# Childhood, Adolescence, Youth and International Human Rights (Law 6936, 1801)

Spring 2018 –Monday 4-5:40 (Room 350)

## Faculty

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## Course Description

This course deals with aspects of contemporary childhood, adolescence and youth, with a particular focus on human rights violations and remedies globally. The course starts by asking how conceptions of childhood and adolescence have changed over time and space. It then introduces fundamental international and regional human rights principles and their relevance to key contemporary concerns. How can we ascertain a child's perspective and opinions? What does the notion of “the best interests of a child” mean in practice? What policies enable adolescents to be agents? Since ratification of the UN Convention on the Rights of the Child over twenty years ago, considerable progress has been made in advancing young children’s rights, including their enjoyment of basic social and economic entitlements such as access to primary education and health care. These gains are not matched by corresponding advances for older children, particularly girls. In many developing societies, secondary and tertiary education remains widely inaccessible, maternal mortality and teenage suicide remain large cause of female adolescent death, and youth unemployment and violence have reached epidemic proportions. Deaths and injuries sustained during distress migration also impinge heavily on adolescents. How can the gap in realization of adolescent and youth human rights be addressed? Conflict and disaster situations present particular risks for children and adolescents, including in relation to trafficking and other forced migration contexts. The course will explore legal, humanitarian, development and other strategies for understanding and advancing the human rights of children, adolescents and youth globally. For example, what opportunities do the Sustainable Development Goals (SDGs) and related campaigns offer for child protection and adolescent rights? The course will engage with several overarching conceptual approaches to protections of children and youth rights. Topics covered include education and health policies, trafficking and child labor, intercountry adoption, gender specific harms. migration and citizenship.

## Enrollment

There are no restrictions, and there is no prerequisite. The course is designed for students interested in exploring the human rights challenges and opportunities facing children and youth. It is interdisciplinary and will include legal, anthropological, philosophical and policy texts. It will familiarize students with some of the main international human rights instruments. The readings for most classes will include one “think piece,” parts of one international treaty or other legal instrument, and one case. Reading is limited to a maximum of roughly 50 - 70 pages per 50 minutes.

## Attendance

Based upon law school policy and ABA requirements, students are required to attend class. It is your responsibility to sign the attendance sheet *during* class. You may not sign in for anyone except yourself. If you are less than ten minutes late, you may sign the roster at the end of class (see note below regarding excessive tardiness)**. *If you are more than 10 minutes late, you will be considered absent.*** Failure to sign the attendance sheet will be treated as an unexcused absence. I will allow four unexcused absences per semester on a no-questions-asked basis.

If it should be necessary for you to miss more than four classes, you must email me to explain the reason for each ***additional*** absence. If you know in advance that you will have to miss a class, please make appropriate arrangements with me in advance. You will have no more than seven days after the time of the unanticipated occurrence to bring the reasons for your absence to my attention, provided however, that I will not accept any excuses offered after our last session of the semester. Any unexcused absence that exceeds the allowance will lower your grade by one level. For example, one additional unexcused absence will lower a B to a B- or a C+ to a C.

***I will deal with excessive absences and/or tardiness on a case-by-case basis; excessive absences (whether or not excused) or tardiness may result in your administrative removal from the course.***

## Course Requirements

There are four requirements:

1. **6 written responses of 500 words or less, posted to the “discussions” section of the course website and submitted no later than midnight before each class**. Please do not exceed 500 words. The response should not take more than half an hour to complete; it is a way for you to digest and reflect on the readings. The responses are required and I will read them. They should be analytical, not descriptive of the material. Students should read each others’ submissions as they will be incorporated into class discussion. One of the 6 responses should specifically address issues raised by another student’s response paper; another one of the responses should discuss issues raised in one of the films shown in connection with the class; and a third should be written from the “devil’s advocate” point of view, arguing an opposite point of view to your own as cogently as possible. Please write “Last name\_First name\_Response #X” in the title of the document (and additionally indicate “Response to Posting by X Student“\_Film Response” or “DA Response” when you do those specific assignments). I will give short written comments on 2 responses per student, but will not give advance notice of which responses I will comment on. Unless I specifically ask you to address a particular issue, please consider some or all of the following in your response papers:
   1. Respond to one or more of questions for the class set out on the syllabus.
   2. What policy challenges does the material raise? What solutions would you propose?
   3. What issues would you particularly like to discuss in class?
2. **One short in-class presentation.** During the first week of class I will invite students with relevant work experience to write a one paragraph description as the basis for a short oral/powerpoint in class presentation during a relevant class. Students without relevant experience will be invited to join a small group to participate in an in-class presentation and discussion centered on one of the cases included in the syllabus. There will be no student presentations in classes where there is a visitor. The procedure will be discussed in class. All presentations should last no more than 10 minutes and end with a question for the class to discuss for a further 5 mins.
3. **A 15 page (1.5 space) final paper is due on Thursday May, 10th by 5:00pm to be submitted via the course site.** Paper topics, including a half page abstract and a working bibliography are due on **Monday, April 9th.**
4. **Viewing of at least 2 films shown in association with the class.** Details will be discussed.

There will also be an opportunity for online class discussion, to encourage additional interaction and exchange outside of class. Students needing help with research skills should avail themselves of the services of Rachel Purcell in the library. She can be reached at [Purcell@law.ufl.edu.](mailto:Purcell@law.ufl.edu)

## Grading

One quarter of the final grade will be based on class participation. One quarter of the grade will be based on the oral presentations and written responses. Half of the grade will be based on the final paper.

At the end of the semester, the points for all students will be calculated and the letter grades for the course will be assigned subject to the requirements of the mandatory curve. The Levin College of Law’s mean and mandatory distributions are posted on the College’s website and this class adheres to that posted grading policy. The following chart describes the specific letter grade/grade point equivalent in place:

|  |  |
| --- | --- |
| **Letter Grade** | **Point Equivalent** |
| A (Excellent) | 4.0 |
| A- | 3.67 |
| B+ | 3.33 |
| B | 3.0 |
| B- | 2.67 |
| C+ | 2.33 |
| C (Satisfactory) | 2.0 |
| C- | 1.67 |
| D+ | 1.33 |
| D (Poor) | 1.0 |
| D- | 0.67 |
| E (Failure) | 0.0 |
|  |  |

## Class Management

I will feel free to call on students unless they inform me in advance that they have not been able to do the readings for a given week.

I will factor class attendance into the class participation assessment. Students who need to be absent should let me know in advance, giving reasons.

## Accommodations

Students requesting accommodation for disabilities must first register with the Dean of Students Office (<http://www.dso.ufl.edu/drc/>). The Dean of Students Office will provide documentation to the student who must then provide this documentation to the Dean Rachel Inman when requesting accommodation. You must submit this documentation prior to submitting assignments or taking the quizzes or exams. Accommodations are not retroactive, therefore, students should contact the office as soon as possible in the term for which they are seeking accommodations.

**Professionalism in Class**

You are all bound by the University Student Code of Conduct, the College of Law Honor Code and the rules for this course. Proper conduct in the classroom is intended to encourage everyone to participate in, derive benefit from, and ultimately enjoy the class. Any unprofessional conduct and/or conduct that is in any way disrespectful to other students, disruptive, distracting or has a negative effect on classroom atmosphere is prohibited.

***Any unprofessional conduct will be dealt with on a case-by-case basis at my discretion and may result in administrative removal from the course or a grade reduction.***

**TWEN**

I have set up a TWEN site for this course. I have posted this course description and will post other documents relating to the course. You should register on the TWEN site prior to the first class if possible. I use the TWEN email system to communicate about schedule, assignment, and other issues. To sign on, go to [www.lawschool.westlaw.com](http://www.lawschool.westlaw.com) and click on the TWEN icon. Register as a participant in King’s Professional Responsibility course. If you need assistance with Westlaw, contact your designated student representative. If you have problems or questions about the TWEN materials, contact me. ***You are responsible for checking the TWEN site for this course on a regular basis.***

**Email**

It is your responsibility to have a functioning “ufl.edu” email address at all times. There have been problems with email forwarding in the past, so I strongly recommend that you do not forward your ufl.edu to another ISP.

