



COURSE MANUAL

Name of the Core Course:

International Human Rights Law (IHRL)

Course Code:

SPRING 2026

(AY 2025-26)

Name of the Course Instructor:

Shruti Pandey
Professor of Legal Practice,
JGLS
spandey@jgu.edu.in

CONTENTS

PART I

<i>General Information.....</i>	<i>Page 3</i>
---------------------------------	---------------

PART II

<i>a. Course Description.....</i>	<i>Page 4-5</i>
<i>b. Course Aims.....</i>	<i>Page 5-6</i>
<i>c. Intended Learning Outcomes.....</i>	<i>Page 6</i>
<i>d. Grading of Student Achievement.....</i>	<i>Page 6-8</i>

PART III

<i>a. Keyword Syllabus.....</i>	<i>Page 9</i>
<i>b. Course Policies.....</i>	<i>Page 9-10</i>

PART IV

<i>a. Weekly Course Outline</i>	<i>Page 11</i>
<i>b. Readings.....</i>	<i>Page 12-21</i>

PART I

General Information

General Information on International Human Rights Law

**offered by Jindal Global Law School
of the AY 2025-26 Spring Semester**

The information provided herein is by the Course Coordinator. The following information contains the official record of the details of the course.

This information shall form part of the University database and may be uploaded to the KOHA Library system and catalogued and may be distributed amongst LL.M course and final year Law students for B.A., LL.B. (Hons), B.B.A., LL.B. (Hons.); B.Com., LL.B. (Hons.), LL.B.; and LL.M. courses if necessary.

Course Title: International Human Rights Law (IHRL)

Course Code:

Course duration: 1 semester

Credits: 4

Level: An advanced level LLM core course; also offered to undergraduate students as an elective course

Pre-requisites: Foundational course on International Human Rights Law (IHRL), or the related courses: Public International Law (PIL) in general and courses on its areas such as International Trade Law (ITL), International Economic Law (IEL), International Climate Law (which too is called IEL - International Environmental Law), International Humanitarian Law (IHL), and International Criminal Law.

Medium of instruction: English

PART II

a. Course Description

*Hermann Goring tried to defy the Nuremberg Tribunal by exclaiming about the extermination of millions of Jews: "That was our right! We were a sovereign state and that was strictly our business."*¹

This course is located in the 21st century global world of International Human Rights Law (IHRL). It draws attention to inherent challenges of IHRL, and yet its direct and indirect successes. Further, it leads into advanced-level inquiries that address the emergent challenges of the world and the field of IHRL, and seeks responses to them.

There are palpable demands on IHRL today, to adapt its classic state-centric and 'international' framework and grammar. Transnational, global and extraterritorial phenomena and supranational (like the EU) and non-state (especially multinational companies) actors which are posing the most pressing issues in the current world, such as globalization accompanied by liberalization and privatization, radical inequality, climate crisis, digital transformation. These are leading to pivotal turns in both global and national contexts of IHRL, and even in rule of law in general, in turn spawning a sense of cynicism about IHRL vis-a-vis the reality of rapidly changing turbulent times. To the people who need its protection the most, and even to many scholars and practitioners, IHRL seems particularly disconnected from the entrenched political economy of these times, in addition to its already existing critiques for being colonial, bureaucratic and for its internal incoherence and weak enforcement mechanism. Additionally, the fragmentation of the entire field of International Law as well as within International Human Rights Law is undermining the faith in IHRL and adding to the skepticism.

On this canvas, the course explores questions such as:

- How do we read and engage with the IHRL instruments and system today as we move into the second quarter of the 21st century, towards their enhanced relevance and meaningfulness?
- How do we catalyze the IHRL mechanism towards strengthened actualization of human rights on the ground and across the globe in the current climate?

This is being offered as masters level course and an optional elective. Hence it assumes a foundational level knowledge and understanding of IHRL. It builds on bachelor level courses on Public International Law (PIL) and International Human Rights Law (IHRL). Knowledge from specific courses such as International Trade Law (ITL), International Economic Law (IEL), International Climate Law (also called IEL -

¹ Luke Glanville, *Sovereignty and the Responsibility to Protect: A New History* 146–47 (2013), quoted in Fellmeth, A., & McInerney-Lankford, S. (2022). *International Human Rights Law and the Concept of Good Governance* at page 316

International Environmental Law), International Humanitarian Law (IHL), and International Criminal Law would make it even more engaging. However, for those who have not completed the basic IHRL and PIL courses, the basic concepts of IHRL are also captured/ revisited in a slightly longer-duration initial modules here, which are designed such as not to be repetitive for those who have completed the basic level course(s) and at the same time support those who have not completed such courses, so that everyone is on the same page from thereon.

