

GLOBAL JUSTICE CLINIC

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FALL 2016

TUESDAYS, 2:00–3:50 PM & THURSDAYS, 1:00–2:50 PM, FH332

Assignments, readings, and guest speakers are subject to change. Since travel is part of this course, some class sessions may need to be rescheduled during the semester. As far as possible, classes will be rescheduled during times when all students are available.

Course materials & required texts

Unless otherwise noted, all readings should be downloaded by students from the web, using NYU subscription databases where necessary. Materials listed as “Readings” are required; “Optional Readings” are, as the title suggests, optional (see discussion below). There are two texts that you are required to either purchase or access via the library (where all books are on reserve), since we will be using several chapters from each.

- (1) THE TRANSFORMATION OF HUMAN RIGHTS FACT-FINDING (Philip Alston & Sarah Knuckey, eds., 2016).
- (2) Dermot Groome, THE HANDBOOK OF HUMAN RIGHTS INVESTIGATION (2nd ed., 2011).

Seminar overview

This seminar is a collaborative effort to generate rigorous, strategic, interdisciplinary, critical and self-reflexive international advocacy that responds to global injustice. The seminar provides a map of the field of international human rights advocacy—its dominant forms of action, strategies, and range of methods—and teaches the core elements and skills of that work, including the collection of evidence of human rights abuses, interviewing witnesses and perpetrators, physical and digital security, trauma and vicarious trauma and resilience, report writing, media work, campaign planning, advocacy strategies, litigation, and measuring effectiveness. The seminar also introduces the ethical principles and professional rules related to human rights lawyering. Through discussion of Global Justice Clinic cases and projects, the seminar will provide a space for critical praxis.

The clinic addresses the obstacles to effective global justice and human rights work, and the technical, procedural, and substantive problems with the manner in which advocates investigate abuses, seek accountability, and conduct advocacy. The seminar offers an entry point to grounded, self-reflexive advocacy that productively interrogates its own foundations, goals, ethics, language, methods and effectiveness, and that acknowledges the limits of human rights discourses. Such advocacy aims to dissect and improve efforts to address abuses through reflection, innovation and redefinition.

Teaching materials are drawn from a diverse range of fields and interdisciplinary sources including law, medicine, psychology, political science, social theory, critical theory, toolkits and how-to-guides, stories, video, podcasts, human rights reports, witness testimony, forensic materials, guest speakers and the experiences of students. The success of the seminar depends, to a great extent, on the active, engaged, and critical participation of students. For this reason, attendance is mandatory. The readings are often voluminous, and intended to provide a broad foundation or reference regarding a particular topic, to which students can refer back later. Accordingly, students will be “on call” for specific readings for each class meeting, with the expectation that they will at least skim those materials for which they are not on call.

OVERVIEW – FALL 2016

- Class 1: Thursday, September 1 – Postponed – Readings in Lieu of Class
- Class 2: Tuesday, September 6 – Introduction; Global Justice & Critiques of Human Rights
- Class 3: Thursday, September 8 – Global Justice & Critiques of Human Rights (cont.)
- Class 4: Tuesday, September 13 – Human Rights Bootcamp 1
- Class 5: Thursday, September 15 – Human Rights Bootcamp 2
- SPECIAL EVENT: DISCRIMINATION, BIAS, COMPLICITY, & HUMAN RIGHTS WORK—
A DISCUSSION – *GJC Mini-Retreat* [DATE TBD]
- Class 6: Tuesday, September 20 – Human Rights-Based Approaches & Strategy 1
- Class 7: Thursday, September 22 – Strategy 2: Tactical Mapping of GJC Projects
- Class 8: Tuesday, September 27 – Ethics & Accountability 1
- Class 9: Thursday, September 29 – Ethics & Accountability 2: As Applied to GJC Work
- Class 10: Tuesday, October 4 – Human Rights Fact-Finding 1: Documentation and Investigation
- Class 11: Thursday, October 6 – Case Collaboration
- Class 12: Tuesday, October 11 – Human Rights Fact-Finding 2: New Media and Big Data
- Class 13: Thursday, October 13 – Case Collaboration
- Class 14: Tuesday, October 18 – Using Quantitative Methods in Human Rights Research 1
- Class 15: Thursday, October 20 – Using Quantitative Methods in Human Rights Research 2 (Guest Speaker)
- Class 16: Tuesday, October 25 – The Role of Interviewing in Our Work 1: Victims & Witnesses
- Class 17: Thursday, October 27 – The Role of Interviewing in Our Work 2: State Officials & Key Informants (Guest Speaker)
- Class 18: Tuesday, November 1 - Videotaped Simulations (out of class)
- Class 19: Thursday, November 3 – Individual Meetings with Supervisors to Watch Videos
- Class 20: Tuesday, November 8 – Human Rights Advocacy: The Human Rights Report
- Class 21: Thursday, November 10 – Vicarious Trauma & Human Rights Work
- Class 22: Tuesday, November 15 – Messaging and Working with the Media 1
- Class 23: Thursday, November 17 – Messaging and Working with Media 2 (Simulations)

- Class 24: Tuesday, November 22 – Human Rights Litigation 1
- Class 25: Tuesday, November 29 – Human Rights Litigation 2 (Guest Speaker)
- Class 26: Thursday, December 1 – Case Collaboration
- Class 27: Tuesday, December 6 – Evaluation and Outcomes
- Class 28: Thursday, December 8 – Reflections & Closure

FALL 2016

PART I: INTRODUCTION, CRITICAL ACTIVISM, STRATEGY AND ETHICS

Thursday **September 1**
Class 1: **POSTPONED; NO CLASS MEETING – *Background Readings in Lieu of Class***

Readings:

- *Chapter 4: The Law of Human Rights*, in DINAH SHELTON, *ADVANCED INTRODUCTION TO INTERNATIONAL HUMAN RIGHTS LAW* (2014) [PDF attached]
- Makau Mutua, *Savages, Victims, and Saviors: The Metaphor of Human Rights*, 42 HARV. INT'L L.J. 201, 220–21 (2001)
- Daniel Bonilla, *Legal Clinics in the Global North and South: Between Equality and Subordination – An Essay*, 16 YALE HUM. RTS & DEV. L. J. 1 (2013)
- Benjamin Hoffman, Marissa Vahlsing, *Collaborative Lawyering in Transnational Human Rights Advocacy*, 21 CLINICAL L. REV. 255 (2014)
- 2016–2017 GJC Provisional Docket Description— Confidential

Tuesday **September 6**
Class 2: **INTRODUCTION: Admin & Docket Overview**
 GLOBAL JUSTICE AND CRITIQUES OF HUMAN RIGHTS

Overview of this clinic, description and selection of clinic projects. Critical perspectives on human rights law, human rights advocacy, and the human rights clinic in U.S. law schools. What is global justice? What does a human rights clinic do? What does it mean to engage in human rights lawyering and advocacy? What critiques have been made about human rights, and which are most pertinent?

