



Human Rights in Latin America: A Critical Approach

General description of the course

This course is aimed at providing students with a profound understanding of the essence of Human Rights in the Latin American context, by analyzing the history of colonialism, euro-centrism, patriarchalism, and neoliberalism that perpetuate structures of violence in the region.

The first part of the course introduces students to a critical theory of human rights, relating concepts and ideals of human rights within the Latin American history of authoritarian governments, systematic violations of human rights by states and groups in power, and by examining the structural, cultural and direct violence through the human rights lenses. To deepen in the analysis and application of the critical theory of human rights, two main issues are studied: human trafficking and organized crime.

The second part of the course focuses on understanding the dynamics of violence inflicted to specific populations in situation of vulnerability: women, children, indigenous peoples, and migrants. The specific human rights of these groups will be reviewed, as well as the systematic violations of human rights (cultural/structural), and current efforts to provide them with special protection. Finally, the role of the corporations in the perpetuation of violence, impoverishing the region and benefiting elite and oligarch groups will be analyzed, as well as Corporate Social Responsibility efforts to promote the respect of human rights and human development.

The methodology of the course mainstreams gender and human rights approaches, creating and promoting a participatory, democratic, holistic, and creative classroom. During the semester, participants will have plenty of opportunities to reflect, discuss and build knowledge together, through games, case analysis, debates, plays, oral presentations, among others.

Evaluation

Two written tests	20% each
A 10-page essay on a selected topic	40%
Class participation and attendance (assigned by the professor)	20%



Course Content

Part I

Human Rights: A Critical Approach

Session #1

Introduction to the course

Human Rights and Latin America: overview

Session # 2

- Latin America: from the colonial period to the colonialism of states, decolonizing human rights

Mandatory Reading:

Grosfogel, R. (2011) Decolonizing Post-Colonial Studies and Paradigms of Political-Economy: Transmodernity, Decolonial Thinking, and Global Coloniality. University of California: TRANSMODERNITY: Journal of Peripheral Cultural Production of the Luso-Hispanic World

Suggested reading:

Bannerji, H. (2002) Inventing Subjects: Studies in Hegemony, Patriarchy, and Colonialism. New Delhi: Tulika

Session #3

- The discourse of human rights to validate the violation of human rights

Mandatory Reading:

Hinkelammert, Franz (2004). The Hidden Logic of Modernity. Lock and the Inversion of Human Rights. Worlds and knowledges. Fall 2004. Available at: http://globalstudies.trinity.duke.edu/wp-content/themes/cgsh/materials/WKO/v1d1_HinkelammertF.pdf

Suggested reading:

Kreide, R. (2008) Power and Powerlessness of Human Rights. The International Discourse of Human Rights and its Critics. Krisis, Journal of Contemporary Philosophy, Issue 3. Netherlands

Session # 4

- Understanding the dynamics of violence: direct, structural and cultural from the Peace Studies lenses a basic paradigm and approach

Mandatory Reading

Galtung, J. (1996) Peace Theory. In Peace by Peaceful Means: Peace and Conflict, Development and Civilization, pp. 9-60. Oslo: International Peace Research Institute



Suggested Reading

Ife, J. (2007) Human Rights and Peace. In Webel, C. & Galtung J. (2007) Handbook of Peace and Conflict Studies, pp 160-173. New York: Routledge

Attanasio, David L. (2012). Militarized Criminal Organizations and Human Rights Court Review of State Protection Efforts: Evidence from Colombia (August 10, 2012). Florida State University Law Review, Vol. 41, 2014. Available at SSRN: <http://ssrn.com/abstract=2127902> or <http://dx.doi.org/10.2139/ssrn.2127902>

Session #5

- Latin America: a history of dictatorships and coups

Mandatory Reading:

Klein, N. (2007). The First Test: Birth Pangs. In The Shock Doctrine: the rise of a disaster capitalism pp. 75-116. New York: Picador

Suggested Reading:

Lazar, Sara (2006) Between M-otherness and identity: the narrations of four mothers and abuelas de plaza de mayo. Truman Institute of Peace Publications

Session # 6

- Genocide and Torture

Mandatory Reading:

Schlesinger, S. (2005) Bitter Fruit: The Story of The American Coup In Guatemala. United States: Harvard University Press

Session #7

- Organized crime and human rights in Latin America

Mandatory Reading:

Washington Office in Latin America (2007) The Captive State Organized Crime and Human Rights in Latin America.