What is sacrificed here due to paucity of time and prescribed limit on length of course readings are: detailed understanding of each area of rights; each human rights treaty; and the regional mechanism. Also, the case-law would be referred in the course of discussion and are not prescribed as course readings. Significant reliance is placed on the United Nations (UN) website and the instruments as primary sources, followed by some text-book chapters and some important scholarly commentaries and analyses. Lastly, not all the emerging challenges are covered in detail; only some are while the others are flagged.

The course builds on the foundational course on IHRL taught at the undergraduate level which was in the nature of a survey course. It does so by:

- Deploying some less used critical legal and inter-disciplinary lenses to IHRL.
- Situating International Human Rights Law (IHRL) within Public International Law (PIL) as well as situating PIL within IHRLT, thus spreading the consciousness of IHRL in all strands of IL.
- Challenging the issues with the consciousness of the emergent global context with its associated complexity.
- Drawing attention to the practical choices of action between international and national level advocacies located in and beyond the judicial spaces, and in the evolution of human rights field.

b. Course Aims

It is looking to clarify the strategic directions for future of IHRL, by empirically grounding it from the practice of human rights by human rights movements and at domestic/ national level. It clearly sets the litmus test for IHRL's success in transforming the lived reality of people, especially the people from marginalized groups. It is therefore practice-oriented, on the ground.

Most importantly, amidst this crisis in legitimacy of IHRL, this course is looking to generate hope and purpose. It construes passion in IHRL's greyness and ambiguity for creative journeys of justice across man-made borders. It therefore adopts — beyond the familiar critical lenses in the discipline of international law — a contemporary and contextualized approach to IHRL, for its forward-looking relevance. It uses a mix of classic literature and recent writings of last five years by eminent and credible scholars

of the field. Building from them, it points to new normative and discursive understanding, beyond knowledge and technicalities. It enrolls the students as stakeholders in the field of IHRL and its future, both professionally and personally.

c. Intended Learning Outcomes

Course Intended Learning Outcomes	Weightage	Teaching and Learning Activities	Assessment Tasks/ Activities
By the end of the course, students should be able to:			
Know the foundational concepts and discourse through advanced-level inquiries.	40%	Lectures, seminar discussions, audio-visuals on the readings in the modules and the concepts examined in them.	Research and application, with evaluated milestones
Know the points of intersectionality, complexities, emerging directions in the 21 st century contexts.	40%		
Practically apply the learning into processes and actions.	20%		

d. Grading of Student Achievement

To pass this course, students must obtain a minimum of 30% in the cumulative aspects of coursework, i.e., internal assessment (including moot, mid-term exam, internal assignment) and end term examination. **End of semester exam will carry 70 marks out of which students have to obtain a minimum of 40% marks to fulfil the requirement of passing the course.**

The details of the grades as well as the criteria for awarding such grades are provided below:

PERCENTAGE OF MARKS	GRADE	GRADE VALUE	GRADE DESCRIPTION
80 and above	O	8	Outstanding – Exceptional knowledge of the subject matter, thorough understanding of issues; ability to synthesize ideas, rules and principles and

PERCENTAGE OF MARKS	GRADE	GRADE VALUE	GRADE DESCRIPTION
			extraordinary critical and analytical ability
75 – 79	A+	7.5	Excellent - Sound knowledge of the subject matter, thorough understanding of issues; ability to synthesize ideas, rules and principles and critical and analytical ability
70 – 74	A	7	Very Good - Sound knowledge of the subject matter, excellent organizational capacity, ability to synthesize ideas, rules and principles, critically analyze existing materials and originality in thinking and presentation
65 – 69	A-	6	Good - Good understanding of the subject matter, ability to identify issues and provide balanced solutions to problems and good critical and analytical skills
60 – 64	B+	5	Fair – Average understanding of the subject matter, limited ability to identify issues and provide solutions to problems and reasonable critical and analytical skills
55 – 59	B	4	Acceptable - Adequate knowledge of the subject matter to go to the next level of study and reasonable critical and analytical skills.
50 – 54	B-	3	Marginal - Limited knowledge of the subject matter and irrelevant use of materials and, poor critical and analytical skills
45 – 49	P1	2	Pass 1 – Pass with basic understanding of the subject matter
40 – 44	P2	1	Pass 2 – Pass with rudimentary understanding of the subject matter
Below 40	F	0	Fail - Poor comprehension of the subject matter; poor critical and analytical skills and marginal use of the relevant materials. Will require repeating the course
Absent	Ab	0	Absent - “Extenuating circumstances” preventing the student from taking the

PERCENTAGE OF MARKS	GRADE	GRADE VALUE	GRADE DESCRIPTION
			end- semester, or re-sit, examination as the case may be; the Vice Dean (Examinations) at their discretion assign the “Ab” grade. If an "Ab" grade is assigned, the student would appear for the end-semester, or re-sit examination, as the case may be, as and when the subsequent opportunity is provided by the University.