**Supplemental Material**

You may find supplemental material to circulate to the class that will assist the learning of others. Please send whatever you find or prepare to me via email and I *may* distribute it to the class, depending upon the submission and whether we have time in a particular class. If you wish to have something submitted to the class, please send it to me at least 24 hours before the class in which you would like to have the material circulated. For example, you might find a clipping from a newspaper that offers an interesting example of a case or a situation that raises one of the issues discussed in the material assigned for that day. Alternatively, you might realize that a particular song or movie clip illustrates a “problem” that we are going to cover in class. If you submit material *that I use in class*, I will consider the submission when I am calculating your class participation grade.

## Readings

Course readings are on the course site. Optional readings are listed for students with time to read more widely and as a resource for those with an ongoing interest in the topic. Links to relevant laws are on the syllabus. If you have any issues accessing the readings please let me know so the issues can be resolved.

**Note:** ABA Standard 310requires that students devote 120 minutes to out-of-class preparation for every “classroom hour” of in-class instruction. This course has 2 “classroom hours” of in-class instruction each week, requiring at least 4 hours of preparation outside of class. Accordingly, you will have at least 40 pages of reading each week. It is anticipated that you will spend approximately 2 hours of out of class preparation for every hour of class.

**Internet Policy and Related Issues**

The internet and your laptop are a great learning tools and invaluable assets to effective advocacy.  They should be used during class time as you will use them in practice:  responsibly and ethically, consistent with the high professional standards that will be expected of you by your clients and other lawyers.  Keep in mind that all the students around you are affected by how you use your computer.  When you are talking, you should lower your laptop screen to facilitate communication.

During class, your laptop is to be used ONLY to take notes, unless I direct you to the TWEN site.  If we work on the TWEN site, you are not to do any other internet or other computer work during class time. Cell phones, PDAs and any other electronic equipment should be turned off and not used during class.

***If you are found in violation of this policy, you may not be permitted to use your laptop in this class, your grade may be lowered, or you may be dropped from the class.***

## Required Texts

Jacqueline Bhabha, *Child Migration and Human Rights in a Global Age* (Princeton University Press, 2014).

## General Legal Texts

The following legal texts will be referenced throughout the course

Universal Declaration of Human Rights (UDHR) 1948. <http://www.un.org/en/universal-declaration-human-> rights/index.html

European Convention for the Protection of Human Rights and Fundamental Freedoms (ECHR) 1950. <http://www.coe.int/fr/web/conventions/full-list/-/conventions/treaty/005>

[International Covenant of Civil and Political Rights (ICCPR) 1966.](http://www1.umn.edu/humanrts/instree/b3ccpr.htm) <http://hrlibrary.umn.edu/instree/b3ccpr.htm>

[Convention on the Rights of the Child (CRC) 1989.](http://www.ohchr.org/EN/ProfessionalInterest/Pages/CRC.aspx) <http://www.ohchr.org/EN/ProfessionalInterest/Pages/CRC.aspx>

[Optional Protocol to the Convention on the Rights of the Child on the Involvement of Children in Armed Conflict.](http://www.ohchr.org/EN/ProfessionalInterest/Pages/OPACCRC.aspx) <http://www.ohchr.org/EN/ProfessionalInterest/Pages/OPACCRC.aspx>

CRC 2nd Optional Protocol on the Sale of Children, Child Prostitution, and Child Pornography. <http://www.ohchr.org/EN/ProfessionalInterest/Pages/OPSCCRC.aspx>

[The African Charter on the Rights and Welfare of the Child.](http://www1.umn.edu/humanrts/africa/afchild.htm) <http://hrlibrary.umn.edu/africa/afchild.htm>

## Useful Information about Relevant Child Rights Issues

[Swiss Foundation of Terre des hommes (Tdh)](http://www.childtrafficking.com/Content/aboutus.php) <http://www.childtrafficking.com/Content/aboutus.php>

[African Child Policy Forum](http://www.africanchildforum.org/en/index.php/en/) <http://www.africanchildforum.org/en/index.php/en/>

[Save the Children](http://www.savethechildren.org/site/c.8rKLIXMGIpI4E/b.6115947/k.8D6E/Official_Site.htm) <http://www.savethechildren.org/site/c.8rKLIXMGIpI4E/b.6115947/k.8D6E/Official_Site.htm>

[UNICEF](http://www.unicef.org/) https://[www.unicef.org/](http://www.unicef.org/)

[Women’s Refugee Commission](http://womensrefugeecommission.org/) https://[www.womensrefugeecommission.org/](http://www.womensrefugeecommission.org/)

[Population Council http://www.popcouncil.org/](http://www.popcouncil.org/)

[UNFPA http://www.unfpa.org/](http://www.unfpa.org/)

[UNHCR Syria http://www.unhcr.org/pages/49e486a76.html](http://www.unhcr.org/pages/49e486a76.html)

[UNHCR Nepal http://www.unhcr.org/pages/49e487856.html](http://www.unhcr.org/pages/49e487856.html)

[UNHCR Myanmar http://www.unhcr.org/pages/49e4877d6.html](http://www.unhcr.org/pages/49e4877d6.html)

[Fortify Rights http://www.fortifyrights.org/publications.html](http://www.fortifyrights.org/publications.html)

Includes the publication, [*Policies of Persecution Ending Abusive State Policies Against Rohingya Muslims in*](http://www.fortifyrights.org/downloads/Policies_of_Persecution_Feb_25_Fortify_Rights.pdf)[*Myanmar*](http://www.fortifyrights.org/downloads/Policies_of_Persecution_Feb_25_Fortify_Rights.pdf) (February 5, 2014). <http://www.fortifyrights.org/downloads/Policies_of_Persecution_Feb_25_Fortify_Rights.pdf>

[Multilateral treaties deposited with the UN.](http://treaties.un.org/pages/ParticipationStatus.aspx) <https://treaties.un.org/pages/ParticipationStatus.aspx>

You can search all human rights treaties. There will be a link to the full text of the treaty as well as ratification status by country and reservations entered by country.

[CRINmail: https://www.crin.org/en/home/what-we-do/crinmail](https://www.crin.org/en/home/what-we-do/crinmail) Excellent list serve with information on global children’s rights.

## Films

One response paper must include references to material in the films.

**El Sistema** [(Amazon Video,](https://www.amazon.com/El-Sistema-Gustavo-Dudamel/dp/B00GM7JS4E/ref%3Dsr_1_1?s=instant-video&amp;ie=UTF8&amp;qid=1468949321&amp;sr=1-1&amp;keywords=el%2Bsistema) [iTunes](https://itunes.apple.com/us/movie/sistema-music-to-change-life/id488934138)) **Children of the Taliban** ([PBS](http://www.pbs.org/frontlineworld/stories/pakistan802/video/video_index.html)) **Pakistan’s Taliban Generation** (PBS) **Yemeni Child Bride Rebels** ([News.com](http://www.news.com.au/world/escaped-child-bride-nada-al-ahdals-says-im-not-for-sale/story-fndir2ev-1226682861936))

**The Day I Will Never Forget** [(Sundance DocClub](http://www.docclub.com/the-day-i-will-never-forget/documentary/353/) – free trial membership available)

**Mrs. Goundo’s Daughte**r [(Vimeo](https://vimeo.com/ondemand/mrsgoundosdaughter) – rent for $1.84)

**What Tomorrow Brings** [(PBS premier October 31](http://www.pbs.org/pov/whattomorrowbrings/video/what-tomorrow-brings/) – streaming date ends Nov. 30, 2016)

**Not My Life** [(TeachUNICEF.org](http://teachunicef.org/materials/feature-film-not-my-life))

**Every Day in Cambodia** ([CNN.com](http://www.cnn.com/videos/intl_tv-shows/2015/04/28/spc-freedom-project-every-day-in-cambodia.cnn))

**Gem Slaves: Tanzanite's Child Labour** ([CultureUnplugged.com](http://www.cultureunplugged.com/filmedia/index.php) – Archive offline until Dec. 16, 2016, [YouTube](https://www.youtube.com/watch?v=Q1IGCK-7VXg))