Suggested Reading:

Ackerman, John M. (2014) "Rethinking the International Anti-Corruption Agenda: Civil Society, Human Rights and Democracy." American University International Law Review 29 no. 2 (2014): 293-333

Burnett, John (2009) **Fed Up, Ordinary Guatemalans Turn to Vigilantism** (<http://npr.org/templates/story/story.php?storyId=98614371>)



Session # 8

- Human Trafficking

Mandatory Reading:

Ribando, Claire (2013) Trafficking in Persons in Latin America and the Caribbean. Congress Research Service. Available at: <http://fas.org/sgp/crs/row/RL33200.pdf>

Session # 9

- Visit to the Inter American Court of Human Rights

Session # 10

- Mid-term exam

Part II

Human Rights of Particularly Vulnerable Groups

Session # 11

- The state of women's rights in Latin America

Mandatory Reading:

Facio, Alda (2003). Safeguarding the Future: The National Human Rights Institutions and Reproductive Rights. In: IIDH, UNHCR, UNFPA

Suggested readings:

Inter American Institute of Human Rights (2006) Situation and Analysis of Femicide in the Central American Region. IIHR: San Jose, Costa Rica.

Human Rights Council (2006) Report of the Special Rapporteur on violence against women, its causes and consequences: "Follow-up mission to El Salvador"

Morrison, Andrew, Ellsberg, Mary; Bott, Sarah (2005) Addressing Gender-Based Violence in Latin America and the Caribbean: A critical Review of Interventions. In En Breve, The World Bank, January 2005, No. 60

Declaration on the Elimination of Discrimination Against Women. Convention on the Elimination of all forms of Discrimination Against Women (CEDAW)

Inter-American Convention on the Prevention, Punishment and Eradication of Violence Against Women, "Convention of Belem do Para".



Session # 12

- Reproductive rights as human rights

Mandatory Reading:

Bareiro, Line (2003). Reproductive Rights and Universal Human Rights. In: IIDH, UNHCR, UNFPA (2003). Promotion and Defense of Reproductive Rights: a New Challenge for the National Human Rights Institutions. San Jose: IIDH. Pp. 113-126.

Suggested readings

Inter American Institute of Human Rights (2008) Interpretation of the Equality and Non-Discrimination Principles for Women's Rights in the Inter-American System Instruments.

Inter American Institute of Human Rights (2003). Promotion and Defense of Reproductive Rights: a New Challenge for the National Human Rights Institutions. San Jose: IIDH. Pp. 21-112

Session # 13

- Children's rights
- International Covenant of the Rights of the Child (CRC)
- The state of the children in Latin America

Mandatory Readings:

Inter-American Institute of Human Rights, Banco Mundial (2001). **Promoting State Protection of the Rights of the Child**. San Jose: IIDH.

Suggested readings:

Declaration on the Rights of the Child

Convention on the Rights of the Child

Gras, Jutta (2001) Monitoring the Convention on the Rights of the Child. Publications of the Faculty of Law, University of Finland

UNHCR (2006) Guidelines on Formal Determination of the Best Interests of the Child

Session # 14

- Child labor
- Child sexual exploitation

Mandatory Reading:

Davidson, J. (2005) Prostitutes, children and slaves & On Child Prostitutes as Objects, Victims and Subjects. In Children in Global Sex Trade, pp. 25 – 60. United Kingdom: Polity Press



Session #15

- Indigenous Peoples
- What are their rights as member of a community and what is their perspective on human rights?