PART III

a. Keywords of Syllabus:

United Nations (UN) Charter; Universal Declaration of Human Rights (UDHR); standard-setting; UN human rights institutions; ICCPR; ICESCR; UN Human Rights Treaties; Charter-based and treaty-based mechanisms; Public International Law (PIL); state sovereignty; special nature of human rights; erga omnes; jus cogens; enforcement; obligation to respect, protect and fulfil; reservations; limitations; derogation; margin of appreciation; cultural relativism ; CPRs; ESRs; special nature of ESRs; progressive realization; justiciability; unifying theory of IHRL; extra-territorial human rights obligations of state; jurisdiction; universality of human rights; global; transnational; normative hierarchy; non-state actors; private actors, 'business and human rights'; climate change; migration; technology; Artificial Intelligence (AI); surveillance capitalism, 21st century

b. Course/Class Policies

Cell Phones, Laptops and Similar Gadgets: Use of cell phones will not be allowed in the class. Laptops and similar gadgets may be used only for the purpose of classroom learning as allowed by the course instructor and without causing any kind of disruption of the classes.

Office Hours:

To be communicated by the Course Instructor by the end of the first week of semester teaching.

Academic Integrity and Plagiarism

Learning and knowledge production of any kind is a collaborative process. Collaboration demands an ethical responsibility to acknowledge who we have learnt from, what we have learned, and how reading and learning from others have helped us shape our own ideas. Even our own ideas demand an acknowledgement of the sources and processes through which those ideas have emerged. Thus, all ideas must be supported by citations. All ideas borrowed from articles, books, journals, magazines, case laws, statutes, photographs, films, paintings, etc., in print or online, must be credited with the original source. If the source or inspiration of your idea is a friend, a casual chat, something that you overheard, or heard being discussed at a conference or in class, even they must be duly credited. If you paraphrase or directly quote from a web source in the examination, presentation or essays, the source must be acknowledged. The university has a framework to deal with cases of plagiarism. All form of plagiarism will be taken seriously by the University and prescribed sanctions will be imposed on those who commit plagiarism.

Disability Support and Accommodation Requirements

JGU endeavours to make all its courses inclusive and accessible to students with different abilities. In accordance with the Rights of Persons with Disabilities Act (2016), the JGU Disability Support Committee (DSC) has identified conditions that could hinder a student's overall well-being. These include physical and mobility related difficulties, visual and hearing impairment, mental health conditions and intellectual/learning difficulties e.g., dyslexia, dyscalculia. Students with any known disability needing academic and other support are required to register with the Disability Support Committee (DSC) by following the procedure specified at <https://jgu.edu.in/disability-support-committee/>

Students who need support may register before the deadline for registration ends, as communicated by the DSC via email each semester. Those students who wish to continue receiving support from the previous semester, must re-register every semester prior to the deadline for re-registration as communicated by the DSC via email. Last minute registrations and support are discouraged and might not be possible as sufficient time is required to make the arrangements for support.

The DSC maintains strict confidentiality about the identity of the student and the nature of their disability and the same is requested from faculty members and staff as well. The DSC takes a strong stance against in-class and out-of-class references made about a student's disability without their consent and disrespectful comments referring to a student's disability. With due respect for confidentiality, faculty and students are encouraged to have honest conversations about the needs of students with disabilities and to discuss how a course may be better tailored to cater to a student with disability.

All general queries are to be addressed to disabilitysupportcommittee@jgu.edu.in

Safe Space Pledge

This course may discuss a range of issues and events that might result in distress for some students. Discussions in the course might also provoke strong emotional responses. To make sure that all students collectively benefit from the course, and do not feel disturbed due to either the content of the course or the conduct of the discussions. Therefore, it is incumbent upon all within the classroom to pledge to maintain respect towards our peers. This does not mean that you need to feel restrained about what you feel and what you want to say. Conversely, this is about creating a safe space where everyone can speak and learn without inhibitions and fear. This responsibility lies not only with students, but also with the instructor.

P.S. The course instructor, as part of introducing the course manual, will discuss the scope of the Safe Space Pledge with the class.

PART IV

Weekly Course Outline

Week	Topics
Week 1	Personal Introductions; Course overview; 21st century context of IHRL
Week 2	Module 1: Institutional and legal basis of IHRL System
Week 3	Module 2: IHRL's distinctive nature – piercing the veil of sovereignty
Weeks 4-5	Module 3: CPRs and ESRs – Overview and towards unified framework of IHRL
Week 6	Module 4: Extra-territorial, transnational and global obligations of States
Week 8	Module 5: Normative hierarchy: IHRL within International Law (IL) and its other branches
Weeks 9	Module 6: Co-locations of IHRL: domestic, regional, global
Weeks 8.5 to 10	Module 7: New and emerging areas of IHRL
Weeks 11 to 12	Module 8: Major practical tools for IHRL advocacy
Week 13	Module 9: Way forward for IHRL in 21st century
Week 14	REVISION WEEK [NOTE: There shall be teaching classes scheduled during the fourteenth week which will count toward student attendance.]