**Forgotten on the Pyjama Trail** ([YouTube](https://www.youtube.com/watch?v=Te1ttb33fsU&amp;video_1)) **The Harvest** ([Amazon video,](https://www.amazon.com/Harvest-Cosecha-Zulema-Lopez/dp/B005WM5V2S/ref%3Dsr_1_2?s=movies-tv&amp;ie=UTF8&amp;qid=1468949009&amp;sr=1-2&amp;keywords=the%2Bharvest) [YouTube](https://www.youtube.com/watch?v=TX7RD3it_W4)) **Beasts of No Nation** (Class screening, [Netflix](https://www.netflix.com/title/80044545))

**Innocent Voices** [(YouTube](https://www.youtube.com/watch?v=z6BlWzasA3o) with English subtitles) **City of God** ([Amazon Video,](https://www.amazon.com/City-English-Subtitled-Alexandre-Rodrigues/dp/B006LG7MWG/ref%3Dsr_1_1?ie=UTF8&amp;qid=1468952944&amp;sr=8-1&amp;keywords=city%2Bof%2Bgod) [Google Play,](https://play.google.com/store/movies/details/City_of_God?id=cfkvNYmWxck) [iTunes](https://itunes.apple.com/us/movie/city-of-god/id484351323)) **Invisible Children** ([Vimeo,](https://vimeo.com/78128205) [YouTube](https://www.youtube.com/watch?v=RUKsyA_z7n8&amp;t=229s))

**Time to Look at Girls** (Class screening)

**Which Way Home** [(Google Play,](https://play.google.com/store/movies/details/Which_Way_Home?id=Mt_Lkhl1B3g) [YouTube](https://www.youtube.com/watch?v=IUZNJ69ZoNk))

**In this World**, section on Afghan Children in Pakistani Refugee Camps [(YouTube](https://www.youtube.com/watch?v=VhR-w5b-LYg))

**The Least of These** [(Amazon Video,](https://www.amazon.com/Least-These-Clark-Lyda/dp/B009WUATPU/ref%3Dsr_1_3?ie=UTF8&amp;qid=1468953562&amp;sr=8-3&amp;keywords=the%2Bleast%2Bof%2Bthese) [Google Play,](https://play.google.com/store/movies/details/The_Least_Of_These?id=-uoC5SSqagk) [YouTube](https://www.youtube.com/watch?v=-uoC5SSqagk) – not free)

**Goodbye Baby** ([Kanopy Streaming](http://ufl.kanopystreaming.com/video/goodbye-baby-controversy-adoption-guatamala))

**First Person Plural** [(Kanopy Streaming](http://ufl.kanopystreaming.com/video/first-person-plural))

**Gone Baby Gone** [(Google Play,](https://play.google.com/store/movies/details/Gone_Baby_Gone?id=nQiJzrE9wFY) [Amazon Video](https://www.amazon.com/Gone-Baby-Casey-Affleck/dp/B006RXPUR2/ref%3Dsr_1_1?s=instant-video&amp;ie=UTF8&amp;qid=1468959895&amp;sr=1-1&amp;keyword%E2%80%A6))

# Part I: Introduction, Definitions and Conceptual Frameworks

## Class 1(Part A): Wednesday, Jan 11th - Who is a Child?

*What is “childhood?” How do we understand childhood as a separate stage in human development—in medical, psychological, and sociological terms? How has our understanding of childhood evolved over time? How is childhood perceived differently across the globe?*

### Readings:

[UN Declaration of the Rights of the Child, 1959](http://www.cirp.org/library/ethics/UN-declaration/) <http://www.cirp.org/library/ethics/UN-declaration/>

Philippe Aries, “The Discovery of Childhood” in *Centuries of Childhood: A Social History of Family Life* (Vintage, 1962). pp. 33-46.

Viviana A. Zelizer, “Introduction” in *Pricing the Priceless Child: The Changing Social Value of Children*

(Princeton University Press, 1994). pp. 3-15.

Holly Brewer, “The Empire of the Fathers” in *By Birth or Consent: Children, Law and the Anglo-American Revolution in Authority* (Chapel Hill North Carolina Press, 2005). Excerpt: pp. 347-352.

### Optional:

Jane W. Kessler, "Perspectives of the Young Child ” in *Psychopathology of Childhood* (Prentice Hall, 1988). Chapter 5, pp. 144-155.

## Class 1(Part B):– Defining a Child in International and Domestic Law

*Notions of childhood vary from culture to culture. So do notions of globalization. How then do we agree upon a single, international standard as enshrined in the Convention on the Rights of the Child [CRC]? What does the phrase “best interests of the child” mean? Is it indeterminate or culturally specific? What are the obligations of states that ratify the CRC? Which requirements are most likely to promote children’s well being and human rights? And how do we conceive of globalization, and its impact on childhood across the world? If childhood is in fact a series of developmental stages, does it make sense to treat it in law like a unitary experience with a single age cut- off? The difficulty of age determinations.*

### Relevant law:

[CRC Articles 1 and 3](http://www.ohchr.org/EN/ProfessionalInterest/Pages/CRC.aspx) <http://www.ohchr.org/EN/ProfessionalInterest/Pages/CRC.aspx>

[CRC 2nd Optional Protocol http://www.ohchr.org/EN/ProfessionalInterest/Pages/OPSCCRC.aspx](http://www.ohchr.org/EN/ProfessionalInterest/Pages/OPSCCRC.aspx)

[African Charter on the Rights and Welfare of the Child (especially Article 2)](http://www1.umn.edu/humanrts/africa/afchild.htm) <http://hrlibrary.umn.edu/africa/afchild.htm>

Committee on the Rights of the Child, General Comment No. 5 (2003) (General measures of implementation of the Convention on the Rights of the Child) <http://www.refworld.org/docid/4538834f11.html>

### Readings:

Geraldine Van Bueren, “The Definition and Status of the Child in International Law” in *The International Law on the Rights of the Child* (Kluwer Academic Publishers, 1995). Excerpt: pp. 32-38; 45-51.

B. Rwezaura, “The Concept of the Child’s Best Interests in the Changing Economic and Social Context of Sub- Saharan Africa” in *The Best Interests of the Child: Reconciling Culture and Human Rights* (Clarendon Press, 1994). pp. 82-116.

Beth Simmons, “The Protection of Innocents: Rights of the Child” in *Mobilizing for Human Rights: International Law in Domestic Politics (*Cambridge University Press, 2009). pp. 307-348.

### Optional:

Philip Alston and Bridget Gilmour-Walsh, [*The Best Interests of the Child: Towards a Synthesis of Children’s Rights*](http://www.unicef-irc.org/publications/108)[*and Cultural Values*](http://www.unicef-irc.org/publications/108) (UNICEF Innocenti Studies,1996). <https://www.unicef-irc.org/publications/108>

Cindi Katz, *Growing Up Global: Economic Restructuring and Children's Everyday Lives (*University of Minnesota Press, 2004). pp. 3-22; 109-133.

## Class 2 (Part A): Wednesday, January 18th What is Adolescence? How does it Differ from Childhood and Youth?

*Despite the absence of an agreed legal definition, many societies consider adolescence a distinct developmental phase. What are the biological, psychological and legal bases for this view? What role do social, cultural and economic factors play in defining the significance of biological changes? Why does adolescence extend well into adulthood in some societies and not exist at all in others?*

*For class discussion: Which CRC rights are particularly relevant to adolescents? What policy mandates do they suggest?*

### Relevant Law:

CRC Arts 12-16; art 30. <http://www.ohchr.org/EN/ProfessionalInterest/Pages/CRC.aspx>

[UN Committee on the Rights of the Child General Comment 4](http://www.unhcr.org/refworld/docid/4538834f0.html) <http://www.refworld.org/docid/4538834f0.html>

### Readings:

Jacqueline Bhabha, “Introduction” in ed. Jacqueline Bhabha *Human Rights and Adolescence* (University of Pennsylvania Press, 2014). pp. 1-19.

