reaction papers): 15%
- Midterm Exam: 25%
- Oral Presentation of 10 minute length: 15%
- Final Exam (2000 Words Essay due on 12 May 2021): 30%

****NB: Commitment:** A student's commitment will be evaluated based on active participation, involvement and contribution in the course either remote or in-person.

This may include, but is not limited to, presence at synchronous class sessions, timely submission of predetermined course assignments to the instructor, collaboration with peers in group course work both during class time or independently outside of class time, individual oral or written contributions to synchronous course time through the chat function, in person discussion, or in individual office hours with the instructor.

Assessment Expectations:

- **Grade A:** The student makes excellent use of empirical and theoretical material and offers structured arguments in work. The student writes comprehensive essays/exam questions and their work shows strong evidence of critical thought and extensive reading.
- **Grade B:** The candidate shows a good understanding of the problem and has demonstrated the ability to formulate and execute a coherent research strategy
- **Grade C:** The work is acceptable and shows a basic grasp of the research problem. However, the work fails to organize findings coherently and is in need of improvement
- **Grade D:** The work passes because some relevant points are made. However, there may be a problem of poor definition, lack of critical awareness, poor research
- **Grade F:** The work shows that the research problem is not understood; there is little or no critical awareness and the research is clearly negligible

Grading Guidelines

A = 94-100

A minus =

90-93 B plus =

87-89 B = 84-86

B minus =

80-83 C plus =

77-79 C = 74-76

C minus = 70-73

D plus = 67-69

D = 65-66

F = below 65

Grading Policy:

Please refer to Assessment Expectations and the policy on late submission of work

Academic Accommodations:

Academic accommodations are available for students with documented disabilities. Please contact the Moses Center for Students with Disabilities at 212-998-4980 or see the [Moses Center](#) for further information.

Students with disabilities who believe that they may need accommodations in a class are encouraged to contact the Moses Center for Students with Disabilities at (212) 998-4980 as soon as possible to better ensure that such accommodations are implemented in a timely fashion. For more information, see [Study Away and Disability](#).

Attendance Policy:

Study abroad at Global Academic Centers is an academically intensive experience, in which students from a wide range of backgrounds exchange ideas in discussion-based seminars. Learning in such an environment depends on the active participation of all students. In blended

course format,

students, based on need and circumstance may attend class sessions in-person or remote synchronously online. Both are acceptable and would be considered present in class. Since classes typically meet once or twice a week, even a single absence can cause a student to miss a significant portion of a course. **To ensure the integrity of this academic experience, class attendance at the Global Sites is expected. Unexcused absences will affect students' semester participation grade.** Faculty will take attendance at the beginning of every class. For Go Local Students studying in Florence, **If you have scheduled a remote course immediately preceding/following an in-person class, you may want to discuss where at the Academic Center the remote course can be taken.** Both in-person and remote students are responsible for making up any work missed due to absence. Repeated unexcused absences in a course may result in failure. Please be in contact with your professor via email to meet during office hours to discuss any missed lectures and assignments and arrange a timeline for submitting missed work.

Excused Absences:

In case of absence, regardless of the reason, the student is responsible for completing missed assignments, getting notes and making up missed work in a timely manner based upon a schedule that is mutually agreed upon between the faculty member and the student. **Absences should be reported to the [Office of Academic Support](#) via email and to your faculty member BEFORE your class meets for lesson.**

Categories of Excused Absences

Absence Due to Illness

- If you are a Go Local student present in Florence and feel sick, please contact the [Office of Student Life](#) for assistance.
- COVID-19 related family emergencies will be considered as an excused absence
- The Office of Student Life, when assisting you in cases of severe or extended illness, will coordinate with the Office of Academic Support to properly record your absences

Due to Religious Observance

- Students observing a religious holiday during regularly scheduled class time are entitled to miss class without any penalty to their grade. This is for the holiday only and does not include the days of travel that may come before and/or after the holiday
- Please note that no excused absences for reasons other than illness can be applied retroactively.

Students with questions or needing clarification about this policy are instructed to contact a member of the Office of Academic Support located in Villa Ulivi or to email florence.academicsupport@nyu.edu

Late Submission of Work

- All course work must be submitted on time, in class on the date specified on the syllabus.
- To request an extension on a deadline for an assignment, students must speak to the professor one week prior to the due date

- To receive an incomplete for a course at the end of the semester, two weeks before final exams, both the student and the faculty member must meet with the Assistant Director of Academic Affairs to review the request and if granted, they must both sign an Incomplete Contract detailing the terms for completing missing coursework.

Plagiarism Policy

PLAGIARISM WILL NOT BE TOLERATED IN ANY FORM:

The presentation of another person's words, ideas, judgment, images or data as though they were your own, whether intentionally or unintentionally, constitutes an act of plagiarism.

In the event of suspected or confirmed cases of plagiarism, the faculty member will consult first with the Assistant Director for Academic Affairs as definitions and procedures vary from school to school.