Readings:

- Review readings assigned for Class 1
- In-class handouts:
 - Washington Square Legal Services Ethics Memo
 - Washington Square Legal Services Clinic Manual
 - GJC Project Selection Form
 - GJC Conflicts Form
 - GJC Admin Handout

Assignments:

- Project Selection Form and Conflicts Form (to be distributed in first class). **Due Thursday, September 8 by 10 am** (emailed to Diana, with cc: to Meg and Nikki).
- Write a 1-2 page personal statement for the Global Justice Clinic. **Due Thursday, September 8 by 10am** (emailed to Diana, with cc: to Meg and Nikki). Your statement should address: (1) your goals and hopes for the clinic and the skills you aim to develop over the course of the semester (for LLMs) or year (for JDs); (2) the obstacles or difficulties you foresee in the attainment of your goals/skills and how you might address them; (3) the skills/experiences you aim to share with other students in the clinic, those which you aim to learn from other students, and how you will work to foster a collaborative team working environment.
- Before assigning the docket, we will schedule brief meetings with each student (sign-up in class) to discuss goals and learning objectives for the year (or semester in the case of LLMs), specific interests, and skill sets.

Thursday September 8

Class 3: GLOBAL JUSTICE AND CRITIQUES OF HUMAN RIGHTS (cont.)

Critical perspectives on human rights law, human rights advocacy, and the human rights clinic as a form of pedagogy and lawyering exercise in U.S. law schools. What is global justice? What does a human rights clinic do? What does it mean to engage in human rights lawyering and advocacy? What critiques have been made about human rights, and which are most pertinent?

Readings:

- Caroline Bettinger-Lopez et al, *Redefining Human Rights Lawyering Through the Lens of Critical Theory: Lessons for Pedagogy and Practice*, 18 GEORGETOWN J ON POVERTY L. AND POL'Y 337 (2011) (Read only Parts I, III.A, III.B, III.C.3, IV.B.1-4, V (pp. 1–2, 10–21, 22–30, 33–34)).
- Statement by Maina Kiai, United Nations Special Rapporteur on the rights to freedom of peaceful assembly and of association at the conclusion of his visit to the United States of America (July 27, 2016):
http://www.ushrnetwork.org/sites/ushrnetwork.org/files/unsr_foaa_usa_statement_final_2.pdf
- U.S. Human Rights Network, Fact Sheet: UN Special Rapporteur on Freedom of Peaceful Assembly and Association to Visit the United States, July 11-27, 2016
http://www.ushrnetwork.org/sites/ushrnetwork.org/files/usrfoaa_fact_sheet_for_us_advocates_1.pdf

Optional Readings:

- David Kennedy, *The International Human Rights Movement: Part of the Problem?*, 15 HARV. HUM. RTS. J. 101 (2002).
- Sameer M. Ashar, *Law Clinics and Collective Mobilization*, 14 CLINICAL L. REV. 355 (2008).
- Thomas Pogge, *Global Poverty as an Institutional Human Rights Violation*, *Journal of Social Democracy* (2013) (27–32), http://www.frankfurter-hefte.de/upload/International_Edition/NGFH_International-Quarterly_2013-1.pdf.
- Sally Engle Merry, Mihaela Serban Rosen, Peggy Levitt, & Diana H. Yoon, *Law from Below: Women's Human Rights and Social Movements in New York City*, 44 *Law & Society Review* 101 (2010), <http://www.law.uvic.ca/demcon/2012%20readings/Sally%20Merry%20et%20al%20-%20Law%20from%20Below.pdf>

Assignment:

- **1-2 page summary of assigned HR mechanisms - due Wednesday, September 14 by 10 am [sign-up sheet to be distributed in class]**

➔ SPECIAL EVENT: DATE TBD

DISCRIMINATION, BIAS, COMPLICITY, AND HUMAN RIGHTS WORK—GJC Mini-Retreat

Readings:

- Ta-Nehisi Coates, *The Case for Reparations*, *The Atlantic* (June 2014), <http://www.theatlantic.com/magazine/archive/2014/06/the-case-for-reparations/361631/>
- Kenji Yoshino, “The Pressure to Cover”, *NY Times Magazine* (Jan. 15, 2006), <http://www.nytimes.com/2006/01/15/magazine/the-pressure-to-cover.html>
- Audre Lorde, *There is No Hierarchy of Oppressions* (1983), <http://www.pages.drexel.edu/~jc3962/COR/Hierarchy.pdf>

Optional Readings:

- Cheryl I. Harris, *Whiteness As Property*, 106 HARV. L. REV. 1709, 1714 (1993)
- Skim readings from the 2013 Anne Braden Anti-Racist Organizer Training Program, available from the Catalyst Project: Anti-Racism for Collective Liberation, <http://collectiveliberation.org/our-work-2/the-anne-braden-anti-racist-organizing-training-program/the-2013-anne-braden-anti-racist-organizing-training-program/>

Tuesday September 13
Class 4: HUMAN RIGHTS BOOT CAMP 1: Sources and Interpretation of International Human Rights Law

What is human rights law? What are the instruments and mechanisms of the international human rights system? What are the key bodies, and how do they function?