Laurence Steinberg, “The Science of Adolescent Brain Development and Its Implications for Adolescent Rights and Responsibilities” (Ch. 3) in ed. Jacqueline Bhabha, *Human Rights and Adolescence* (University of Pennsylvania Press, 2014). pp. 59-76.

Alcinda Honwana, “[Waithood and Protest Movements in Africa](http://africanarguments.org/2013/08/12/youth-waithood-and-protest-movements-in-africa-by-alcinda-honwana/)” International African Institute Lugard Lecture 2013. [http://africanarguments.org/2013/08/12/youth-waithood-and-protest-movements-in-africa-by-alcinda-](http://africanarguments.org/2013/08/12/youth-waithood-and-protest-movements-in-africa-by-alcinda-honwana/) [honwana/](http://africanarguments.org/2013/08/12/youth-waithood-and-protest-movements-in-africa-by-alcinda-honwana/)

### Optional:

Clea McNeely and Krishna Bose, “Adolescent Social and Emotional Development: A Developmental Science Prospective on Adolescent Human Rights” (ch.5) in ed. Jacqueline Bhabha, *Human Rights and Adolescence* (University of Pennsylvania Press, 2014). pp. 102-124.

Laurence Steinberg, “The Plastic Brain” (Ch. 2) in *The Age of Opportunity* (Houghton Mifflin Harcourt, 2014). pp. 18-45.

P.-A. Michaud et al., “[Assessing an Adolescent’s Capacity for Autonomous Decision-Making in Clinical Care](http://www.jahonline.org/article/S1054-139X(15)00257-8/references)” (Journal of Adolescent Health, 2015) <http://www.jahonline.org/article/S1054-139X(15)00257-8/pdf>

## Class 2 (Part B): Children and Youth: From Post Facto Remedies to Prevention Science.

### Readings:

Sudhir Anand et al., *The Cost of Inaction: Case Studies from Rwanda and Angola* (Harvard University Press, 2012). pp. 1-21; 229-237.

New Economics Foundation, [*Backing the Future: Why Investing in Children is Good for Us All*](https://www.actionforchildren.org.uk/media/3254/backing_the_future.pdf) pp.10-28; 44-45. <https://www.actionforchildren.org.uk/media/3254/backing_the_future.pdf>

Richard Catalano et al., “[Worldwide Application of Prevention Science in Adolescent Health](http://www.thelancet.com/journals/lancet/article/PIIS0140-6736(12)60238-4/abstract)” (The Lancet, 2012). pp. 379; 1653-1664. <http://www.thelancet.com/pdfs/journals/lancet/PIIS0140-6736(12)60238-4.pdf>

## Class 3: Wednesday, January 25th - Adolescent Behavior and the Law – A Case Study: U.S. Approaches to the Punishment of Violent Juveniles Convicted of Homicide

*Given the specifics of adolescent brain maturation, and takeaways from the science of prevention material, should violent juveniles be punished more leniently than their adult counterparts? If so, why? Is there a contradiction between special pleading and insistence of adolescent agency and autonomy? How should deterrence, rehabilitation, public condemnation, rehabilitation be balanced?*

***Second half of class will be a debate between opposing approaches.***

### Relevant Law:

[ICCPR Art 6](http://www1.umn.edu/humanrts/instree/b3ccpr.htm) <http://hrlibrary.umn.edu/instree/b3ccpr.htm>

ICCPR Second Optional Protocol regarding death penalty <http://www.ohchr.org/EN/ProfessionalInterest/Pages/2ndOPCCPR.aspx>

[CRC Art 37 http://www.ohchr.org/EN/ProfessionalInterest/Pages/CRC.aspx](http://www.ohchr.org/EN/ProfessionalInterest/Pages/CRC.aspx)

[US Constitution 8th Amendment](http://www.law.cornell.edu/constitution/eighth_amendment/) <https://www.law.cornell.edu/constitution/eighth_amendment/>

### Readings:

[Roper v. Simmons 543 U.S. 551 (2005)](http://www.law.cornell.edu/supct/html/03-633.ZS.html) <https://www.law.cornell.edu/supct/html/03-633.ZS.html>

Brief of the American Medical Association, “[American Psychological Association et al as amicus curiae in support](https://www.apa.org/about/offices/ogc/amicus/roper.pdf) [of respondent in Roper v Simmons](https://www.apa.org/about/offices/ogc/amicus/roper.pdf)” Excerpt: pp. 2-23. <https://www.apa.org/about/offices/ogc/amicus/roper.pdf>

[Miller v. Alabama, 63 So. 3d 676 (Ala. 2010)](http://www.law.cornell.edu/supremecourt/text/10-9646) –Majority Opinion and Alito Dissent <https://www.law.cornell.edu/supremecourt/text/10-9646>

Shivan Vij, *“*[The Media Monster of the Juvenile Offender: Enakshi Ganguly and Anant Asthana](http://haqcrc.org/blog/monster-media-has-created-first-published-kafilaorg/)” in *Kafla.org*, July 24, 2013. <http://haqcrc.org/blog/monster-media-has-created-first-published-kafilaorg/>

Aparna Viswanathan, “[Balancing the Juvenile Act,](http://www.thehindu.com/opinion/lead/balancing-the-juvenile-act/article5107620.ece)” in *The Hindu*, September 9, 2013. <http://www.thehindu.com/opinion/lead/balancing-the-juvenile-act/article5107620.ece>

# PART II: Children, Youth and the Impact of Gender

## Class 4 (Part A): Wednesday, February 1st - Gender: The Impact on Life Chances and Health

*What role does gender play in determining the life chances of children and adolescents, their likelihood of thriving, their access to adequate health care and protection, the pressures and resources to migrate? What are the reasons for gender based discrimination? Do they vary across societies?*

### Films:

The Day I Will Never Forget (class screening) (92 minutes) Mrs. Goundo’s Daughter

### Relevant Law:

[CEDAW](http://www.un.org/womenwatch/daw/cedaw/) <http://www.un.org/womenwatch/daw/cedaw/>

CRC, Arts 2, 24(3), 34 <http://www.ohchr.org/EN/ProfessionalInterest/Pages/CRC.aspx>

### Readings:

Amartya Sen, “[More than 100 Million Women are Missing](http://www.nybooks.com/articles/archives/1990/dec/20/more-than-100-million-women-are-missing/)” *New York Review of Books*, December 20, 1990. <http://www.nybooks.com/articles/1990/12/20/more-than-100-million-women-are-missing/>

UNFPA, Guttmacher Institute*,* [*Adding it Up 2014: The Costs and Benefits of Investing in Sexual and Reproductive*](http://www.unfpa.org/adding-it-up#sthash.Zv9mXVxK.dpuf)[*Health*](http://www.unfpa.org/adding-it-up#sthash.Zv9mXVxK.dpuf) (2014). pp. 9-22. <http://www.unfpa.org/adding-it-up>

R. Shweder, ‘“[What about Female Genital Mutilation?” And why understanding culture matters in the first place](https://edre.uark.edu/_resources/pdf/zimmerman-2.pdf)’ in ed. Shweder, Minow and Markus, *Engaging Cultural Differences* (MIT Press, 2002). Excerpt pp.216-235.<https://edre.uark.edu/_resources/pdf/zimmerman-2.pdf>

Kate Bornstein. “[Naming All the Parts.](http://sites.middlebury.edu/soan191/files/2013/08/BornsteinNamingAllTheParts.pdf)” in *Gender Outlaw: On Men, Women, and the Rest of Us* (Vintage Books, 1995). Ch 4. <http://sites.middlebury.edu/soan191/files/2013/08/BornsteinNamingAllTheParts.pdf>

Lila Abu-Lughod, “[Do Muslim Women Really Need Saving?](http://org.uib.no/smi/seminars/Pensum/Abu-Lughod.pdf)” (American Anthropologist, 2002). pp.783-790. <http://org.uib.no/smi/seminars/Pensum/Abu-Lughod.pdf>

## Class 4 (Part B): Gender: The Impact on Exposure to Violence and Stigma

*What explains the persistence of very severe gender based violence and stigma, over a range of countries and modalities? Are there good practice policies that might be effectively scaled up? Legislative initiatives seem to have been largely ineffective; what strategies are more promising?*

