

HUMAN RIGHTS AND WAR CRIMES INVESTIGATIONS

Law 262.69

School of Law/Human Rights Center

Fall 2011

Stover/Koenig

3 Units

Tuesdays, 10 AM – 12:40 PM

460 Stephens Hall

This graduate seminar will use an interdisciplinary lens to examine how judicial and non-judicial institutions investigate and report on serious violations of human rights and international humanitarian law. The course will explore the role investigators and lawyers have played, often in conjunction with scientific experts, in investigating abuses through the collection, preservation, and analysis of testimonial, documentary, and physical evidence. We will study both the theory and practice of evidence collection and analysis and how they are applied in a wide range of investigations including sexual violence, torture, human trafficking, crimes against humanity, and genocide. The course will use a seminar format (enrollment limit of 12) to ensure full participation in discussions. We will host several invited speakers.

Required Readings:

- Bspace posted readings
- Roy Gutman, David Rieff, and Anthony Dworkin (eds.), *Crimes of War: What the Public Should Know* (New York: W.W. Norton and Company, 2007)
- Christopher Browning, *Ordinary Men: Reserve Police Battalion 101 and the Final Solution in Poland* (New York: HarperCollins, 1992)

Assignments:

Students will prepare a 25-30 page paper on a topic related to the course.

Grading:

Grades will be based on a final paper (60%) and in-class contributions and presentations (40%). The last two sessions of the seminar will be devoted to student presentations of their paper topics.

Week One (August 30)

Introduction to Course

Week Two (September 6)

Universal Jurisdiction

Guest Speaker: Kathy Roberts, Attorney, Center for Justice and Accountability

Week Three (September 13)

Asylum

Guest Speaker: Kim Thuy Seelinger, Human Rights Center, University of California, Berkeley

Week Four (September 20)

Human Rights Emergency Case

Guest Speaker: Fred Abrahams, Emergencies Division, Human Rights Watch

Week Five (September 27)

War Crimes

Guest Speaker: Philip Kearney, former prosecutor with the International Criminal Tribunal for the former Yugoslavia (ICTY) and currently Assistant District Attorney, San Francisco

Week Six (October 4)

Interviewing Victims and Witnesses

Guest Speaker: Pamela Hofsass, Inspector, SF Police Department

Week Seven (October 11)

Forensic Investigations: War Crimes and Crimes Against Humanity

Guest Speaker: William Haglund, International Forensic Program, Physicians for Human Rights

Week Eight (October 18)

Sexual Violence

Guest Speaker: Bill Green, Professor of Medicine, University of California, Davis

Week Nine (October 25)

Guest Speaker/Film Screening: Rebecca Richman Cohen, director and producer of *War Don Don* and former member of the defence team at the Special Court for Sierra Leone (Pending Confirmation)

Week Ten (November 1)

Interviewing and Trial Testimony: Memory

Guest Lunch Speaker (October 31) in conjunction with the Center for the Study of Law and Society, School of Law: Elizabeth Loftus

Class Discussion (November 1): Optional discussion of readings related to Elizabeth Loftus's lecture.

Week Eleven (November 8)

Historical Documentation

Reading: Browning, *Ordinary Men*

Week Twelve (November 15)

Historical Documentation

Reading: Browning, *Ordinary Men*

Week Thirteen (November 22)

Presentation of Papers

Week Fourteen (November 29)

Presentation of Papers

Final Paper Due