Readings:

- Dinah L. Shelton, Chapter 4: *The Law of Human Rights* (re-read) and Chapter 7: *Compliance and Monitoring Mechanisms*, in *ADVANCED INTRODUCTION TO INTERNATIONAL HUMAN RIGHTS LAW* (2014) [to be distributed before class].
- Committee on Economic, Social and Cultural Rights, General Comment 3: The Nature of States Parties' Obligations, U.N. Doc. E/1991/23 (1990)
- Human Rights Committee, General Comment 31: The Nature of the General Legal Obligation Imposed on States Parties to the Covenant, U.N. Doc. CCPR/C/21/Rev.1/Add.13 (2004)
- United Nations Committee Against Torture, Concluding observations on the combined third to fifth periodic reports of the United States of America, U.N. Doc. No. CAT/C/USA/CO/3-5 (19 Dec. 2014)
- United Nations Guiding Principles on Business and Human Rights: Implementing the United Nations "Protect, Respect, and Remedy" Framework, U.N. Doc. No. HR/PUB/11/04 (2011)
- Key Human Rights Treaties:
 - ICCPR
 - ICESCR
 - CERD
 - CEDAW
 - CRC
 - CRPD
 - CAT and CPED
 - ICRMW

Assignment due:

- 1-2 page summary of assigned HR mechanisms - due Wednesday, September 14 by 10 am

Thursday September 15
Class 5: HUMAN RIGHTS BOOTCAMP 2: International and Regional Human Rights Mechanisms and Processes

Presentation and discussion of 1-2 pagers on human rights complaint procedures and mechanisms.

Readings:

- OHCHR, "Universal Periodic Review":
<http://www.ohchr.org/EN/HRBodies/UPR/Pages/UPRMain.aspx>
- OHCHR, "Human Rights Treaty Bodies":
<http://www.ohchr.org/EN/HRBodies/Pages/TreatyBodies.aspx>
- OHCHR, "Special Procedures":
<http://www.ohchr.org/EN/HRBodies/SP/Pages/Introduction.aspx>
- Dinah L. Shelton, Chapter 3: *International Institutions*, and Chapter 8: *Complaint Procedures*, in *ADVANCED INTRODUCTION TO INTERNATIONAL HUMAN RIGHTS LAW* (2014) [to be distributed before class]. Re-read Shelton, Chapter 7: *Compliance and Monitoring Mechanisms*.
- Inter-American Commission on Human Rights:
<http://www.cidh.oas.org/basicos/english/Basic1.%20Intro.htm>
- Key Regional Human Rights Treaties:
 - American Convention on Human Rights
 - American Declaration on the Rights and Duties of Man

- European Convention on Human Rights
- African Charter on Human and Peoples' Rights

Optional Readings:

Toolkits for advocates:

- International Justice Resource Center, *Inter-American Human Rights System*, http://www.ijrcenter.org/regional/inter-american-system/#Resources_for_Advocates (Skim)
- International Justice Resource Center, *Advocacy Before the Inter-American System: A Manual for Attorneys and Advocates* (2014), <http://ijrcenter.org/wp-content/uploads/2014/03/Manual-Advocacy-before-the-Inter-American-System-2014.pdf> (pages 1–30)
- Inter-American Human Rights Network, *Challenges & Criticisms*: <http://interamericanhumanrights.org/background/challenges-and-criticisms>

Tuesday
Class 6:

September 20

HUMAN RIGHTS ADVOCACY: RIGHTS-BASED APPROACHES & STRATEGY 1 - *What do we seek and how do we do it?*

What are we advocating when we advocate for human rights—substantive law, processes, institutional arrangements, structural change? What is the relationship between human rights law and human rights advocacy? Can we identify a rights-based approach to advocacy? How can the rights-based principles of participation, non-discrimination, and accountability best inform our practice? What counts as a “human rights problem” and who decides? How do advocates think analytically and strategically about human rights work, identify opportunities and obstacles, establish relationships with clients or partners, identify short-and long-term goals, decide on strategies, approaches, and tactics, enlist allies, mitigate backlash?

Readings:

- OHCHR, *Frequently-Asked Questions on a Human Rights-Based Approach to Development Cooperation* (2006), <http://www.ohchr.org/Documents/Publications/FAQen.pdf> (read Appendix II only).
- Meena Jagannath, Nicole Phillips, & Jeena Shah, *A Rights-Based Approach to Lawyering: Legal Empowerment as an Alternative to Legal Aid in Post-Disaster Haiti*, 10 NW. U. J. INT'L HUM. RTS. 7 (2010)
- The New Tactics in Human Rights Project, *New Tactics in Human Rights: A Resource for Practitioners* (2014) <https://www.newtactics.org/toolkit/strategy-toolkit> [read the “Method Overview” for each of the chapters in the Strategy Toolkit].
- Tactical Technology Collective, *Ten Tactics for Turning Information into Action and Basics Every Campaign Should Consider*, <https://archive.informationactivism.org/> [read the “Ten Tactics” and “Basics”, accessible from the sidebar].
- Douglas A Johnson and Nancy L Pearson, *Tactical Mapping: How Nonprofits Can Identify the Levers of Change*, THE NONPROFIT QUARTERLY 92 (2009), <http://nonprofitquarterly.org/2009/08/20/tactical-mapping-how-nonprofits-can-identify-the-levers-of-change/>.

Optional Readings:

- Jonathan Michael Berger and Amy Kapczynski, *The Story of the TAC Case: The Potential and Limits of Socio-Economic Rights Litigation in South Africa*, HUMAN RIGHTS ADVOCACY STORIES (Hurwitz & Satterthwaite, with Ford, eds., 2009).
- Amanda Klasing & Margaret Satterthwaite, *Using a Rights-Based Approach to Public Health Research: Assessing the Right to Water in Haiti*, in RIGHTS-BASED APPROACHES TO PUBLIC HEALTH (Beracochea et al, eds., 2010).
- For more academic analysis of network mapping, see: Skye Bender deMoll, *Potential Human Rights Uses of Network Analysis and Mapping* (28 April 2008), http://skyeome.net/wordpress/wp-content/uploads/2008/05/Net_Mapping_Report.pdf.

Thursday September 22

Class 7: STRATEGY 2: Defining Problems, Identifying Goals, Deciding on Strategies, Tactics, and Backlash -- Tactical Mapping

Is the work we do in the GJC human rights-based? How/why not? How do your goals as a student and professional mesh—or clash—with the goals of the client, organization, movement(s) for and with whom you work?