### Film:

Children of the Taliban ([PBS](http://www.pbs.org/frontlineworld/stories/pakistan802/video/video_index.html)) Pakistan’s Taliban Generation (PBS) Yemeni Child Bride Rebels ([News.com](http://www.news.com.au/world/escaped-child-bride-nada-al-ahdals-says-im-not-for-sale/story-fndir2ev-1226682861936))

### Relevant law:

[CRC http://www.ohchr.org/EN/ProfessionalInterest/Pages/CRC.aspx](http://www.ohchr.org/EN/ProfessionalInterest/Pages/CRC.aspx)

[UN Committee on the Rights of the Child General Comment 4](http://www.unhcr.org/refworld/docid/4538834f0.html) Paras 14-25 <http://www.refworld.org/docid/4538834f0.html>

### Readings:

Mary Ellsberg et. al., “[Prevention of violence against women and girls: what does the evidence say?](http://www.thelancet.com/pdfs/journals/lancet/PIIS0140-6736(14)61703-7.pdf)” (The Lancet, April, 2015). <http://www.thelancet.com/pdfs/journals/lancet/PIIS0140-6736(14)61703-7.pdf>

Harvard Humanitarian Initiative and Oxfam USA, “[Now the World is Without Me: An Investigation of Sexual](https://www.oxfam.org/en/research/now-world-without-me) [Violence in Eastern Democratic Republic of Congo](https://www.oxfam.org/en/research/now-world-without-me)” (2010). pp. 4-32, 38-40, 45-46. <https://www.oxfam.org/en/research/now-world-without-me>

Joanna Jolly, [*Rape Culture in India: The Role of the English-Language Press*](http://shorensteincenter.org/rape-culture-india-english-language-press/) (Shorenstein Center on Media, Politics and Public Policy, July 20, 2016). <http://shorensteincenter.org/rape-culture-india-english-language-press/>

### Media:

[Unveiling a New Superpower:](https://www.youtube.com/watch?v=I-BKGebLy28&amp;feature=youtu.be) TED Talk by Susan Bissell, head of the Child Protection division of UNICEF [https://www.youtube.com/watch?v=I-BKGebLy28&feature=youtu.be](https://www.youtube.com/watch?v=I-BKGebLy28&amp;feature=youtu.be)

### Optional:

Survey of War-Affected Youth, [*The State of Female Youth in Northern Uganda: Findings From The Survey Of*](http://chrisblattman.com/documents/policy/sway/SWAY.Phase2.FinalReport.pdf)[*War-Affected Youth*](http://chrisblattman.com/documents/policy/sway/SWAY.Phase2.FinalReport.pdf) (SWAY, 2008). <http://chrisblattman.com/documents/policy/sway/SWAY.Phase2.FinalReport.pdf>

World Health Organization, "[Inspire: Seven Strategies for Ending Violence Against Children: Executive Summary](https://drive.google.com/file/d/0B9SkBOd7v9z9SEFoMzR2bXZkTnc/view) (2016). (Full report available [here](http://www.who.int/violence_injury_prevention/violence/inspire/en/).) <https://drive.google.com/file/d/0B9SkBOd7v9z9SEFoMzR2bXZkTnc/view>

## Class 5: Wednesday, February 8th – Gender: The Impact on Educational Opportunity and Access

*Whereas considerable progress has been made in equalizing girls’ access to and participation in primary education, secondary and tertiary education remain elusive for large numbers of girls. Given the known impact of education on future physical, financial and emotional security, why has progress been so slow and what strategies can redress the situation?*

### Relevant law:

CRC Art. 28 – 31 <http://www.ohchr.org/EN/ProfessionalInterest/Pages/CRC.aspx>

### Readings:

[Wisconsin v. Yoder, 406 U.S. 205 (1972)](http://www.law.cornell.edu/supct/html/historics/USSC_CR_0406_0205_ZS.html) <https://www.law.cornell.edu/supremecourt/text/406/205>

Brookings Educational Report, [*A Global Compact on Learning*](http://www.brookings.edu/research/reports/2011/06/09-global-compact) (2011). pp 1-5, 30-41, 48-53. [https://www.brookings.edu/research/a-global-compact-on-learning-taking-action-on-education-in-developing-](https://www.brookings.edu/research/a-global-compact-on-learning-taking-action-on-education-in-developing-countries/) [countries/](https://www.brookings.edu/research/a-global-compact-on-learning-taking-action-on-education-in-developing-countries/)

Abhijit Banerjee and Esther Duflo, “Top of the Class” in *Poor Economics* (Public Affairs, 2011). pp. 71-101.

Elaine Unterhalter and Amy North, *“Responding to the gender and education Millennium Development Goals in South Africa and Kenya: reflections on education rights, gender equality, capabilities and global justice”* (Institute of Education, University of London, 2011).

### Optional:

Orla Kelly and Jacqueline Bhabha, [*Beyond the Education Silo? Tackling Adolescent Secondary Education in Rural*](http://www.tandfonline.com/doi/pdf/10.1080/01425692.2014.919843?needAccess=true)[*India*](http://www.tandfonline.com/doi/pdf/10.1080/01425692.2014.919843?needAccess=true) (British Journal of Sociology of Education, August 2014). <http://www.tandfonline.com/doi/pdf/10.1080/01425692.2014.919843?needAccess=true>

# Part III: Children and Youth: Exploitation

**Class 6 (Part A): Wednesday, February 15th - Child Trafficking : The Legal Framework** *What is trafficking by its legal definition? How does it differ from smuggling? The criminalization of trafficking and its impact on protecting victims. The role of a human rights framework.*

### Film:

Not My Life ([TeachUNICEF.org](http://teachunicef.org/materials/feature-film-not-my-life)) (32 min)

### Relevant Law:

[UNTOC Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children,](http://www.unodc.org/unodc/en/treaties/CTOC/#Fulltext) [Supplementing the United Nations Convention against Transnational Organized Crime.](http://www.unodc.org/unodc/en/treaties/CTOC/#Fulltext) <http://www.unodc.org/documents/treaties/UNTOC/Publications/TOC%20Convention/TOCebook-e.pdf>

[UNTOC Protocol Against the Smuggling of Migrants by Land, Sea, and Air, Supplementing the United Nations](http://www.unodc.org/unodc/en/treaties/CTOC/#Fulltext) [Convention against Transnational Organized Crime.](http://www.unodc.org/unodc/en/treaties/CTOC/#Fulltext) <http://www.unodc.org/documents/treaties/UNTOC/Publications/TOC%20Convention/TOCebook-e.pdf>

### Readings:

Jacqueline Bhabha, *Child Migration and Human Rights in a Global Age* (Princeton University Press, 2014). Chapter 4.

Elizabeth Donger and Jacqueline Bhabha, [*Is This Protection? Analyzing India’s Approach to the Rescue and*](https://cdn2.sph.harvard.edu/wp-content/uploads/sites/5/2016/03/Is-this-Protection-Final.pdf)[*Reintegration of Children Trafficked for Labor Exploitation*](https://cdn2.sph.harvard.edu/wp-content/uploads/sites/5/2016/03/Is-this-Protection-Final.pdf) (Harvard FXB Center for Health and Human Rights, March 2016). Executive Summary, Conclusions and Recommendations. [https://cdn2.sph.harvard.edu/wp-](https://cdn2.sph.harvard.edu/wp-content/uploads/sites/5/2016/03/Is-this-Protection-Final.pdf) [content/uploads/sites/5/2016/03/Is-this-Protection-Final.pdf](https://cdn2.sph.harvard.edu/wp-content/uploads/sites/5/2016/03/Is-this-Protection-Final.pdf)

**Class 6 (Part B): Child Sex Trafficking and Sexual Exploitation: The Policy Challenges and Creative Responses**

*Are slavery and trafficking effectively synonyms? What perspectives have yielded advances in human rights protections for vulnerable children caught up in these practices: deterrence, criminalization, labour rights, rescue, rehabilitation, welfare support?*