Course Textbooks:

1. Joseph, Sarah, and Adam McBeth, eds. *Research Handbook on International Human Rights Law*, (Cheltenham, UK: Edward Elgar Publishing, 2010) accessed Dec 2, 2025, <https://doi.org/10.4337/9781849803373>
Available at: <https://www.corteidh.or.cr/tablas/r32535.pdf> (website of Inter-American Court of Human Rights) - accessed Dec 2, 2025
2. Felipe Gómez Isa and Koen de Feyter (eds), *International Human Rights Law in a Global Context* (Universidad de Deusto 2009)
Available at <https://www.corteidh.or.cr/tablas/r28067.pdf> (website of Inter-American Court of Human Rights) - accessed Dec 2, 2025
3. Daniel Moeckli, Sangeeta Shah & Sandesh Sivakumaran (eds), *International Human Rights Law* (3rd edn, Oxford University Press 2017)
4. New Casebook—International Human Rights by Philip Alston, available in an Open Access Publication (updated in August 2025) –
Note: This is more than a textbook. It is an updated and very rich source of most credible scholarly literature and judgments on the subject and its emerging areas which are extensively referenced.
Available at: <https://humanrightstextbook.org/digital-book> - accessed Dec 2, 2025

Suggested general reading and watch for those who are more interested:

1. Samuel Moyn, *The Last Utopia: Human Rights in History* (Belknap Press of Harvard University Press 2010). – Chapters Prologue, Chapter 5 and Epilogue
Can also watch lecture by Prof Samuel Moyn: “The Last Utopia: Human Rights in History” (Duke University School of Law October 28, 2009, 47 minutes)
<https://www.youtube.com/watch?v=oqtFJZB27M8>
2. Book: Gibney, M., Türkelli, G.E., Krajewski, M., & Vandenhole, W. (Eds.). (2021). *The Routledge Handbook on Extraterritorial Human Rights Obligations* (1st ed.). Routledge (500 pages) <https://doi.org/10.4324/9781003090014>
Available at - <https://www.taylorfrancis.com/reader/download/df7af73f-4b04-47bd-95c8-916e9bc42bbe/book/epub?context=ubx> (Accessed 1 December 2025)

Module 1: Institutional and legal basis of post-1945 IHRL System

Keywords: United Nations (UN) Charter; Universal Declaration of Human Rights (UDHR); standard-setting; universal; inherent; inalienable; indivisible; interdependent; UN human rights institutions; UN Human Rights Treaties; Charter-based and treaty-based mechanisms; enforcement.

Essential reading:

- Sarah Joseph and Joanna Kyriakakis, 'The United Nations and Human Rights' in Sarah Joseph and Adam McBeth (eds), *Research Handbook on International Human Rights Law* (Edward Elgar Publishing, 2010) 1–35.
- Major UN institutions and instruments (soft and hard; date-wise and subject-wise) at:
 - <https://www.ohchr.org/en/instruments-and-mechanisms>
 - <https://www.ohchr.org/en/instruments-listings>

Suggested reading:

- Frédéric Mégret, 'Chapter 7: International Law as Law' in Alexander Orakhelashvili (ed), *Research Handbook on the Theory and History of International Law* (Edward Elgar 2020).
DOI: <https://doi.org/10.4337/9781788116718> – 30 pages
- Samuel Moyn, *The Last Utopia: Human Rights in History* (Harvard University Press 2010) – chapters Prologue, Chapter 5 and Epilogue
- Antony Anghie, 'Rethinking International Law: A TWAIL Retrospective' (2023) 34 *European Journal of International Law* 7
<https://doi.org/10.1093/ejil/chado05> (7-112: 106 pages – skim read or see selected portions)
- First 2 chapters of book – Felipe Gómez Isa and Koen de Feyter (eds), *International Human Rights Law in a Global Context* (Universidad de Deusto 2009)

Module 2: IHRL's distinctive nature – piercing the veil of sovereignty

Key-words: Relationship between IHRL and Public International Law (PIL); Human rights treaties; state sovereignty; state voluntarism; contractual obligation; ordinary reciprocal treaties; unilateralism; bilateralism; multilateralism; special nature of human rights; individual-centred; obligations owed to individuals; 'object' of law; 'subject' of law; non-reciprocal; erga omnes; jus cogens; obligation to respect, protect and fulfil; Vienna Convention on the Law of Treaties (VCLT); tripartite test; permissibility; reservations; limitations; derogation; margin of appreciation; cultural relativism