Readings: Tactical Mapping Case studies: Bring readings related to your clinic project and be prepared to talk them through with other GJC members

Tuesday September 27

Class 8: ETHICS AND ACCOUNTABILITY 1: The Human Rights Lawyer and Human Rights Organizations

Rules of professional responsibility, ethics, the role of the human rights lawyer, NGO accountability, responsibility to funders, clients, beneficiaries

Readings:

- Paul Gready, *Introduction: 'Responsibility to the Story'*, 2 J. HUM. RTS. PRACTICE 177 (2010)
- Daniel A. Bell & Joseph H. Carens, *The Ethical Dilemmas of International Human Rights and Humanitarian NGOs: Reflections on A Dialogue Between Practitioners and Theorists*, 26(2) HUM. RTS. Q. 300 (2004)
- Jonathan Darling, *Emotions, Encounters and Expectations: The Uncertain Ethics of 'The Field'*, 6(2) J. OF HUM. RTS. PRACTICE 201 (2014), <http://jhrp.oxfordjournals.org/content/6/2/201.full.pdf>.
- Betty Plewes & Rieky Stuart, *The Pornography of Poverty: A Cautionary Fundraising Tale*, in DANIEL A. BELL & JEAN-MARC COICAUD, EDS., *ETHICS IN ACTION: THE ETHICAL CHALLENGES OF INTERNATIONAL HUMAN RIGHTS NONGOVERNMENTAL ORGANIZATIONS* 23-37 (2007) [to be distributed before class].
- Geoffrey Robertson QC, *Human Rights Fact Finding: Some Legal and Ethical Dilemmas*, International Bar Association, Human Rights Institute, Thematic Paper No 1 (May 2010), <http://www.ibanet.org/Article/Detail.aspx?ArticleUid=c873cc48-b0f4-4ea1-80b3-fc11c85b2df4>.
- Maysoun Sukarieh and Stuart Tannock, *On the Problem of Over-Researched Communities: The Case of the Shatila: Palestinian Refugee Camp in Lebanon*, 47(3) SOCIOLOGY 494 (2013).

Thursday September 29

Class 9: ETHICS AND ACCOUNTABILITY 2: Our Roles and Responsibilities in Our Clinic Cases and Projects

How do the rules of professional responsibility and norms about the role of the human rights lawyer, NGO accountability and responsibility to funders, clients, partners, and beneficiaries guide us in our work? How can we think through potential conflicts? What do you see coming down the road?

Readings:

- ABA MODEL RULES OF PROFESSIONAL CONDUCT (2013): 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, Rule 3.3 Candor Before The Tribunal, http://www.abanet.org/cpr/mrpc/mrpc_toc.html.
- NEW YORK RULES OF PROFESSIONAL CONDUCT (2009, as amended through 2013): 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, Rule 3.3 Conduct Before a Tribunal, <http://nycourts.gov/rules/jointappellate/NY-Rules-Prof-Conduct-1200.pdf>.
- CODE OF CONDUCT FOR THE INTERNATIONAL RED CROSS AND RED CRESCENT MOVEMENT AND NGOS IN DISASTER RELIEF, Prepared jointly by the International Federal of Red Cross and Red Crescent Societies and the ICRC (1994), <http://www.ifrc.org/Global/Publications/disasters/code-of-conduct/code-english.pdf>
 - INTERNATIONAL NON-GOVERNMENTAL ORGANISATIONS' ACCOUNTABILITY CHARTER: 10 COMMITMENTS TO ACCOUNTABILITY BY INTERNATIONAL NON-GOVERNMENTAL ORGANIZATIONS (Rev. 2014), http://www.ingoaccountabilitycharter.org/wp-content/uploads/INGO_CHARTER_web.pdf
 - Humanitarian Accountability Partnership, 2010 HAP STANDARD IN ACCOUNTABILITY AND QUALITY MANAGEMENT (2010), <http://www.alnap.org/pool/files/2010-hap-standard-in-accountability.pdf> [SKIM].
 - Society of Professional Journalists, Code of Ethics, <http://www.spj.org/ethicscode.asp>.

PART II: EVIDENCE, INVESTIGATION, AND FACT-FINDING

Tuesday October 4

Class 10: HUMAN RIGHTS FACT-FINDING 1: DOCUMENTATION & INVESTIGATION

A critical examination of traditional approaches to human rights investigation and documentation, its strengths and limitations.

Readings:

- Eyal Weizman, *Introduction: Forensis*, in FORENSIS: THE ARCHITECTURE OF PUBLIC TRUTH (Sternberg Press, 2014) [to be distributed before class].
- Human Rights Watch, “About Our Research,” <http://www.hrw.org/en/node/75141>.
- Human Rights Watch, “III. Methodology,” in WE’LL KILL YOU IF YOU CRY: SEXUAL VIOLENCE IN THE SIERRA LEONE CONFLICT (2003), <http://www.hrw.org/node/12376/section/6>.
- Amnesty International, “Our Methods,” in Amnesty International Statute, <https://www.amnesty.org/en/documents/pol20/001/2013/en/>.
- Dustin Sharp, *Human Rights Fact-Finding and the Reproduction of Hierarchies*, in THE TRANSFORMATION OF HUMAN RIGHTS FACT-FINDING 69–87 (Philip Alston & Sarah Knuckey, eds., 2016)
- Théo Boutruche, *The Relationship between Fact-Finders and Witnesses in Human Rights Fact-Finding: What Place for the Victims?*, in THE TRANSFORMATION OF HUMAN RIGHTS FACT-FINDING 131–153 (Philip Alston & Sarah Knuckey, eds., 2016)
- Allison Corkery, *Investigating Economic, Social and Cultural Rights Violations*, in THE TRANSFORMATION OF HUMAN RIGHTS FACT-FINDING 377–395 (Philip Alston & Sarah Knuckey, eds., 2016)
- Diane Orentlicher, *International Norms in Human Rights Fact-Finding*, in THE TRANSFORMATION OF HUMAN RIGHTS FACT-FINDING 501–512 (Philip Alston & Sarah Knuckey, eds., 2016)
- Guidelines on International Human Rights Fact-Finding Visits and Reports: The Lund-London Guidelines (June 1, 2009), <http://www.factfindingguidelines.org/>

Thursday October 6

Class 11: CASE COLLABORATION

Workshop focus TBD. Come prepared to provide brief updates on your clinic projects with other members of GJC.