Writing Center:

The NYU Florence Writing Center offers you feedback on any type of writing, at any stage in planning or drafting; very rough drafts are welcome. Sign up for an online consultation at the [Writing Center's website](#) and submit your working draft or ideas at least six hours in advance to [NYU Florence Writing Center](#). Please also note that the Writing Center does not correct or "fix" your writing but prompts you to think and work. The aim is to create stronger writers in the long term, not necessarily perfect papers in the short term.

Required Text(s):

Course readings are posted online in the Resources folder of the NYU Classes site. In the [Villa Ulivi Library](#) hard copies of some textbooks are available to loan out for the semester. For more information on the resources and services of the library, please email florence.library@nyu.edu

Supplemental Texts(s):

Texts that students are not required to purchase are in NYU-FL Library or available online

Internet Research Guidelines:

The careful use of internet resources is encouraged and a list of recommended websites will be given. Failure to cite internet and other non-traditional media sources in your written work constitutes plagiarism.

Additional Required Equipment:

N/A

Class Assignments and Topics:

Session 1 – 3 February 2021

Introduction to the course and international human rights

No reading

Session 2 - 10 February 2021

Philosophical foundations of human rights

A J Langlois, 'Normative and Theoretical Foundations of Human Rights', in M Goodhart, Human Rights: Politics and Practice (13 pages);

A Clapham, Human Rights: A very short introduction, Chapter 1, pp. 1-26 (27 pages)

Session 3 – 24 February 2021

The history of international human rights and the Universal Declaration of Human Rights

Donnelly, Universal Human Rights in Theory and Practice, Ch 5, pp.75-91 (17 pages)

E Bates, History, in D Moeckli, S Shah, and S Sivakumaran (eds), International Human Rights Law, pp. 15-33 (18 pages)

[Universal Declaration of Human Rights](#), rights/ (8 pages)

RKM Smith, The international bill of rights, in Textbook on International Human Rights, 7th edition, pp. 38- 52 (15 pages)

Donnelly, 'The Universal Declaration model', in Human Rights in Theory and Practice pp. 24-39 (15 pages)

Session 4 – 3 March 2021

Civil and political rights and the basics of international law

Understanding International Law factsheet, https://treaties.un.org/doc/source/events/2013/Press_kit/fact_sheet_1_english.pdf (2 pages)

International Covenant on Civil and Political Rights (Articles 1-28) (14 pages)

A Clapham, Human Rights: A very short introduction, Deprivations of Life and Liberty pp. 98-109 (11 pages)

K Boyle and S Shah, Thought, Expression, Association and Assembly, in D Moeckli, S Shah, and S Sivakumaran (eds), International Human Rights Law, pp. 217-237 (21 pages)

OHCHR Fact Sheet 15: Civil and Political Rights: The Human Rights Committee, pages 1-11 (11 pages)

Ilias Bantekas and Lutz Oette, International Human Rights Law and Practice, (72-81) (10 pages)

Session 5- 10 March 2021

Economic, social and cultural rights

Text of [ICESCR](#) (8 pages)

[ESCR](#) [OHCHR](#) [fact](#) [book](#) 1-17 (18 pages),

Samuel Moyn, *Not Enough: Human Rights in an Unequal World*, Introduction 1-11 (12 pages)

Manfred Nowak, 'Social rights in international law: categorization versus indivisibility', in *Research Handbook on International Law and Social Rights* (2020) Pages: 2–18 (17 total)

Session 6- 17 March 2021

Women's rights

A Sen, [More than 100 million women are missing](#),

H Charlesworth, 'What are "Women's International Human Rights"?' (26 pages)

[UN Doc. E/CN.4/2003/75](#) (25 pages)

Text of [CEDAW](#)

Session 7- 24 March 2021

Mid-term Exam

Session 8 – 31 March 2021

Human rights compliance and mechanisms of accountability

Beth Simmons, *Mobilizing for Human Rights* ch.4 112-155 (44 pages)

Donnelly, *Universal Human Rights in Theory and Practice*, Chapter 11, *International Human Rights Regimes* (161-196) 36 pages

Session 9 – 7 April 2021

Migration and refugee rights

A Onuora-Oguno, Migration, Refugees, Asylum and Uprooted Peoples' Rights, in A Mihr and M Gibney, The SAGE Handbook of Human Rights, pp. 253-266 (14 pages)

[OHCHR Study: In Search of Dignity](#): Report on the human rights of migrants at Europe's borders, 2018, pp.6-41 (36 pages)

Watch: [TEDx](#) [Talk](#) by [Alexander Bett](#)

Session 10 – 14 April 2021

Human rights in counter-terrorism

Q Eijkman, Counterterrorism and Human Rights: Anticipating the Real Threat of Terrorism, SAGE Handbook of Human Rights (Chapter 13) pp. 225-237 (13 pages)

D Luban, Liberalism, Torture and the Ticking Bomb 2005, 91 VA. L. Rev. 1425-1461

(2005) L Tayler, How [New](#) [Global](#) [Counterterrorism](#)
[Measures](#) [Jeopardize](#) [Rights](#)

Session 11 – 21 April 2021

Humanitarian intervention

Donnelly, International Human Rights, Chapter 13 pp. 191-217 (27 pages)

F Gomez Isa, From Humanitarian Intervention to the Responsibility to Protect, in The SAGE Handbook of Human Rights, pp. 801-818 (20 pages)

Thomas G. Weiss, Peace Operations and Humanitarian Interventions, in The Oxford Handbook of United Nations Peacekeeping Operations, pp. 78-89, (12 pages).

