



**University of  
Zurich** UZH

Spring Term 2015  
Prof. Dr. Christine Kaufmann

## **International Human Rights**

### **General Information**

The course generally takes place every Wednesday from 10:15 to 12:00 (2 hours per week), exceptions to this are outlined in the syllabus below. The course will provide an overview of the current international human rights regime, which will be complemented by a second part focusing on the existing and emerging rules on corporate responsibility of multinational enterprises. After an introduction covering the basic mechanisms of human rights protection we will discuss the role of non-state actors and – in more detail – multinational corporations. The course will also address current human rights issues.

All participants are required to prepare for the course and read the assigned papers in advance. Please note that the reading load is approximately 50 pages per week on average.

The course is partially based on the textbook by **Daniel Moeckli/Sangeeta Shah/Sandesh Sivakumaran (eds.), International Human Rights Law, Second Edition, Oxford 2013**. For the legal sources we recommend you to furnish yourself with the **Blackstone's International Human Rights Documents collected by Alison Bisset, 9<sup>th</sup> Edition, Oxford 2014**.

For a concise and comprehensive account of the international human rights system, see Walter Kälin and Jörg Künzli, *The Law of International Human Rights Protection*, Oxford 2009.

For students without a law background, we also recommend Andrew Clapham, *Human Rights: A Very Short Introduction*, Oxford 2007.

**Relevant course materials as well as all slides are continuously being published on the following internet-based platform:**  
**<http://tiny.uzh.ch/bt> (the password required to enroll will be announced during class)**

General information as well as access instructions can also be found on Professor Kaufmann's homepage:  
<http://www.ivr.uzh.ch/institutsmitglieder/kaufmann.html>.

An exam will take place at the end of the term. More detailed information will be given at the beginning of the course.

Office hours: consultations by appointment only at Rämistrasse 74, floor G, office RAI-G-173.

E-Mail: [Lst.kaufmann@rwi.uzh.ch](mailto:Lst.kaufmann@rwi.uzh.ch)

Course syllabus (subject to modifications – please consult the internet-based platform for an up to date version as well as additional reading material and further resources)

Date	Topic	General reading assignments
18.2.	<p><b>Introduction: foundations, history and general concept of human rights protection</b></p> <ul style="list-style-type: none"><li>• From the Universal Declaration of Human Rights (UDHR) to the International Covenant on Civil and Political Rights (ICCPR) and the International Covenant on Economic, Social and Cultural Rights (ICESCR)</li><li>• Overview of the key features of the ICCPR and the ICESCR</li><li>• Relationship between the UDHR and the ICCPR</li></ul>	<ul style="list-style-type: none"><li>• Bates, in Moeckli/Shah/Sivakumaran (eds.), p. 15–33 (Chapter 1 – History)</li></ul>

<p><b>25.2. / 4.3.</b></p>	<p><b>Human rights actors I: The primary role of states</b></p> <ul style="list-style-type: none"> <li>• The nature of human rights obligations</li> <li>• The “special character” of human rights obligations</li> <li>• The primary role of the state and its duty to respect, protect, and fulfil human rights</li> </ul> <p><b>Human rights actors II: The UN human rights system and non-state actors</b></p> <ul style="list-style-type: none"> <li>• Overview of the UN human rights system and its treaty bodies</li> <li>• Non-state actors and globalization, privatization and trade liberalization</li> <li>• The emerging role of private actors</li> </ul>	<ul style="list-style-type: none"> <li>• Mégret, in Moeckli/Shah/Sivakumaran (eds.), p. 96-118 (Chapter 5 – Nature of Obligations)</li>   <li>• Connors/Schmidt, in Moeckli/Shah/Sivakumaran (eds.), p. 359-397 (Chapter 18 – United Nations)</li> <li>• Clapham, in Moeckli/Shah/Sivakumaran (eds.), p. 531-549 (Chapter 26 – Non-State Actors)</li> </ul>
----------------------------	--	---

