Gender and Human Rights Problems in Asia and the Pacific
MAIDS 2010-11.

Coordinator: Dr. Mike Hayes
Email: mhayesbkk@gmail.com
        frmgh@mahidol.ac.th
Office: 02 441 4125 x 400-1;
        Mobile 0806 266 594
Times: Thu 9-12
Room: Room 207, 2nd Floor, 2 Building, Faculty of Political Science

Course Description:
This course provides an opportunity to pursue studies in the application of theories of gender and human rights to contemporary ethical and social issues arising from “development”. Students will explore specific and controversial topics in areas such as poverty, social justice, individual and group rights, administration of justice, living standards, work, bio-ethics and genetics, environment, sexual and racial equality, child labour, mental health, illness, human and social security, energy, corruption, Asian values and cultural diversity. This course encourages students to link these specific and practical areas into gender and human rights questions relevant to the experiences of East and Southeast Asia.

Teaching Objectives.
At the completion of the course the student will be able to:

- Describe the historical formation and philosophical rationale of Human Rights
- Detail the contents of the major Human Rights instruments
- Explain the gender dimensions and major contemporary debates on human rights, particularly in areas of discrimination, economy, health, and migration.
- Outline how of variety of institutions at the international, regional, and national level protect human rights through activities such as advocacy, documentation, and monitoring
- Outline Human Rights and gender issues of current importance in South East and East Asia
- Detail the major theories on gender and development
- Be able to undertake a basic gender analysis in development
- Describe how a Rights Based Approach works within development projects

Assessment (see page 6-7 for more details)
1. Take home paper on Human Rights Theory and violations 20%
2. Take Home Paper on Rights based/gender based programming 20%
3. Presentation: Gender or Human Rights issue in SEA 20%
4. Term Paper 40%
### Summary Schedule

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<tr>
<th>Date</th>
<th>Topic</th>
<th>Notes</th>
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<td>1</td>
<td>7 Oct. Introduction to human rights and gender issues</td>
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<td>2</td>
<td>14 Oct. Human rights theories</td>
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<td>3</td>
<td>21 Oct. Human rights: standards 1: ICCPR ICESCR</td>
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<td>5</td>
<td>4 Nov. Women’s human rights: CEDAW</td>
<td>Take home 1</td>
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<td>11 Nov. Human Rights: protection 1: UN, Regional</td>
<td>Guest lecturer</td>
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<td>18 Nov. Human Rights: protection 2: National Level</td>
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<td>8</td>
<td>25 Nov. Gender and development theories</td>
<td>Guest lecturer TH 1 Due</td>
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<td>9</td>
<td>26* Nov. Gender Analysis for Development</td>
<td>Guest lecturer</td>
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<td>10</td>
<td>2 Dec Right to development to Rights Based Approaches</td>
<td>Term Paper-brief outline</td>
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<td>11</td>
<td>9 Dec Women, poverty, and livelihood rights</td>
<td>Take home 2</td>
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<td>12</td>
<td>16 Dec Reproductive and sexual rights</td>
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<td>23 Dec Rights of Non citizens: Migrant workers, refugees, etc.</td>
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<td>14</td>
<td>6 Jan Conflict and human rights.</td>
<td>TH 2 due</td>
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### Class Details

1. **Introduction to human rights and gender issues**
   
   **Reading:** None
   
   **Seminar Topics:**
   - Outline major concepts in human rights, gender, and development
   - Detail major developments in the field
   - Discuss relationships between gender, human rights, and development
   - Introduce current issues and debates

2. **Human rights theories**
   
   **Reading:**
   Manfred Novak. *Introduction to the International Human Rights Regime*. Boston: Martinus, 2004. 73-95
   
   **Seminar Topics:**
   - Moral, political, and legal foundations of human rights
   - Post Vienna human rights
   - Human rights in International Law
   - Human rights in Asia (the Asian values debate)
   - Implementing human rights

3. **Human rights: standards 1: ICCPR & ICESCR**
   
   **Reading:**

**Treaties:**
- UDHR: Universal Declaration of Human Rights
- ICCPR: International Covenant of Civil and Political Rights
- ICESCR: International Covenant of Economic, Social and Cultural Rights

**Seminar Topics:**
- Details of the key Human Rights instruments
- History of the drafting of the instruments
- Civil rights: Rights to vote, move, marry, privacy, information, fair trial.
- Economic and social rights: rights to work, leisure, education, and culture

**4. Human rights: standards 2: CAT, CRC, PWD**

**Reading:**


**Treaties:**
- Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment
- Convention on the Rights of the Child
- Convention on the Rights of Persons with Disabilities

**Seminar Topics:**
- Defining torture, excuses for torture, responding to torture.
- Fundamentals of the rights of the child (best interests, participation)
- People with disabilities: reasonable accommodation, universal design, inclusion in society, equality.

**5. Women’s human rights: CEDAW**

**Reading:**


**Treaty:**
- Convention on the Elimination of All forms of Discrimination Against Women

**Lecture Topics:**
- History of Women’s Rights
- Women’s rights standards
Key areas: Violence against women, Culture, gender and rights, non
discrimination, equality.

6. Human Rights Protection 1: Human Rights at the UN
Reading:
Magdalena Sepúlveda et al. Human Rights Reference Book.:
PART ONE: Chapter 6 “International Supervisory Mechanisms for Human
Rights; PART TWO: Chapter one: “The United Nations”,
ISHR, 2010.