Take a look at webpage of [UN Security Council](#)

Session 12 – 28 April 2021

Non-state actors in international human rights law

H P Schmitz, 'Non-State Actors in Human Rights Promotion', in The SAGE Handbook of Human Rights, pp. 352-372 (21 pages)

Ilias Bantekas and Lutz Oette, International Human Rights Law and Practice, (656-673) (25 pages)

Report UN Doc. A/71/367 (23 pages)

Session 13 – 5 May 2021

COVID-19, human rights and the right to health

[OHCHR](#) [COVID-19](#) [Guidance](#) available at

Michael Grodin, Daniel Tarantola, George Annas, Sofia Gruskin, Health and Human Rights in a Changing World, Chapter 4 (62-76) 15 pages

Just Security Blog posts:

<https://www.justsecurity.org/73447/covid-19-and-international-law-series-human-rights-law-right-to-health/>

<https://www.justsecurity.org/73426/covid-19-and-international-law-series-human-rights-law-right-to-life/>

<https://www.justsecurity.org/73520/covid-19-and-international-law-series-human-rights-law-civil-and-political-rights/>

Session 14 – 6 May 2021

[State of the Union](#) session on 'Artificial Intelligence and fundamental rights' live/recording: further information will follow shortly.

Session 15 – 12 May 2021

Final Essay Due

Class Time Expectations

In light of the unique circumstances of blended instruction, we ask students to consider the following class time expectations to ensure a productive class:

- Prepare your workspace for class, limit non-class activities during synchronous class time.
- If you are not using your cell phone to follow the lesson, cell phones should be turned off or in silent mode during class time.
- If deemed necessary by the study away site (i.e. a COVID related need), synchronous class sessions may be recorded and archived for other students to view. This will be announced at the beginning of class time.
- Students should be respectful and courteous at all times to all participants in class. Consider using the chat function or “raise hand” function in order to add your voice to class discussions.
- Please be mindful of your microphone and video display during synchronous class meetings. Ambient noise and some visual images may disrupt class time for you and your peers.

Final Exams

Final exams must be taken at their designated times. Should there be a conflict between final exams, please bring it to the attention of the Office of Academic Support florence.academicssupport@nyu.edu as soon as this is known to facilitate alternate arrangements. Final exams may not be taken early, and students should not plan to leave the site before the end of the finals period.

Required Co-curricular Activities

State of the Union (<https://stateoftheunion.eui.eu/>) session on ‘Artificial Intelligence and fundamental rights’ watch live/recording: further information will follow shortly

Suggested Co-curricular Activities

Suggested optional co-curricular activities will be announced in class and/or via email by the professor throughout the semester.

Your Instructor

Lisa Ginsborg works at the European University Institute (EUI) School of Transnational Governance and on the European Digital Media Observatory (EDMO). She has worked as a Post- Doctoral Researcher at University College Dublin (UCD) and at the EUI-based Centre for Media Pluralism and Media Freedom in the Robert Schuman Centre for Advanced Studies; as a Teaching Fellow at the European Inter-University Centre for Human Rights and Democratisation (EIUC); and was a visiting researcher at New York University School of Law and at the Sydney Centre for International Law at the University of Sydney. Previously she worked in the legal department of the International Secretariat of Amnesty International (2006–2009) and in the NGO Liaison Office of the Office of the UN High Commissioner for Human Rights (OHCHR) (2005– 2006). She has worked as a consultant for a number of human rights organizations and as a lecturer on human rights undergraduate and postgraduate courses. She holds a PhD in Public International Law from the EUI in Florence, Italy, and an MSc in Political Sociology from the London School of Economics and Political Science (LSE). Recent publications include:

'Towards

ever greater coherence? Human rights policies in the evolving EU', in M Nowak, J Wouters, AL Chane, N Hachez *The European Union and Human Rights* (Oxford University Press 2020); 'The United Nations Security Council's counter-terrorism ISIL (Da'esh) and Al-Qaida sanctions regime', in *Research Handbook on International Law and Terrorism, Second Edition*, Ben Saul (ed.), (Edward Elgar 2020); One step forward, two steps back: The Security Council, 'Foreign Terrorist Fighters', and human rights, in M Nowak and A Charbord (eds.) *Using Human Rights to Counter Terrorism* (2018); Coherence Versus Coherence: Normative Versus Structural and Interest-Based Coherence, with G Finlay, in *European Yearbook on Human Rights* (2017).