Tuesday October 11

Class 12: HUMAN RIGHTS FACT-FINDING 2: NEW MEDIA AND BIG DATA

Using photo, video, social media, and crowdsourcing for human rights documentation and related authentication and preservation issues; Using social media for human rights messaging, advocacy, influence, networks.

Guest Speaker: [TBA]

Readings:

- Witness, *Ethical Guidelines: Using Eyewitness Videos in Human Rights Reporting and Advocacy in Video as Evidence Field Guide*, <https://library.witness.org/product/video-as-evidence-ethical-guidelines/>.
- Zara Rahman et al., *DatNav: New Guide to Navigate and Integrate Digital Data in Human Rights Research*, The Engine Room (Aug. 24, 2016), <https://www.theengineroom.org/datnav-digital-data-in-human-rights-research/> [PDF of Guide: <https://www.theengineroom.org/wp-content/uploads/2016/09/datnav.pdf>] [excerpts to be assigned].
- Molly Land, *Democratizing Human Rights Fact-Finding*, in THE TRANSFORMATION OF HUMAN RIGHTS FACT-FINDING 399–424 (Philip Alston & Sarah Knuckey, eds., 2016).
- Patrick Philippe Meier, “The Limits of Crowdsourcing Crisis Information and The Promise of Advanced Computing,” TED Talk Sendai (2012), <https://irevolutions.org/2012/10/21/crowdsourcing-and-advanced-computing/>.
- De Silva et al., *A Report into the credibility of certain evidence with regard to Torture and Execution of Persons Incarcerated by the current Syrian regime*, 2014, <http://static.guim.co.uk/ni/1390226674736/syria-report-execution-tort.pdf> [NOTE: YOU ARE NOT REQUIRED TO VIEW THE GRAPHIC PHOTOS CONTAINED IN THE APPENDIX TO THIS REPORT.].
- Human Rights Watch, “Syria: Witnesses Corroborate Mass Deaths in Custody Claims – Released Detainees Recount Torture, Death in Sednaya Prison,” August 14, 2014, <http://www.hrw.org/news/2014/08/14/syria-witnesses-corroborate-mass-deaths-custody-claims>.
- Human Rights Watch, “Syria: Barrage of Barrel Bombs – Attacks on Civilians Defy UN Resolution,” July 30, 2014, <http://www.hrw.org/news/2014/07/30/syria-barrage-barrel-bombs>.
- Eoghan mac Suibhne, “Syrian Slaughter: Investigating Alleged War Crimes Via Social Media,” Nov. 5, 2012, <http://storyful.com/stories/45612> [NOTE: YOU ARE NOT REQUIRED TO WATCH THE GRAPHIC VIDEO EMBEDDED IN THIS STORY.]
- Christopher Koettl, “Can Video Document Possible War Crimes in Syria?,” Witness Blog, Jan. 8, 2013, <http://blog.witness.org/2013/01/video-war-crimes-in-syria/> [NOTE: YOU ARE NOT REQUIRED TO WATCH THE GRAPHIC VIDEO EMBEDDED IN THIS STORY.].
- Peruse the website of Amnesty International, *Citizen Evidence Lab*, <http://citizenevidence.org/>.
- Peruse the website of WITNESS, <http://witness.org/>, and read a selection of project descriptions and blog posts of your choosing.
- Peruse the website of iRevolution, <http://irevolution.net/>, and read a selection of project descriptions and blog posts of your choosing.

- Check out the Twitter feeds of @SamGregory, @PatrickMeier, @EngnRoom, @WitnessOrg
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Thursday October 13

Class 13: CASE COLLABORATION

Workshop focus TBD. Come prepared to provide brief updates on your clinic projects with other members of GJC

Tuesday October 18

Class 14: USING QUANTITATIVE METHODS IN HUMAN RIGHTS RESEARCH 1

The promise and perils of using quantitative research methods in human rights advocacy. Basic overview of common techniques, concepts, and approaches.

Readings:

- Athena R. Kolbe & Royce A. Hutson, *Human rights abuse and other criminal violations in Port-au-Prince, Haiti: a random survey of households*, *The Lancet*, Vol. 368, pp. 864-873 (2006), <http://www.ijdh.org/pdf/Lancet%20Article%208-06.pdf>
- Laurel E. Fletcher, et al., *Latino Workers and Human Rights in the Aftermath of Hurricane Katrina*, 28 *Berkeley J. Emp. & Lab. L.* 107 (2007), <http://scholarship.law.berkeley.edu/cgi/viewcontent.cgi?article=1638&context=facpubs>
- Gregg S. Gonsalves, et al., *Reducing Sexual Violence by Increasing the Supply of Toilets in Khayelitsha, South Africa: A Mathematical Model*, *PLoS ONE* 10(4) (2015), <http://journals.plos.org/plosone/article?id=10.1371/journal.pone.0122244>
- Zara Rahman, *DatNav: New Guide to Navigate and Integrate Digital Data in Human Rights Research*, *The Engine Room* (Aug. 24, 2016), <https://www.theengineroom.org/datnav-digital-data-in-human-rights-research/> [PDF of Guide: <https://www.theengineroom.org/wp-content/uploads/2016/09/datnav.pdf>] [excerpts to be assigned].
- Patrick Ball, *The Bigness of Data: Samples, Models, and the Facts We Might Find when Looking at Data*, in *THE TRANSFORMATION OF HUMAN RIGHTS FACT-FINDING* 425–440 (Philip Alston & Sarah Knuckey, eds. 2016)
- Brian Root, *Numbers are Only Human: Lessons for Human Rights Practitioners*, in *THE TRANSFORMATION OF HUMAN RIGHTS FACT-FINDING* 355–376 (Philip Alston & Sarah Knuckey, eds. 2016)

Thursday October 20

Class 15: USING QUANTITATIVE METHODS IN HUMAN RIGHTS RESEARCH 2

Guest Speaker: [TBA]