<p><b>11.3.</b></p>	<p><b>Economic, social and cultural rights</b></p> <ul style="list-style-type: none"> <li>• Origin and legal foundations of economic and social rights</li> <li>• Key features of the ICESCR</li> <li>• Differences and relationship between the ICCPR and the ICESCR</li> <li>• The problem of resources</li> <li>• Obligations to respect, protect and fulfil</li> <li>• The issue of justiciability</li> </ul>	<ul style="list-style-type: none"> <li>• van Boven, in Moeckli/Shah/Sivakumaran (eds.), p. 143-156 (Chapter 7 – Categories of Rights)</li> <li>• Eide, in Moeckli/Shah/Sivakumaran (eds.), p. 195-216 (Chapter 10 – Adequate Standard of Living)</li> <li>• Ringelheim, in Moeckli/Shah/Sivakumaran (eds.), p. 286-302 (Chapter 14 – Cultural Rights)</li> </ul>
<p><b>18.3</b></p>	<p><b>Civil and political rights</b></p> <ul style="list-style-type: none"> <li>• Origin and legal foundations</li> <li>• Concept of civil and political rights</li> <li>• Proportionate limitations of freedom</li> <li>• Case study</li> </ul>	<ul style="list-style-type: none"> <li>• Rodley, in Moeckli/Shah/Sivakumaran (eds.), p. 174-194 (Chapter 9 – Integrity of the Person)</li> <li>• Boyle/Shah, in Moeckli/Shah/Sivakumaran (eds.), p. 217-237 (Chapter 11 – Thought, Expression, Association, and Assembly)</li> <li>• Shah, in Moeckli/Shah/Sivakumaran (eds.), p. 259-285 (Chapter 13 – Detention and Trial)</li> </ul>
<p><b>25.3.</b></p>	<p><b>No classes – instead Excursion to Geneva on 6 May 2015</b></p>	

<p><b>1.4.</b></p>	<p><b>Special focus on labour rights</b></p> <ul style="list-style-type: none"> <li>• History and establishment of the International Labour Organization</li> <li>• Fundamental conventions of the ILO</li> <li>• Case Study</li> </ul>	<ul style="list-style-type: none"> <li>• Coomans, in Moeckli/Shah/Sivakumaran (eds.), p. 238-258 (Chapter 12 – Education and Work)</li> <li>• ILO Declaration on Fundamental Principles and Rights at Work</li> <li>• ILO Declaration on Social Justice for a Fair Globalization</li> </ul>
<p><b>8.4.</b></p>	<p><b>No classes – Easter break</b></p>	
<p><b>15.4.</b></p>	<p><b>UN-Framework for business and human rights</b></p> <ul style="list-style-type: none"> <li>• Draft norms on the responsibility of transnational corporations and other business enterprises with regard to human rights</li> <li>• Appointment of Special Representative J. Ruggie</li> <li>• Framework: protect, respect and remedy</li> <li>• Adoption of the Guiding Principles</li> <li>• Recent developments</li> </ul>	<ul style="list-style-type: none"> <li>• Guiding Principles on Business and Human Rights: Implementing the United Nations “Protect, Respect and Remedy” Framework</li> </ul>
<p><b>22.4.</b></p>	<p><b>Special Guest Lecture</b></p> <ul style="list-style-type: none"> <li>• Details to be announced</li> </ul>	

<p><b>29.4.</b></p>	<p><b>Monitoring human rights compliance</b></p> <ul style="list-style-type: none"> <li>• Treaty-based mechanisms</li> <li>• Charter-based mechanisms, especially the Human Rights Council and its role to observe member states' compliance</li> </ul>	<ul style="list-style-type: none"> <li>• Optional Protocol to the ICESCR, Annex to the UN General Assembly resolution, A/RES/63/117, 10 December 2008</li> </ul>
<p><b>6.5.</b></p>	<p><b>Excursion to Geneva</b></p> <ul style="list-style-type: none"> <li>• Meeting with Prof. Michael Addo, member of the UN Working Group on the issue of human rights and transnational corporations and other business enterprises at the Palais des Nations (tbc)</li> <li>• Universal Periodic Review: The Maldives (tbc)</li> <li>• Further programme details will be announced later</li> </ul>	
<p><b>13.5.</b></p>	<p><b>Implementing the UN-Framework I: The international level</b></p> <ul style="list-style-type: none"> <li>• Overview of the OECD's mandate and work</li> <li>• OECD Guidelines for multinational enterprises</li> <li>• Role of OECD National Contact Points</li> <li>• International Finance Corporation's Policy on Environmental and Social Sustainability</li> </ul>	<ul style="list-style-type: none"> <li>• OECD Guidelines for Multinational Enterprises, 2011</li> <li>• Norwegian National Contact Point: Pension Funds Case</li> </ul>

<p><b>20.5.</b></p>	<p><b>Implementing the UN-Framework II: The national level</b></p> <ul style="list-style-type: none"> <li>• The renewed EU strategy calling for national action plans</li> <li>• Existing domestic policies and legislation</li> </ul>	<ul style="list-style-type: none"> <li>• A renewed EU strategy 2011-14 for Corporate Social Responsibility</li> <li>• Communication from the Commission to the European Parliament on the renewed EU strategy for CSR</li> <li>• Statement of the European Union and the United States on Shared Principles for International Investment</li> </ul>
<p><b>27.5.</b></p>	<p><b>Case study</b></p> <ul style="list-style-type: none"> <li>• Details to be announced</li> </ul>	