Essential reading:

- Frédéric Mégret, 'Special Character' in Daniel Moeckli, Sangeeta Shah and Sandesh Sivakumaran (eds), *International Human Rights Law* (4th edn, OUP 2022) ch 5 – 33 pages
- Boaventura de Sousa Santos, 'Toward a Multicultural Conception of Human Rights' in Felipe Gómez Isa and Koen de Feyter (eds), *International Human*

Rights Law in a Global Context (Universidad de Deusto 2009) Chapter 2, Part II (pages 97-122) – 25 pages

- Human Rights Committee, General Comment 24, HRI/GEN/1/Rev.9 (Vol I) 210.
- Human Rights Committee, General Comment 31, HRI/GEN/1/Rev.9 (Vol I) 243.

Suggested reading:

- Antony Anghie, 'Finding the Peripheries: Sovereignty and Colonialism in Nineteenth-Century International Law' (1999) 40 Harv Int'l L J 1 – 81 pages

Module 3: CPRs and ESRs – Overview and towards unified framework of IHRL

Keywords: ICCPR; ICESCR; CPRs; ESRs; interdependence; indivisibility; special nature of ESRs; negative rights; positive rights; progressive realization; justiciability; unifying theory of IHRL

Essential reading:

- Manfred Nowak, 'Civil and Political Rights' in Felipe Gómez Isa and Koen de Feyter (eds), *International Human Rights Law in a Global Context* (Universidad de Deusto 2009) 271-292.
- Fons Coomans, 'Economic, Social and Cultural Rights: From Step-child to Full Member of Human Rights Family' in Felipe Gómez Isa and Koen de Feyter (eds), *International Human Rights Law in a Global Context* (Universidad de Deusto 2009) 293–318.
- Maastricht Principles on Extraterritorial Obligations of States in the Area of Economic, Social and Cultural Rights 2011 (16 pages)
Available at https://www.fidh.org/IMG/pdf/maastricht-eto-principles-uk_web.pdf

Suggested reading:

- Samuel Moyn, 'How the Human Rights Movement Failed' Op-ed *New York Times* (23 April 2018) <https://www.nytimes.com/2018/04/23/opinion/human-rights-failure.html> accessed 8 December 2025
- Samuel Moyn, *Not Enough: Human Rights in an Unequal World* (Belknap Press of Harvard University Press 2018) – Preface, Introduction, Chapter 7 and Conclusion
- Olivier De Schutter, Asbjørn Eide, Ashfaq Khalfan, Marcos Orellana, Margot Salomon and Ian Seiderman, 'Commentary to the Maastricht Principles on Extraterritorial Obligations of States in the Area of Economic, Social and Cultural Rights' (2012) 34 *Human Rights Quarterly* 1084–1169. - 86 pages
Available at: https://www.etoconsortium.org/wp-content/uploads/2023/01/EN_CommentaryMaastrichtPrinciplesETOs.pdf

- Justiciability of Economic, Social, and Cultural Rights: Should There Be an International Complaints Mechanism to Adjudicate the Rights to Food, Water, Housing, and Health? By Michael J. Dennis and David P. Stewart American Journal of International Law , Volume 98 , Issue 3 , July 2004 , pp. 462 – 515 DOI: <https://doi.org/10.2307/3181641>
- Manisuli Ssenyonjo, ‘Economic, Social and Cultural Rights: An Examination of State Obligations’ in Sarah Joseph and Adam McBeth (eds), *Research Handbook on International Human Rights Law* (Edward Elgar Publishing 2010) 36–58.

Module 4: From jurisdictional boundaries to extra-territorial, transnational and global obligations

Key-words: State-centered International Law; extra-territorial human rights obligations of state; jurisdiction; universality of human rights; global; transnational; cross-border; transboundary

Essential reading:

- Gamze Erdem Türkelli ‘Extraterritorial Human Rights Obligations and Responsibility Under International Law’ in Mark Gibney, Gamze Erdem Türkelli, Markus Krajewski and Wouter Vandenhoe (eds), *The Routledge Handbook on Extraterritorial Human Rights Obligations* (Routledge 2021) - (13 pages). Available at: <https://www.taylorfrancis.com/chapters/oa-edit/10.4324/9781003090014-5/extraterritorial-human-rights-obligations-responsibility-international-law-1-gamze-erdem-t%C3%BCrkelli?context=ubx>
- Sigrun Skogly, ‘Global Human Rights Obligations’ in Mark Gibney, Gamze Erdem Türkelli, Markus Krajewski and Wouter Vandenhoe (eds), *The Routledge Handbook on Extraterritorial Human Rights Obligations* (Routledge 2021) - (15 pages). Available at: <https://www.taylorfrancis.com/chapters/oa-edit/10.4324/9781003090014-4/global-human-rights-obligations-sigrun-skogly?context=ubx>