Readings *TBA*

Tuesday October 25

Class 16: THE ROLE OF INTERVIEWING IN OUR WORK 1: SURVIVORS, VICTIMS & WITNESSES

Readings [READ PRIOR TO ASSIGNED, VIDEOTAPED SIMULATION]:

- CHRGI, “Expert Workshop: Human Rights Fact-finding and the Science of Eyewitness Memory: Workshop Background Note” (May 2013) [to be distributed before class].
- Dermot Groome, “Interviewing Witnesses,” in *THE HANDBOOK OF HUMAN RIGHTS INVESTIGATION* (2nd ed. 2011) 173–205.
- UN Office of the High Commissioner for Human Rights, *TRAINING MANUAL ON HUMAN RIGHTS MONITORING*, <http://www1.umn.edu/humanrts/monitoring/monitoring-training.html> [Chapter VIII, “Interviewing”; Appendix 1 to Chapter XX, “Questionnaire – Interview Form”].

- Ronald Fisher and Edward Geiselman, *Memory Enhancing Techniques for Investigative Interviewing: The Cognitive Interview* (1992) [excerpts to be distributed before class].
- Matthew Bender, EYEWITNESS TESTIMONY, CIVIL AND CRIMINAL (4th ed.) (2008) [Chapter 2, “Factors Determining Perception”, Chapter 3, “Factors Determining Retention and Retrieval of Events”] [to be distributed before class].
- Rachel Tribe, *Working with Interpreters*, in WORKING WITH INTERPRETERS IN MENTAL HEALTH (2003) [to be distributed before class].
- Nancy Armoury Combs, *The Evidence Supporting International Criminal Convictions*, in FACT-FINDING WITHOUT FACTS: THE UNCERTAIN EVIDENTIARY FOUNDATIONS OF INTERNATIONAL CRIMINAL CONVICTIONS 11–20 (2010) [to be distributed before class].
- Eileen Pittaway, Linda Bartolomei, and Richard Hugman ‘*Stop Stealing Our Stories*’: *The Ethics of Research with Vulnerable Groups*, 2 J HUM. RTS. PRACTICE 229 (2010), <http://jhrp.oxfordjournals.org/content/2/2/229.full.pdf+html> [read the following sections: “The Importance of Individual Testimonies”; and “The Ethics of Collecting Individual Testimonies”].

Optional Readings:

- Muneer I. Ahmad, *Interpreting Communities: Lawyering Across Language Difference*, 54 UCLA L. REV. 999 (2007).
- The, Paulo, Rui M., Albuquerque, Pedro B., Bull, Ray, *Enhanced Cognitive Interview: Towards a Better Use and Understanding of This Procedure*, 15 INT’L J. POLICE SCI. & MGMT. 190–99 (2013)
- Jane Herlihy and Stuart Turner, *Memory and Seeking Asylum*, 9(3) EUR. J. PSYCHOTHERAPY & COUNSELING 267 (2007), <http://www.tandfonline.com/doi/pdf/10.1080/13642530701496872>.

Thursday October 27

Class 17: THE ROLE OF INTERVIEWING IN OUR WORK 2: PERPETRATORS, STATE OFFICIALS, KEY INFORMANTS

Guest Speaker: [TBA]

Witness/victim interviews; witness memory and trauma; factors influencing recall and reliability; working with interpreters; perpetrator interviews; official, expert, other interviews; on- and off-the-record interviews.

Readings [further readings TBA]

- Priscila R. Ulin, Elizabeth T. Robinson, and Elizabeth E. Tolley, *Collecting Qualitative Data: The Science and the Art*, in *Qualitative Methods in Public Health: A Field Guide for Applied Research* 71-104 (2005) [to be distributed before class].

Optional Readings:

- James Dawes, *Human Rights in Literary Studies*, 31 HUM. RTS. Q. 394 (2009), https://muse.jhu.edu/journals/human_rights_quarterly/v031/31.2.dawes.pdf.

Tuesday November 1

Class 18: VIDEOTAPED SIMULATIONS - out of class

Thursday November 3

Class 19: INDIVIDUAL MEETINGS AND VIEWING OF VIDEOTAPED SIMULATIONS (To be scheduled with supervisors)

PART III: ADVOCACY

Assignment:

- Prepare a personal reflection of no more than 1-2 pages on the various trauma and vicarious resilience readings listed for the session on Thursday, November 10. **Due Wednesday, November 9 by 5pm** (emailed to Diana, with cc: to Meg and Nikki).

Address: (a) any concerns you do or have had about primary or vicarious trauma and human rights work, whether about yourself or others; (b) coping strategies you have employed or would consider employing or recommending to colleagues; (c) measures you think the human rights community could take to improve the way we deal with trauma and vicarious trauma. Please note: these reflections will be shared with the guest speaker .

Tuesday November 8

Class 20: HUMAN RIGHTS REPORTS: Using, Expanding, and Questioning the Genre

A critical examination of the traditional “name and shame” human rights report; consideration of new approaches; discussion of the purpose, form, and function of human rights report-writing—intended and unintended

Readings:

- Paul Slovic and David Zions, *Can International Law Stop Genocide When Our Moral Intuitions Fail Us?* in UNDERSTANDING SOCIAL ACTION, PROMOTING HUMAN RIGHTS 100-134 (Ryan Goodman, Derek Jinks, and Andrew K. Woods, eds., 2012).
- James Ron, Howard Ramos & Kathleen Rodgers, *Transnational Information Politics: NGO Human Rights Reporting, 1986-2000*, 49 INT’L STUD. Q. 557 (2005).
- Stanley Cohen, *Government Responses to Human Rights Reports: Claims, Denials, and Counterclaims*, 18 HUM RTS Q 517 (1996).
- Ron Dudai, “*Can You Describe This?*” *Human Rights Reports and What They Tell Us About the Human Rights Movement*, in HUMANITARIANISM AND SUFFERING: THE MOBILIZATION OF EMPATHY 245 (Richard Ashby Wilson & Richard D. Brown eds., 2009).