### Films:

Every Day in Cambodia [(CNN.com](http://www.cnn.com/videos/intl_tv-shows/2015/04/28/spc-freedom-project-every-day-in-cambodia.cnn)) (50 Min)

### Readings:

Janie Chuang, “[Exploitation Creep and the Unmaking of Human Trafficking Law](http://www.jstor.org/stable/10.5305/amerjintelaw.108.4.0609)”, The American Journal of International Law, Vol. 108:609. <http://www.jstor.org/stable/10.5305/amerjintelaw.108.4.0609>

Institute of Medicine, [*Confronting Commercial Sexual Exploitation and Sex Trafficking of Minors in the United*](http://iom.nationalacademies.org/Reports/2013/Confronting-Commercial-Sexual-Exploitation-and-Sex-Trafficking-of-Minors-in-the-United-States.aspx)[*States*](http://iom.nationalacademies.org/Reports/2013/Confronting-Commercial-Sexual-Exploitation-and-Sex-Trafficking-of-Minors-in-the-United-States.aspx) (Institute of Medicine 2013) chapter 1(Introduction), 2 (Nature and Extent), 10 (Multisector and Interagency Collaboration) [http://www.nationalacademies.org/hmd/Reports/2013/Confronting-Commercial-Sexual-Exploitation-](http://www.nationalacademies.org/hmd/Reports/2013/Confronting-Commercial-Sexual-Exploitation-and-Sex-Trafficking-of-Minors-in-the-United-States.aspx) [and-Sex-Trafficking-of-Minors-in-the-United-States.aspx](http://www.nationalacademies.org/hmd/Reports/2013/Confronting-Commercial-Sexual-Exploitation-and-Sex-Trafficking-of-Minors-in-the-United-States.aspx)

California Child Welfare Council, [*Ending CSEC: A Call for Multi-System Collaboration in California*](http://www.chhs.ca.gov/Child%20Welfare/Ending%20CSEC%20-%20A%20Call%20for%20Multi-System%20Collaboration%20in%20CA%20-%20February%202013.pdf) (2013)

Chapter I (Introduction), Chapter 7 (Recommendations), and Chapter 8

(Conclusion). [http://www.chhs.ca.gov/Child%20Welfare/Ending%20CSEC%20-%20A%20Call%20for%20Multi-](http://www.chhs.ca.gov/Child%20Welfare/Ending%20CSEC%20-%20A%20Call%20for%20Multi-System%20Collaboration%20in%20CA%20-%20February%202013.pdf) [System%20Collaboration%20in%20CA%20-%20February%202013.pdf](http://www.chhs.ca.gov/Child%20Welfare/Ending%20CSEC%20-%20A%20Call%20for%20Multi-System%20Collaboration%20in%20CA%20-%20February%202013.pdf)

Julia O'Connell Davidson, *Children in the Global Sex Trade* (Polity, 2005). Excerpts: Introduction pp. 1-3; Chapter 4 (“Child Migration and ‘Trafficking”) pp. 64-84; and Chapter 8 (“Beyond Binaries”) pp. 140-51.

## Class 7 (Part A): Wednesday, February 22nd – Intercountry Adoption

*How is transnational adoption regulated by international law? Is transnational adoption in the best interests of the child – always, never, sometimes and if so who decides and how? What policies would improve the current system? Should the adopted child have a right to information about the birth parents? Are there any valid countervailing claims?*

### Films:

Goodbye Baby ([Kanopy Streaming](http://ufl.kanopystreaming.com/video/goodbye-baby-controversy-adoption-guatamala)) (58 Min)

### Relevant Law:

[CRC Articles 20-1 http://www.ohchr.org/EN/ProfessionalInterest/Pages/CRC.aspx](http://www.ohchr.org/EN/ProfessionalInterest/Pages/CRC.aspx)

CRC 1st Optional Protocol Article 3 <http://www.ohchr.org/Documents/ProfessionalInterest/crc-conflict.pdf>

[Hague Convention on the Protection of Children and Cooperation in Respect of Inter-country Adoption (1993)](http://www.hcch.net/index_en.php?act=conventions.text&amp;cid=69) <https://www.hcch.net/en/instruments/conventions/full-text/?cid=69>

### Readings:

[Lakshmi Kant Pandey v Union of India, Indian Supreme Court (1984)](http://indiankanoon.org/doc/551554/) 2 SCC 244; AIR 1984 SC 469. Excerpts: points 6-8, 10-5, 17. <https://indiankanoon.org/doc/551554/>

Jacqueline Bhabha, *Child Migration and Human Rights in a Global Age* (Princeton University Press, 2014). Chapter 3.

Judith S. Modell, “Taking (care of) the children-adoptive parents in the twenty-first century” (Ch. 4) in *A Sealed and Secret Kinship: The Culture of Policies and Practices in American Adoption (*Berghahn Books, 2002). pp. 124-175.

Ed. Jane Jeong Trenka et.al., "Introduction [excerpt]", “Disappeared Children and the Adoptee as Immigrant" "From Orphan Trains to Babylifts” Lifelong Impact, Enduring Need", "From Victim to Survivor” “Tending Denial” in *Outsiders within: Writing on Transracial Adoption* (South End Press, 2006). pp. 1-7; 105-114; 139-149; 179-204.

## Class 7 (Part B): Children’s Rights Principles in Practice: Should Intercountry adoption be a last resort?

*Transnational adoption is demonized by some and glorified by others. How do parties involved in the process view it, what is a human rights approach to the question and how much is it possible to generalize across the plethora of situations that exist?*

### Films:

First Person Plural ([Kanopy Streaming](http://ufl.kanopystreaming.com/video/first-person-plural))

Gone Baby Gone ([Google Play](https://play.google.com/store/movies/details/Gone_Baby_Gone?id=nQiJzrE9wFY), [Amazon Video](https://www.amazon.com/Gone-Baby-Casey-Affleck/dp/B006RXPUR2/ref%3Dsr_1_1?s=instant-video&amp;ie=UTF8&amp;qid=1468959895&amp;sr=1-1&amp;keyword%E2%80%A6))

### Relevant Law:

[CRC Article 21(b) http://www.ohchr.org/EN/ProfessionalInterest/Pages/CRC.aspx](http://www.ohchr.org/EN/ProfessionalInterest/Pages/CRC.aspx)

### Readings:

BJ Lifton, *Twice Born* (Other Press, 2006). pp. 3-33.

Ed. Toby Alice Volkman, "Patterns of Shared Parenthood among the Brazilian Poor" "Birth Mothers and Imaginary Lives” in *Cultures of Transnational Adoption* (Duke University Press, 2005). pp. 142-181.

Elizabeth Bartholet and David Smolin, [“The Debate”](http://www.law.harvard.edu/faculty/bartholet/The_Debate_1_13_2012.pdf) in *Intercountry Adoption: Policies, Practices, and Outcomes*

(Ashgate Publishing, 2012). <http://www.law.harvard.edu/faculty/bartholet/The_Debate_1_13_2012.pdf>

Elizabeth Bartholet, [“Permanency Is Not Enough: Children Need the Nurturing Parents Found in International](http://www.law.harvard.edu/faculty/bartholet/PermanencyNotEnough.pdf) [Adoption”](http://www.law.harvard.edu/faculty/bartholet/PermanencyNotEnough.pdf) (New York Law School Review, v55, 2010-2011). <http://www.law.harvard.edu/faculty/bartholet/PermanencyNotEnough.pdf>

Kathryn Joyce, *The Child Catchers: Rescue, Trafficking, and the New Gospel of Adoption* (Public Affairs, 2013). pp.1-37.