Note: The above two readings are chapter 3 by Gamze Erdem Türkelli and chapter 2 by Sigrun Skogly respectively of book: Gibney, M., Türkelli, G.E., Krajewski, M., & Vandenhoe, W. (Eds.). (2021). The Routledge Handbook on Extraterritorial Human Rights Obligations (1st ed.). Routledge (500 pages) <https://doi.org/10.4324/9781003090014> (Accessed 1 December 2025)

- Tilmann Altwicker, ‘Transnationalizing Rights: International Human Rights Law in Cross-Border Contexts’ (2018) 29 *European Journal of International Law* 581 - 26 pages
Available at: <https://ejil.org/pdfs/29/2/2873.pdf> (accessed on 1 December 2025)

- Wouter Vandenhoele, ‘The “J” Word: Driver or Spoiler of Change in Human Rights Law?’ in Stephen Allen and others (eds), *The Oxford Handbook of Jurisdiction in International Law* (Oxford University Press 2019) 413–432.

Suggested reading:

- Olivier De Schutter, Asbjørn Eide, Ashfaq Khalfan, Marcos Orellana, Margot Salomon & Ian Seiderman — “*Commentary to the Maastricht Principles on Extraterritorial Obligations of States in the Area of Economic, Social and Cultural Rights*” (2012) 34 *Human Rights Quarterly* 1084–1169. – 86 pages
- Video: 2015 Francis Gabor Memorial Lecture by Dr. Ralph Wilde, titled, “Dilemmas in promoting global economic justice through law: A case study of the ‘Maastricht Principles on the Extraterritorial Obligations of States in the area of Economic, Social and Cultural Rights’ and their associated Commentary.”, February 2015, 1 hour: <https://www.youtube.com/watch?v=57fmnu9nYoo>
- Dalia Palombo, ‘Extraterritorial, Universal, or Transnational Human Rights Law?’ (2022) 55 *Israel Law Review* 379. – 28 pages

Module 5: Normative hierarchy - IHRL within International Law (IL) and its other branches

Key words: IHRL’s super-normativity; normative hierarchy; fragmentation of IL; human rights; international trade law; international humanitarian law; law of the wars; law of conflicts, international criminal law, international environmental law, global economic governance; commerce; security; development; environmental protection; scientific and technological cooperation; culture; new multilateral institutions; separatist, complementarist, and integrationist schools; vertical and horizontal application; jus cogens; erga omnes

Essential reading:

- Dinah Shelton, ‘Normative Hierarchy in International Law’ (2006) 2006 *American Society of International Law Proceedings* 291–323 – 33 pages
- Katharine Fortin, ‘The relationship between international human rights law and international humanitarian law: Taking stock at the end of 2022?’ *Netherlands Quarterly of Human Rights* 2022, Vol. 40(4) 343–353 – 11 pages
- See the preamble to Protocol Additional to the Geneva Conventions of 12 August 1949, and relating to the Protection of Victims of Non-International Armed Conflicts (Additional Protocol II), 8 June 1977.
- See also Article 71 of Protocol Additional to the Geneva Conventions of 12 August 1949, and relating to the Protection of Victims of International Armed Conflicts (Additional Protocol I), 8 June 1977.

Suggested reading:

- Martti Koskenniemi, 'Hierarchy in International Law: A Sketch' (1997) 8 *European Journal of International Law* 566.
- International Law Commission, *Fragmentation of International Law: Difficulties Arising from the Diversification and Expansion of International Law* (Report of the Study Group, finalised by Martti Koskenniemi, UN Doc A/CN.4/L.682, 13 April 2006).
- Video - Human Rights & Humanitarian Law - Conflict or Convergence: lecture by Judge Christopher Greenwood, Case Western Reserve University School of Law, April 2010, 1 hour: https://www.youtube.com/watch?v=Uo_Rvy1AXV8
- The Red Cross and Human Rights, report prepared by the ICRC in collaboration with the Secretariat of the League of Red Cross Societies (Red Cross Report), October 1983, 27.
- Andrew Clapham, 'Human Rights in Armed Conflict: Metaphors, Maxims, and the Move to Interoperability' (2018) 12 *Journal of Human Rights and International Legal Discourse*, 9.
- The Relationship between International Trade Law and International Human Rights Law March 2012, Andreas R Ziegler, Bertram Boie <https://doi.org/10.1093/acprof:oso/9780199647071.003.0010> Pages 272–299