Thursday November 10

Class 21: Identifying and Managing Trauma, Vicarious Trauma, and Resilience

Trauma (working with survivors and witnesses); vicarious trauma; sustainable human rights work through attention to stress, burnout, and secondary PTSD; developing coping strategies and resilience

Guest speaker: Professor Adam Brown, Sarah Lawrence College

Assignment (personal reflection) due Wednesday, November 9 by 5pm (emailed to Diana, with cc: to Meg and Nikki). See above.

Readings:

- Janine di Giovanni, “I believed I had escaped trauma ... but I was not as unbroken as I thought” *The Guardian* (25 June 2011), <http://www.theguardian.com/media/2011/jun/26/janine-di-giovanni-war-memoir-family>.
- StuffExPatAidWorkersLike, “#72: Untreated PTSD” (10 July 2011), <http://stuffexpataidworkerslike.com/2011/07/10/ptsd/>.
- Eyewitness Media Hub, *Making Secondary Trauma a Primary Issue: A Study of Eyewitness Media and Vicarious Trauma on the Digital Frontline* (2015), <http://eyewitnessmediahub.com/research/vicarious-trauma>.

- Jane Barry, *What's the Point of Revolution if We Can't Dance?*, Urgent Action Fund for Women's Human Rights (2007), <http://urgentactionfund.org/wp-content/uploads/downloads/2012/06/WTPR-Final-Book.pdf> [read selections of your choosing]
- Lisa McCann and Laurie Anne Pearlman, *Vicarious Traumatization: A Framework for Understanding the Psychological Effects of Working with Victims*, 3(1) J OF TRAUMATIC STRESS 131 (1990), and/or Christian Pross, *Burnout, vicarious traumatization and its prevention*, 16 TORTURE (2006), http://www.irct.org/Files/Filer/TortureJournal/16_1_2006/page_1-9.pdf.
- Pilar Hernandez, David Gangsei, David Engstrom, *Vicarious Resilience: A New Concept in Work With Those Who Survive Trauma*, 46(2) FAMILY PROCESS 229 (2007).
- Joscelyne A, Knuckey S, Satterthwaite ML, Bryant RA, Li M, Qian M, et al. (2015), *Mental Health Functioning in the Human Rights Field: Findings from an International Internet-Based Survey*, PLoS ONE 10(12): e0145188. <http://journals.plos.org/plosone/article?id=10.1371/journal.pone.0145188>

Assignment (distributed by email)

- Press Release. Refer to the “Elements of a Strong Press Release” handout [to be distributed] when completing this assignment. **Due Monday, November 14 at 10 am** (by email to Diana, with cc: to Meg and Nikki).

Tuesday November 15
Class 22: MESSAGING AND WORKING WITH THE MEDIA 1: Framing, Messaging, and Spinning

How to access, communicate with, and “use” the media; media toolkit and resources; framing your issue and delivering your message; new media strategies

Readings:

- Eleni Delimpaltadaki and Julie Rowe, *Communicating on Social Justice Issues within a Human Rights Framework: Messaging Recommendations for Advocates*, RACE/ETHNICITY: MULTIDISCIPLINARY GLOBAL CONTEXTS, Volume 3, Number 2 (Spring 2010), pp. 213–228.
- Robert C. Hornik, *Why Can't We Sell Human Rights Like We Sell Soap?*, in UNDERSTANDING SOCIAL ACTION, PROMOTING HUMAN RIGHTS 47-69 (Ryan Goodman, Derek Jinks, and Andrew K. Woods, eds., 2012).
- Martin Scott, “The mediation of distant suffering: an empirical contribution beyond television news texts,” 36 MEDIA CULTURE SOCIETY 3 (2014).
- Aspen Baker, “Ethical Storysharing: My Words, Not My Story,” Jan. 3, 2013, <http://blog.witness.org/2013/01/ethical-storysharing-my-words-not-my-story/>.
- Tactical Technology Collective, *Message in-a-box*, “Designing your strategy,” <https://miab.tacticaltech.org/designingyourstrategy.html>.
- Handout on guidelines for writing press releases [to be distributed before class].
- Examples of Press Releases and Press Stories [to be distributed before class].
- Video and social media advocacy
 - “Visualizing Information Advocacy” [selections to be distributed before class]
 - Sam Gregory, “Co-presence: A New Way to Bring People Together for Human Rights Activism,” Witness Blog, Sept. 23, 2013, <http://blog.witness.org/2013/09/co-presence-for-human-rights/>.
- Watch a selection of multimedia campaigns of your choosing from <http://www.hrw.org/multimedia> and/or <http://witness.org/our-work/> and/or <http://www.newmediaadvocacy.org/category/work/>.

Optional Readings:

- Stanley Cohen, STATES OF DENIAL: KNOWING ABOUT ATROCITIES AND SUFFERING (2001).
- Susan Sontag, REGARDING THE PAIN OF OTHERS (2004).
- Upendra Baxi, THE FUTURE OF HUMAN RIGHTS (2nd ed) (2006), [Chapter 7 “Human Rights Movements and Human Rights Markets”, Section VII “Techniques of Commodification of Human Suffering”].

Thursday November 17
Class 23: MESSAGING AND WORKING WITH THE MEDIA 2: In-class Simulations

Tuesday November 22
Class 24: HUMAN RIGHTS LITIGATION 1: Using Judicial and Quasi-Judicial Mechanisms to Advance Rights

The opportunities and risks of using litigation as a human rights tool; structural, strategic, and client-centered litigation; litigation for civil and political and economic, social and cultural rights; domestic, regional, and international litigation

Guest Speaker: [TBA]

Readings [TBA]

NO CLASS THURSDAY, NOV. 24 (Thanksgiving holiday)

Tuesday November 29
Class 25: HUMAN RIGHTS LITIGATION 2: Tactics, Strategies, and Challenges in Litigation and Non-Litigation, Policy Advocacy

How to influence policy and policymakers; tactics and strategies for challenging and changing existing policies, laws, and systems; risks and challenges involved in policy advocacy in the human rights context

Readings:

