

IALS 2013 Annual Meeting

Plenary Session: Law Schools as Contributors to Public Policy on Human Rights



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Thiago Bottino do Amaral, Getulio Vargas Foundation Rio de Janeiro, Brazil
Deon Erasmus, Nelson Mandela Metropolitan University, South Africa
Tanel Kerikmae, Tallinn Law School, Estonia
Stewart Schwab, Cornell Law School, United States

Aishah Bidin

- Human rights are not a course offered at the Malaysian National University. However human rights values are integrated in other subjects.
- It is public law school. It is national university and is also a research based university.
- The university has clinical programme and has till date dealt with 90 cases.
- The university uses the national language as a medium of instruction.
- As a national university it has many roles to play.
- They follow problem based learning with techniques like client counselling and interview systems.

Notes by: Sparsh Prasad



Tanel Kerikmae

- The Tallinn Law School is only 10 years old.
- English is the medium of instruction.
- It has international faculty.
- They special emphasis on human rights.
- They house about 1000 students.
- The Estonian Human Rights centre in 2007
- They have partnered with ILS and HRC

- They launched the equal treatment programme, non-discrimination programme and refugee programme.
- Current situation of Human Rights in Estonia:
 1. Gender discrimination
 2. Community discrimination: minority Russian Community.

Notes by: Sparsh Prasad

Thiago Bottino do Amaral

- The professor raised concerns regarding the lack of commitment on the student's side due to failed teaching methods.
- They try and devise new teaching techniques to entice student's interest in legal issues.
- The college has prepared many memorial briefs. Two of which have been accepted by the court of law.
- Then the prof. showed videos of the court proceeding in which the court took note of the hard work done by undergraduate students of GVF.

Notes by: Sparsh Prasad

Deon Erasmus

- Approaches to ethics management:-
 1. Compliances based approach
 2. Value based approach
 3. Organizational integrity approach
- Corruption statistics in the local corporation were pretty.
- Also, funding for these programmes is major issue.

Notes by: Sparsh Prasad

Stewart Schwab

- Law Schools are not NGOs
- Cornell University has an International Human Rights and Women & Justice Clinics.
- Basic Role of Law Schools :
 1. To teach students technical aspects, values, ethical issues and basic legal skills
 2. To engage in their own scholarly work
 3. To carry out public service.
- Law school must protect their own basic space. The faculty must not enforce their ideas and thoughts on their students, rather create an environment where they can develop their own.
- There must be academic freedom with reasonable limitations.

Notes by: Sparsh Prasad

Q&A

1. How do you decide who gets to be on the faculty with regards to specialized subjects?
2. Views of different panellists towards human rights from different countries.
3. Is it part of the mission to make students understand and aware of social issues that they were earlier unaware or rather ignorant of?

Small Group Discussion

Topic of Discussion: Key Issues in Teaching Human Rights in Law Schools

- In Australia, the research for a topic is given more time than discussing. Including human rights topic in curriculum and class is not a very adaptive idea in Australia because the faculties generally don't want to revise their syllabus and if they revise it then it will take more time which they don't have.
- In Bangladesh, the universities sends their students to ICRC competitions, special classes and moot courts relating to human rights.
- In Nigeria, they organize clinical practice which is a compulsory course. Every student takes part in it and uses the opportunity.
- It's a good idea of making human rights as a compulsory programme because what happens in elective programme is that many students are left unaware of human rights but in compulsory, each and every student gets atleast a basic idea on human rights which is very necessary.