Module 6: Co-locations of IHRL: domestic, regional, global

Keywords: Domestic; national; local; municipal; enforcement; law; constitutionalism; governance; policies; politics; individuals; citizens; courts; civil society; NGOs; regionalism; experimentalism; legal-political pluralism; global-transnational-local polycentrism

Essential reading:

- Cassel, Douglass (2001) "Does International Human Rights Law Make a Difference," *Chicago Journal of International Law*: Vol. 2: No. 1, Article 8. Available at: <https://chicagounbound.uchicago.edu/cjil/vol2/iss1/8> – 17 pages
- Başak Çalı, 'Optimism in International Human Rights Law Scholarship' (2024) *Cambridge University Press on behalf of American Society of International Law* 374 – 14 pages
- Thomas Kleinlein and Dominik Steiger, 'The State of the International Human Rights System—Normativity and Compliance: Introduction' (2022) 14(1) *Journal of Human Rights Practice* 1. <https://doi.org/10.1093/jhuman/huac014> – 16 pages
- Fellmeth, A., & McInerney-Lankford, S. (2022). International Human Rights Law and the Concept of Good Governance. *Human Rights Quarterly*, 44(1). <https://doi.org/10.1353/hrq.2022.0000> – 67 pages

Suggested reading/ watch:

- Gráinne de Búrca, *Reframing Human Rights in a Turbulent Era* (Oxford University Press 2021).
- Video – Discussion on Reframing Human Rights in a Turbulent Era, NYU Center for Human Rights and Global Justice, March 2021, 1 hour 5 minutes <https://www.youtube.com/watch?v=IJteeiAAnNo>
- Video: Inaugural Lecture by Bhupinder Singh Chimni, Distinguished Professor at the O.P. Jindal Global University, on "International Law and Global Justice" of 6 January 2025 – The Hague Academy of International Law, 48.40 minutes - especially last part <https://www.youtube.com/watch?v=2hvwk-6E4HI>
- UN Human Rights Treaty Monitoring Bodies before Domestic Courts by Machiko Kanetaka (Cambridge University Press: 07 November 2017) – 32 pages
- Book: Elena Abrusci, *Judicial Convergence and Fragmentation in International Human Rights Law* (Cambridge University Press 2022). <https://doi.org/10.1017/9781009090964>

Module 7: New and emerging areas of IHRL in 21st century

Key-words: Non-state actors; private actors, 'business and human rights'; climate change; migration; technology; Artificial Intelligence (AI); surveillance capitalism

Essential reading:

- Surya Deva, 'Business and Human Rights: Alternative Approaches to Transnational Regulation' (2021) 17 *Annual Review of Law and Social Science* 139–158. – 19 pages
- "Guiding Principles on Business and Human Rights: Implementing the United Nations 'Protect, Respect and Remedy' Framework" (United Nations 2011) https://www.ohchr.org/Documents/Publications/GuidingPrinciplesBusinessHR_EN.pdf
(read pages 13-26)

Suggested reading:

- Fatimazahra Dehbi and Olga Martin-Ortega, 'An Integrated Approach to Corporate Due Diligence from a Human Rights, Environmental, and TWAIL Perspective' (2023) 17 *Regulation & Governance* 927.
- Zhuolun Li and Yu Xiang, 'Domestic Mandatory Human Rights Due Diligence Laws as Global Business and Human Rights Regulation' (2025) 40 *American University International Law Review* 319. – 99 pages
- Chiara Tea Antoniazzi, 'Extraterritorial Human Rights Obligations in the Area of Climate Change: Why the European Union Should Take Them Seriously' (2024) 9 *European Papers* 479 – 34 pages

- Alice L Venn, 'Rendering International Human Rights Law Fit for Purpose on Climate Change' (2023) 23 *Human Rights Law Review* 1. – 25 pages
- Palombo D (2022). Extraterritorial, Universal, or Transnational Human Rights? Yupeng Cheng, 'Extraterritorial Human Rights Obligations and Causation in Climate Change Litigation' (2025) 57 *New York University Journal of International Law and Politics* 485. – 16 pages
- John H Knox and Ramin Pejan (eds), *The Human Right to a Healthy Environment* (Cambridge University Press 2018) - 13 pages
- Council of Europe Framework Convention on Artificial Intelligence and Human Rights, Democracy and the Rule of Law, 2024 <https://rm.coe.int/1680afae3c> – (12 pages)
- Salvatore Fabio Nicolosi, 'Externalisation of Migration Controls: A Taxonomy of Practices and Their Implications in International and European Law' (2024) *Netherlands International Law Review* (advance article, doi:10.1007/s40802-024-00253-9). – 20 pages
- Alice L Venn, 'Rendering International Human Rights Law Fit for Purpose on Climate Change' (2023) 23 *Human Rights Law Review* 1.
- Gellers, J.C. & Gunkel, D. (2022). "Artificial Intelligence and International Human Rights Law: Implications for Humans and Technology in the 21st Century and Beyond." In A. Zwitter and O.J. Gstrein (Eds.), *Handbook on the Politics and Governance of Big Data and Artificial Intelligence*.
- Book: Zuboff, S. (2019). *The age of surveillance capitalism*. Profile Books. – 472 pages