UNICEF's position on Inter-country adoption https://[www.unicef.org/media/media\_41918.html](http://www.unicef.org/media/media_41918.html)

UN Resolution adopted by the General Assembly, 64/142. Guidelines for the Alternative Care of Children <http://www.refworld.org/docid/4c3acd162.html>

## Class 8: Wednesday, March 1st- Labour Exploitation

*How does forced labour impact on children? What if children (or their families) “choose” labour exploitation as the best option available to them? Is all child labour forced? If not, what is the difference between child labour and forced labour? What are the causes of child labour, what forms does it take? What intervention strategies have been tried and which, if any, have worked?*

### Films:

Gem Slaves: Tanzanite's Child Labour ([CultureUnplugged.com](http://www.cultureunplugged.com/filmedia/index.php) – Archive offline until Dec. 16, 2016, [YouTube](https://www.youtube.com/watch?v=Q1IGCK-7VXg)) (15 min)

### Readings:

ILO, [Convention on the Worst Forms of Child Labour](http://www.ilo.org/dyn/normlex/en/f?p=1000%3A12100%3A0%3A%3ANO%3A%3AP12100_INSTRUMENT_ID%3A312327) (C182, 1999) [http://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:12100:0::NO::P12100\_INSTRUMENT\_ID:312327](http://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB%3A12100%3A0%3A%3ANO%3A%3AP12100_INSTRUMENT_ID%3A312327)

ILO [Convention concerning Minimum Age for Admission to Employment](http://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB%3A12100%3A0%3A%3ANO%3A%3AP12100_ILO_CODE%3AC138) (C138 , 1973) [http://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:12100:0::NO::P12100\_ILO\_CODE:C138](http://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB%3A12100%3A0%3A%3ANO%3A%3AP12100_ILO_CODE%3AC138)

ILO, [*Roadmap for achieving elimination of the worst forms of child labour by 2016*](http://www.ilo.org/ipec/Informationresources/WCMS_IPEC_PUB_13453/lang--en/index.htm) (The Hague Global Child Labour Conference, 2010). [http://www.ilo.org/ipec/Informationresources/WCMS\_IPEC\_PUB\_13453/lang--](http://www.ilo.org/ipec/Informationresources/WCMS_IPEC_PUB_13453/lang--en/index.htm) [en/index.htm](http://www.ilo.org/ipec/Informationresources/WCMS_IPEC_PUB_13453/lang--en/index.htm)

Elisabeth Donger, *The Sale of Children for Labour Exploitation: Summary of Existing Data and Areas of Priority and Good Practice* (2016) pp. 4-20.

Siddharth Kara, [*Tainted Carpets: Slavery and Child Labor in India’s Hand-Made Carpet Sector*](https://cdn2.sph.harvard.edu/wp-content/uploads/sites/5/2014/01/Tainted-Carpets-Released-01-28-14.pdf) (Harvard FXB Center for Health and Human Rights, 2014). [https://cdn2.sph.harvard.edu/wp-](https://cdn2.sph.harvard.edu/wp-content/uploads/sites/5/2014/01/Tainted-Carpets-Released-01-28-14.pdf) [content/uploads/sites/5/2014/01/Tainted-Carpets-Released-01-28-14.pdf](https://cdn2.sph.harvard.edu/wp-content/uploads/sites/5/2014/01/Tainted-Carpets-Released-01-28-14.pdf)

## Class 9: Wednesday, March 15th - Children in Armed Conflict

*What do we know about the extent of and the reasons for recruitment of children in combat? What aspects of childhood lend themselves particularly to this activity? What types of activities do children get involved in? Which ones fall within the Protocol? What ethical issues does the presence of child soldiers in an opponent's army raise?*

### Films:

Beasts of No Nation (Class screening, [Netflix](https://www.netflix.com/title/80044545)) (137 minutes) Innocent Voices ([YouTube](https://www.youtube.com/watch?v=z6BlWzasA3o) with English subtitles)

### Relevant law:

[CRC Article 12 http://www.ohchr.org/EN/ProfessionalInterest/Pages/CRC.aspx](http://www.ohchr.org/EN/ProfessionalInterest/Pages/CRC.aspx)

[Optional Protocol to the Convention on the Rights of the Child on the Involvement of Children in Armed Conflict](http://www.ohchr.org/EN/ProfessionalInterest/Pages/OPACCRC.aspx) (A/RES/54/263 of 25 May 2000) <http://www.ohchr.org/EN/ProfessionalInterest/Pages/OPACCRC.aspx>

[UN Convention on the Status of Refugees,](http://www.unhcr.org/pages/49da0e466.html) Art. 1 (especially Art. 1 (a), (f). [http://www.unhcr.org/en-us/1951-](http://www.unhcr.org/en-us/1951-refugee-convention.html) [refugee-convention.html](http://www.unhcr.org/en-us/1951-refugee-convention.html)

Cape Town Principles and Best Practice on the Prevention of Recruitment of Children Into the Armed Forces and Demobilization and Social Reintegration of Child Soldiers in Africa <http://www.unicef.org/emerg/files/Cape_Town_Principles(1).pdf>

The Paris Commitments to Protect Children from Unlawful Recruitment or Use by Armed Forces or Armed Groups <http://www.unicef.org/protection/files/Paris_Principles_EN.pdf>

### Readings:

Ishmael Beah, *A Long Way Gone: Memoirs of a Boy Soldier* (Farrar, Strauss and Giroux, 2007). Chapters 12 and 13.

Jacqueline Bhabha, *Child Migration and Human Rights in a Global Age* (Princeton University Press, 2014). Chapter 5.

Jeannie Annan, Christopher Blattman, Dyan Mazurana and Khristopher Carlson[, *Civil War, Reintegration, and*](http://jcr.sagepub.com/content/55/6/877.abstract)[*Gender in Northern Uganda*](http://jcr.sagepub.com/content/55/6/877.abstract) (Journal of Conflict Resolution, 2011). <http://jcr.sagepub.com/content/55/6/877.abstract>

### Optional:

[UN Security Council Resolution 1325](http://www.un.org/womenwatch/osagi/wps/#resolution)  <http://www.un.org/womenwatch/osagi/wps/#resolution>

P. W. Singer, *Children at War (*Pantheon, 2005). Excerpts: Chapters 3 (“The Underlying Causes”) pp. 37-56; and 6 (“The Implications of Children on the Battlefield”) pp. 94-115.

# Part IV– Globalization, Citizenship and the Migration of Children and Youth

## Class 10: Wednesday, March 22nd- Globalization, Migration and Development: Why Do Adults and Children Move?

*Migration can be thought of in many different ways: as an illegal act, as a life saver, as a search for opportunity or self advancement, as an escape from oppression, as exile and disenfranchisement. In today’s world, how have scholars analyzed the place of migration and its relation to globalization, development and state sovereignty/security? What distinctive issues does the migration of children raise?*

### Films:

Time to Look at Girls (Class screening) (31 min; get this) Which Way Home ([Google Play](https://play.google.com/store/movies/details/Which_Way_Home?id=Mt_Lkhl1B3g), [YouTube](https://www.youtube.com/watch?v=IUZNJ69ZoNk)) (1 Hour 30 Min)

### Relevant Law:

[UDHR Article 13 http://www.un.org/en/universal-declaration-human-rights/index.html](http://www.un.org/en/universal-declaration-human-rights/index.html)

[ICCPR Arts. 12, 13.](http://www1.umn.edu/humanrts/instree/b3ccpr.htm) International Convention on the Protection of the Rights of All Migrant Workers and Members of their Families <http://hrlibrary.umn.edu/instree/b3ccpr.htm>

### Readings:

United Nations Development Programme, Human Development Report 2009: [*Overcoming Barriers: Human*](http://hdr.undp.org/en/content/human-development-report-2009)[*Mobility and Development*.](http://hdr.undp.org/en/content/human-development-report-2009) pp. 21-28; 30-33; 54-60. [http://hdr.undp.org/en/content/human-development-report-](http://hdr.undp.org/en/content/human-development-report-2009)

[2009](http://hdr.undp.org/en/content/human-development-report-2009)

UN Secretary General Assembly Report of the Secretary-General, [*In Safety and Dignity: Addressing Large*](http://refugeesmigrants.un.org/secretary-generals-report)[*Movements of Refugees and Migrants*](http://refugeesmigrants.un.org/secretary-generals-report) (May 2016). <http://refugeesmigrants.un.org/secretary-generals-report>

Jacqueline Bhabha, *Child Migration and Human Rights in a Global Age* (Princeton University Press, 2014). Chapters 1 and 7.