Seminar Topics:
• Key Human Rights activities at the UN
• Treaty based mechanisms: State reports, Individual Complaints, and General
  Comments
• Charter based activities: role of the HR Council, the Universal Periodic Review, and
  Special Rapporteurs
• Brief Overview of regional mechanisms
• Process of building an ASEAN human rights Mechanism

NGOs, domestication in law.

Reading:
Laurie Wiseberg. “The Role of NGOs in the Protection and Enforcement of Human Rights.”
Hugo Stoke, ‘Taking the Paris Principles to Asia: A Study of Three Human Rights
Commissions in Southeast Asia – Malaysia, Indonesia and The Philippines’
(CHR Report, CMI Michelsen Institute, 2007)
Ryan Goodman and Derek Jinks. “How to Influence States: Socialization and International

Seminar Topics
• Role of advocacy
• Use of reports: thematic and country reports
• Case studies in ASEAN
• Input to policy formulation
• Policy pressure groups
• The accountability of NGOs

8. Gender and development theories (Guest Lecture: Philippe Doneys)
Reading:
Andrea Cornwall. “Revisiting the Gender Agenda.” IDS Bulletin Volume 38 Number 2
March 2007.
Sabin Bieri. “Developing Gender, Transforming Development: Epistemic Shifts in Gender
and Development Discourse over 30 Years.” Premchander S, and Müller C,
Seminar Topics
Approaches to gender and development
Women and Development Approach (WAD)
The Women in Development Approach WID
Gender and Development Approach (GAD)
Effect of development process on women and men
The Empowerment Approach

9. Gender Analysis in Development (Guest Lecture: Kyoko Kusakabe)
Reading:
To Be Confirmed
Seminar Topics:
Analysis of gender in development activities
practical skills in identifying gender issues
Programming for gender in development

10. Right to development and Rights Based Approach to development
Reading:
Treaty: Declaration on the Right to Development
Seminar Topics:
History of a right to Development
Violations through development
Political context to development rights
International obligations towards a right to develop.
Defining a Rights-based approach to development
Rights Based programming: the main elements: participation, accountability, rights as goals, addressing the marginalized, accountability.

11. Women, poverty, and livelihood rights
Reading:


**Seminar Topics:** Economic and Social rights of women

Women and poverty, Poverty as human rights violation

Theories and standards of livelihood rights

Government obligations and duties for livelihood rights

MDGs and livelihood rights.

**Seminar Questions:** What are the human rights standards for the right to food, water, and shelter?

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**12. Reproductive and sexual rights**

**Reading:**


**Seminar Topics:** Gender and sexuality in South East Asia

Rights to sexuality

Women’s health issues

Issues in women’s reproductive rights

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**13. Women, migration, and human rights: Refugees, Migrant Workers, Trafficking**

**Reading:**


**Seminar Topics:** Current trends in global migration

Definition and rights of refugees Migrant Workers and Trafficked persons

Trends in forced migration

Legal protection to migrant workers

Status of the CMW and reasons for lack of ratifications

Violations faced by migrant workers in the region

Legal standards on human trafficking: Palermo Protocol and the TVPA

Current causes and trends in trafficking

Debates about commercial sex work/prostitution

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**14. Conflict, human rights, and women.**

**Reading:**

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MAIDs:

Gender and HR outline 2010-11

**Seminar Topics:**
- Protection of vulnerable populations during conflict
- Threats and Violations in times of conflict
- Programming and humanitarian responses in states of emergencies.
- Status of human rights during conflict.
- State responsibilities in emergency situations

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**Assessment**

1. **Take Home Papers**
   2x20% = 40%

   Students will complete two take home papers which will comprise of about 4 questions per take home (and about 1-2 pages per question). The questions will be based on the reading and discussion of theories in the class. Instructions will be on the paper itself. The test will be based on the readings for the course, and a practical application of the theory gained during the course.

2. **Presentation: Human Rights or Gender Issue**
   20%

   A presentation of about 15 minutes will be prepared by the student. The topic will be on a current human rights or gender issue, preferably from the region. A proposed list of topics will be discussed in class. Guidelines for presentation:

   - The presentation alone will be assessed; however, the presenter will need to submit brief notes of the presentation. The easiest method is a printed copy of a PowerPoint presentation.
   - The assessment will be based upon:
     - Accurate knowledge of the main concepts, principles, and theories
     - Ability to detail the issues and arguments around the issue
     - Delivery of material in a way that engages the audience and encourages questions
   - For a presentation of about 15 minutes there should be no more than 12 slides. Further, students are not allowed to read out the slides. The student should also find out the proper pronunciation of names and terms they use.
   - Presentations dates will be in the third week. Students will present in the class which is most relevant to their topic

3. **Term Paper**
   40%

   Students will complete a term paper on a topic of their choice within the area of gender and human rights. The term paper will be about 15-20 pages (i.e. around 3,000 words). Students must first submit a brief abstract (about 6-10 lines) on their proposed topic. This must be approved by the lecturer first. Students will submit the short statement in week 10
   - Please submit your topic or question in week 10. This will be a very brief (6-10 lines) statement of what the topic for your final paper.
   - The paper will be in 11 or 12 point times new roman spaced at 1.5.
• The paper will have a title, proper referencing system (Harvard or APA), and a bibliography.
• Details on assessment will be distributed during class