Module 8: Major practical tools for IHRL advocacy

Essential reading:

- OHCHR, *Working with the United Nations Human Rights Programme: A Handbook for Civil Society* (2008) – 206 pages (This gives detailed overview of the entire system – hence read selected portions)
Available at:
https://www.ohchr.org/sites/default/files/AboutUs/CivilSociety/Documents/Handbook_en.pdf
- OHCHR Website - <https://www.ohchr.org/en/instruments-and-mechanisms>
Carefully engage with (there are sub-sites within this link for each mechanism tool). For instance:
 - For overview of complaints mechanism:
https://www.ohchr.org/en/reporting_violations
 - For choosing where to submit the complaints:
<https://www.ohchr.org/en/choosingyourcomplaint>
 - For recourse to special procedures: <https://spsubmission.ohchr.org/>
- Ochoa, Citlalli, *Bridging Movement Lawyering and International Human Rights Advocacy* (February 17, 2024). *Boston College Law Review*, Vol. 66, No. 1, 2025,

American University, WCL Research Paper Forthcoming, Available at
SSRN: <https://ssrn.com/abstract=4729525> 52 pages (read selected portions)

Suggested reading:

- Youth Rights Advocacy Toolkit
Available at: <https://www.ohchr.org/en/documents/tools/youth-rights-advocacy-toolkit>
- Integrating Human Rights in Nationally Determined Contributions (NDCs): A Toolkit for Practitioners
Available at:
<https://www.ohchr.org/en/documents/tools-and-resources/integrating-human-rights-nationally-determined-contributions-ndcs>
- #Faith4Rights toolkit
Available at:
<https://www.ohchr.org/en/documents/tools-and-resources/faith4rights-toolkit>
- Toolkit for Venture Capital Limited Partners: A Six-Step Framework for Engaging General Partners on Human Rights
Available at:
<https://www.ohchr.org/en/documents/tools-and-resources/toolkit-venture-capital-limited-partners-six-step-framework-engaging>

Module 9: Way forward for IHRL in 21st century

Essential reading:

- Moyn, Samuel, The Future of Human Rights (February 14, 2014). SUR - International Journal on Human Rights, v. 11, n. 20, Jun./Dec. 2014, Available at SSRN: <https://ssrn.com/abstract=2550376> – 7 pages
- Courtney Hillebrecht, 'A Discussion of Kathryn Sikkink's Evidence for Hope: Making Human Rights Work in the 21st Century' (2019) 17 *Perspectives on Politics* 810–811.
- Alison Brysk, 'The Future of Human Rights: A Research Agenda' (2022) 21 *Journal of Human Rights* 117.
- Video – Makau Mutua: "The Crisis of Human Rights – Why TWAIL still matters". Keynote - Symposium I "(Post-)Colonial Injustice and Legal Interventions" of the "Colonial Repercussions/Koloniales Erbe" event series at the Akademie der Künste, Berlin (26 and 27 January 2018), 44 minutes, 2018
<https://www.youtube.com/watch?v=tHVhvNWk8zI>
- Video – Antony Anghie: "Decolonisation, Reparations, Cosmopolitanism". Keynote - Symposium I "(Post-)Colonial Injustice and Legal Interventions" of the "Colonial Repercussions/Koloniales Erbe" event series at the Akademie der Künste, Berlin (26 and 27 January 2018) Jan 27, 2018, 38 minutes
<https://www.youtube.com/watch?v=EAzMfU2aWwc>

Suggested reading:

- Gráinne de Búrca, *Reframing Human Rights in a Turbulent Era* (Oxford University Press 2021).
 - Kathryn Sikkink, *Evidence for Hope: Making Human Rights Work in the 21st Century* (Princeton University Press 2017)
 - Gamze Erdem Türkelli, Mark Gibney, Wouter Vandenhoe and Markus Krajewski, 'Conclusions: The Future of Extraterritorial Human Rights Obligations' in Mark Gibney, Gamze Erdem Türkelli, Markus Krajewski and Wouter Vandenhoe (eds), *The Routledge Handbook on Extraterritorial Human Rights Obligations* (Routledge 2021).
 - Gentian Zyberi, Johan Karlsson Schaffer, Carola Lingaas and Eduardo Sánchez Madrigal, 'Special Issue: The Future of Human Rights' (2022) 40 *Nordic Journal of Human Rights* 1.
-