Mandatory Reading:

Hall, Gillette & Patrinos, Harry A. (2004) Indigenous Peoples, Poverty and Human Development in Latin America: 1994-2004. The World Bank

Suggested Readings

International Labor Organization Convention (No. 169) concerning Indigenous and Tribal Peoples in Independent Countries

American Society of International Law (2007) ASIL Insights The UN General Assembly adopts the Declaration on the Rights of Indigenous Peoples

<http://www.asil.org/insights071009.cfm>

Session # 15

- Indigenous Peoples

Mandatory Reading:

FIAN International (2012) The Right To Food of indigenous Peoples in Latin America. The fight of the Sawhoyamaxa in Paraguay and the Guarani-Kaiowá in Brazil for their rights. . Germany: FIAN

Suggested readings:

Laban Hinton, Alexander (ed.) (2002) **Annihilating Difference. The Anthropology of Genocide.** Berkley: University of California Press

Session #17:

- Rights of Migrant Workers and their families
- Poverty and Migration

Mandatory Reading:

King, R (2007) Atlas of Human Migration. United States : Firefly Books

Suggested Reading:

Sorensen, N.; Van Hear, N. & Engberg-Pedersen, P. (2003) Migration, Development and Conflict: State-of-the-Art Overview. In **The Migration-Development Nexus** (2003) Geneva International Organization for Migration

International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (1990)



Session # 18

- Conflicts, refugees and migration
- Migrants as a development resource
- Modern day slavery

Mandatory Reading:

Castles, S. (2009) *The Age Of Migration: International Population Movements In The Modern World*. New York: Guilford Press

Suggested readings:

Gosh, Bimal. (2003) **Elusive Protection, Uncertain Lands: Migrant's Access to Human Rights**. Geneva: International Organization for Migration

UNICEF (2010) Fact-Sheet on the Economic Crisis and Migration, Remittances and Children Left Behind. Available at:

http://www.globalmigrationgroup.org/gmg/sites/default/files/uploads/documents/UNICEF_Fact%20Sheet_MigrationRemittances_and_Children%20Left_Behind_May_2010.pdf

The World Bank (2008) *Remittances and Development: Lessons from Latin America*. World Bank: Washington DC.

Session #19:

- Paper due and oral presentation

Session #20

- Visit to the University for Peace

Session# 21

- Corporations and Human Rights

Mandatory Reading:

Sullivan, R. Ed (2003) *Business and human rights : dilemmas and solutions*. United Kingdom: Greenleaf

Session # 22

- Corporations and Human Rights

Mandatory Reading:

Chunakara, G. (2000) *Globalization and Its Impact on Human Rights*. Hong Kong: Published by Christian Conference of Asia



Session # 23

- Corporate Social Responsibility

Mandatory Reading:

Karliner, J. & Aparicio, K. (2003) Transnational Corporations. Issues and proposals. In Fisher, W. & Ponniah, T. Eds. (2003) Another World is Possible. Popular Alternatives to Globalization. United States: Zed Books

- Guest Speaker on Corporate Social Responsibility and actions taken in Costa Rica

Session #24:

- Final Examination



ICDS Academic Policy

Special Needs: In case of requiring additional time for taking exams, or if experiencing any circumstance during the course of the term that would interfere with the student's ability to complete his/her work or take a test, students should let the professor know ahead of time.

Academic Integrity

Students in this course are expected to abide by common sense and normal regulations of Academic Integrity. Violations of the Academic Integrity policy include, but are not limited to plagiarism, fabrication, cheating, and academic misconduct, including dishonest acts such as tampering with grades or taking part in obtaining or distributing any part of an administered test/assignment. The intent to violate this policy also represents a violation of this policy.

Possible Sanctions for Violating Academic Integrity Policy

If an act of academic dishonesty is determined to have occurred, one or more of the following sanctions will be imposed, depending on the severity of a first-time offense:

Reduction of a course grade

- An "F" for the assignment or exam
- Failure for the entire course
- Other action deemed appropriate by the faculty member
- Any of the above sanctions with the inability to withdraw

The decision about the sanction to apply will be made jointly by the course's professor and ICDS' Academic Director, in consultation with home university on-site Director for the program, if applicable. The incident will be reported to the home university and may result in an official conduct record for the student(s).

Second violation: A second violation will result in suspension or expulsion from the program, in addition to any sanction issued from the list above.

Changes to Syllabus

The student acknowledges receipt of this syllabus and the information herein by continuing to attend this course. The Instructor reserves the right to make changes to this syllabus if circumstances warrant such change, with previous approval of ICDS' Academic Director. All major changes will be provided to the student in writing.