- IFEX, “Lobbying Effectively,” https://www.ifex.org/campaign_toolkit/lobbying_effectively/.
- Amnesty International, Campaigning Manual (2001), <https://www.amnesty.org/en/documents/act10/002/2001/en/> [Chapter 11, Home Government Lobbying].
- Columbia Law School Human Rights Institute, Bringing Human Rights Home: How State and Local Governments Can Use Human Rights to Advance Local Policy (2012), <https://web.law.columbia.edu/sites/default/files/microsites/human-rights-institute/files/Bringing%20Human%20Rights%20Home.pdf>.
- Lawrence Moss, *Opportunities for Nongovernmental Organization Advocacy in the Universal Periodic Review Process at the UN Human Rights Council*, 2 J. OF HUM. RTS. PRACTICE 1, 122–150 (2010), <http://jhrp.oxfordjournals.org/content/2/1/122.full.pdf>.
- Debate over human rights and political power/participation:
 - “Nobel Peace Laureates to Human Rights Watch: Close Your Revolving Door to U.S. Government,” Altnet, May 12, 2014, <http://www.altnet.org/world/nobel-peace-laureates-human-rights-watch-close-your-revolving-door-us-government>.
 - “Nobel Peace Laureates Slam Human Rights Watch’s Refusal to Cut Ties to U.S. Government,” Altnet, July 8, 2014, <http://www.altnet.org/world/nobel-peace-laureates-slam-human-rights-watches-refusal-cut-ties-us-government>.
 - Stephen Kinzer, “Are human rights activists today’s warmongers?” The Boston Globe, May 25, 2014, <http://www.bostonglobe.com/opinion/2014/05/24/are-human-rights-activists-today-warmongers/gef04rpPxgEdCEdx4DQ87J/story.html>

Part IV: EVALUATING OUTCOMES, MANAGING IMPACTS

Thursday **December 1**
CASE COLLABORATION

Workshop focus TBD. Come prepared to provide brief updates on your clinic projects with other members of GJC.

Tuesday **December 6**
Class 26: OUTCOMES: Identifying, Measuring, and Judging the Impact of Human Rights Work

How do we know if our efforts are working; what counts as success and who decides; what methods are most suited to evaluating the impact of human rights work?

Readings:

- Joel Putnam and Corinne Brenner, Virtual reality may foster empathy, but without accomplishing goals, Harmony Institute Blog (Sept. 22, 2105) <http://harmony-institute.org/latest/2015/09/22/virtual-reality-may-foster-empathy-but-without-accomplishing-goals/>
- Rhonda Schlangen, *Monitoring and Evaluation for Human Rights Organizations: Three Case Studies* (2014), <http://dmeforpeace.org/sites/default/files/1312014CEI%20HR%20Case%20Studies.pdf>
- International Council on Human Rights Policy, *No Perfect Measure: Rethinking Evaluation and Assessment of Human Rights Work* (2012) [to be distributed before class].
- Richard Carver, *Does Torture Prevention Work? Research Project Commissioned by the Association for the Prevention of Torture: Report of the Exploratory Phase* (Dec. 2012), http://www.apt.ch/content/files/apt%20institutional/Carver%20research%20project%20stage%201_report.pdf
- Philip M. Napoli, *Measuring Media Impact: An Overview of the Field* (2014), <http://learcenter.org/pdf/measuringmedia.pdf>.
- Steven Teles & Mark Schmitt, *The Elusive Craft of Evaluating Advocacy*, Stanford Social Innovation Review 39–43 (Summer 2011), http://www.hewlett.org/uploads/documents/Elusive_Craft.pdf

Optional Readings:

- Jim Igoe, *Scaling up Civil Society: Donor Money, NGOs and the Pastoralist Land Rights Movement in Tanzania*, 34 DEV. & CHANGE 863 (2003).
- Srilatha Batliwala & Alexandra Pittman, *Capturing Change in Women's Realities: The Challenge of Monitoring and Evaluating Our Work* (AWID, N.D.).
- Emilie M. Hafner-Burton & James Ron, *Seeing Double: Human Rights Impact through Qualitative and Quantitative Eyes*, 61 WORLD POLITICS 360 (2009), http://papers.ssrn.com/sol3/papers.cfm?abstract_id=1287858.
- CFR Development Channel, "Question of the Week: Are RCTs A Good Way to Evaluate Development Projects?" Aug. 8, 2012, <http://blogs.cfr.org/development-channel/2012/08/10/question-of-the-week-are-randomized-controlled-trials-a-good-way-to-evaluate-development-projects/>.

Thursday **December 8**
Class 28: REFLECTIONS: On the Clinical Experience and On Human Rights

What have we learned from this collaborative endeavor? What lessons can we offer to future clinic members? What is the future of human rights, and what is our place in it?

Readings:

- William P. Quigley, *Letter to a Law Student Interested in Social Justice*, 1 DEPAUL J. FOR SOC. JUSTICE 7 (2007).
- James Ron, Shannon Golden and David Crow piece “The Struggle for a Truly Grassroots Human Rights Movement,” June 19, 2013, <http://www.opendemocracy.net/openglobalrights/james-ron-david-crow-shannon-golden/struggle-for-truly-grassroots-human-rights-move>
- Stephen Hopgood, “Human rights: past their sell-by date,” June 18, 2013, <http://www.opendemocracy.net/openglobalrights/stephen-hopgood/human-rights-past-their-sell-by-date>
- César Rodríguez-Garavito, “Against Reductionist Views of Human Rights,” July 30, 2013, <http://www.opendemocracy.net/openglobalrights/c%C3%A9sar-rodr%C3%ADguez-garavito/against-reductionist-views-of-human-rights>
- Aryeh Neier, “Misunderstanding Our Mission,” July 23, 2013, <http://www.opendemocracy.net/openglobalrights/aryeh-neier/misunderstanding-our-mission>
- Araddhya Mehta, Are we being innovative in protecting civic space? (18 April 2016), <https://www.opendemocracy.net/openglobalrights/araddhya-mehta/are-we-being-innovative-in-protecting-civic-space>
- Cathal Gilbert, Missing: an international response to the rising tide of impunity (18 April 2016), <https://www.opendemocracy.net/openglobalrights/cathal-gilbert/missing-international-response-to-rising-tide-of-impunity>
- Maina Kiai, Reclaiming space through UN-supported litigation (19 April 2016), <https://www.opendemocracy.net/openglobalrights/maina-kiai/reclaiming-space-through-un-supported-litigation>