### Optional:

Catherine Dauvergne, “Migration in the Globalization Script” in *Making People Illegal: What Globalization Means for Migration and Law* (Cambridge University Press, 2008). pp. 29-49.

## Class 11: Wednesday, March 29th - Birthright Citizenship

*Is birthright citizenship (ius soli) a basic right or an illegitimate advantage? What are recognized mechanisms for allocating citizenship at birth? Do they work? What are their consequences?*

### Readings:

Patrick Weil, “[Access to Citizenship: A Comparison of Twenty-Five Nationality Laws](http://www.patrick-weil.fr/wp-content/uploads/2014/07/2001-Access-to-citizenship.doc)” in T. Alexander Aleinikoff and Douglas Klusmeyer, eds., *Citizenship Today: Global Perspectives and Practices* (Carnegie Endowment for International Peace, 2001). pp. 17-35. [www.patrick-weil.fr/wp-content/uploads/2014/07/2001-Access-to-](http://www.patrick-weil.fr/wp-content/uploads/2014/07/2001-Access-to-citizenship.doc) [citizenship.doc](http://www.patrick-weil.fr/wp-content/uploads/2014/07/2001-Access-to-citizenship.doc)

Jacqueline Bhabha, “Staying Home: The Elusive Benefits of Child Citizenship” (Ch. 2) in *Child Migration and Human Rights in a Global Age* (Princeton University Press, 2014). pp. 60-95.

Linda Kerber, “Birthright Citizenship: The Vulnerability and Resilience of an American Constitutional Principle” (Ch. 11) in ed. Jacqueline Bhabha, *Children without a State: A Global Human Rights Challenge* (MIT Press, 2011). pp. 255-276.

[Tuan Anh Nguyen v INS,](http://www.law.cornell.edu/supct/html/99-2071.ZS.html) 121 S Ct 2053 (2001) Excerpts: summary and majority opinion. <https://www.law.cornell.edu/supct/html/99-2071.ZS.html>

### Optional:

Flores-Villar v USA: Brief Amicus Curiae of Scholars on Statelessness, in Support of Petitioner <http://www.americanbar.org/content/dam/aba/publishing/preview/publiced_preview_briefs_pdfs_09_10_09_5801_P> etitionerAmCuScholarsonStatelessness.authcheckdam.pdf

Peter Schuck, “Consensual Citizenship” (Ch. 9) in Schuck, *Citizens, Strangers and In-Betweens: Essays on Immigration and Citizenship* (Westview Press, 1998). Excerpt: pp. 207- 216.

Lucy E. Salyer, “[Wong Kim Ark: The Contest over Birthright Citizenship](https://subscription.westacademic.com/book/Preview?chapterUri=%2Fdata%2Fbooks%2F342%2Fdocbook%2F08_chapter03.xml)” in ed. D. Martin and P. Schuck, *Immigration Stories* (Foundation Press, 2005). Excerpt pp. 51-85. [https://subscription.westacademic.com/book/Preview?chapterUri=%2Fdata%2Fbooks%2F342%2Fdocbook%2F08\_](https://subscription.westacademic.com/book/Preview?chapterUri=%2Fdata%2Fbooks%2F342%2Fdocbook%2F08_chapter03.xml) [chapter03.xml](https://subscription.westacademic.com/book/Preview?chapterUri=%2Fdata%2Fbooks%2F342%2Fdocbook%2F08_chapter03.xml)

Ayelet Shachar, “Reconceptualizing Membership: Citizenship as Inherited Property” (excerpt from Ch. 1) in *The Birthright Lottery: Citizenship and Global Inequality* (Harvard University Press, 2009). pp. 21-38.

## Class 12: Wednesday, April 5th - The Opportunities for Family Reunification

*What is the legal framework in place for enabling families to reunify after parents have migrated on their own? What obstacles, legal, financial, emotional, prevent children from joining their parents? What opportunities do migrants have to bring in their family members to the EU or the US, and how have these opportunities been constrained by increasing concern with border controls?*

### Film:

The Least of These ([Amazon Video](https://www.amazon.com/Least-These-Clark-Lyda/dp/B009WUATPU/ref%3Dsr_1_3?ie=UTF8&amp;qid=1468953562&amp;sr=8-3&amp;keywords=the%2Bleast%2Bof%2Bthese), [Google Play](https://play.google.com/store/movies/details/The_Least_Of_These?id=-uoC5SSqagk), [YouTube](https://www.youtube.com/watch?v=-uoC5SSqagk) – not free) (1 Hour 2 Min)

### Relevant law:

[ECHR Article 8 http://www.hri.org/docs/ECHR50.html](http://www.hri.org/docs/ECHR50.html)

[EU Council Directive 2003/86/EC on Right to Family Reunification.](http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=CELEX%3A32003L0086%3AEN%3ANOT) [http://eur-lex.europa.eu/legal-](http://eur-lex.europa.eu/legal-content/EN/ALL/?uri=CELEX%3A32003L0086) [content/EN/ALL/?uri=CELEX:32003L0086](http://eur-lex.europa.eu/legal-content/EN/ALL/?uri=CELEX%3A32003L0086)

Department of Homeland Security, U.S. Citizenship and Immigration Services, Form [I-130](http://www.uscis.gov/portal/site/uscis/menuitem.5af9bb95919f35e66f614176543f6d1a/?vgnextchannel=db029c7755cb9010VgnVCM10000045f3d6a1RCRD&amp;vgnextoid=c67c7f9ded54d010VgnVCM10000048f3d6a1RCRD) <https://www.uscis.gov/i-130>

Form [I-864](http://www.uscis.gov/portal/site/uscis/menuitem.5af9bb95919f35e66f614176543f6d1a/?vgnextoid=b70f8875d714d010VgnVCM10000048f3d6a1RCRD&amp;vgnextchannel=7d316c0b4c3bf110VgnVCM1000004718190aRCRD) <https://www.uscis.gov/i-864>

[“2012 Poverty Guidelines.”](http://aspe.hhs.gov/poverty/12poverty.shtml/) <https://aspe.hhs.gov/2012-hhs-poverty-guidelines>

### Readings:

[Ahmut v. The Netherlands](http://www.unhcr.org/refworld/publisher%2CECHR%2C%2CMAR%2C3ae6b69014%2C0.html) (judgment of the European Court of Human Rights) 28 November 1996. <http://www.hrcr.org/safrica/childrens_rights/ahmut_netherlands.html>

[Mubilanzila Mayeka and Kaniki Mitunga v Belgium,](https://wcd.coe.int/ViewDoc.jsp?id=1047361&amp;Site=COE) European Court of Human Rights 2006, Press release issued by registrar. [https://wcd.coe.int/ViewDoc.jsp?p=&id=1047361&Site=COE&direct=true](https://wcd.coe.int/ViewDoc.jsp?p&amp;id=1047361&amp;Site=COE&amp;direct=true)

David Thronson, “[Custody and Contradictions: Exploring Immigration Law as Federal Family Law in the Context](http://papers.ssrn.com/sol3/papers.cfm?abstract_id=1155223) [of Child Custody](http://papers.ssrn.com/sol3/papers.cfm?abstract_id=1155223)”(Hastings Law Journal, 2008). pp. 7-19. <https://papers.ssrn.com/sol3/papers.cfm?abstract_id=1155223>

Women’s Refugee Commission, [*Torn Apart by Immigration Enforcement: Parental Rights and Immigration*](https://womensrefugeecommission.org/component/zdocs/document/667-torn-apart-by-immigration-enforcement-parental-rights-and-immigration-detention?Itemid=155)[*Dentention*](https://womensrefugeecommission.org/component/zdocs/document/667-torn-apart-by-immigration-enforcement-parental-rights-and-immigration-detention?Itemid=155)(December, 2011). [https://www.womensrefugeecommission.org/component/zdocs/document/667-torn-](https://www.womensrefugeecommission.org/component/zdocs/document/667-torn-apart-by-immigration-enforcement-parental-rights-and-immigration-detention?Itemid=155) [apart-by-immigration-enforcement-parental-rights-and-immigration-detention?Itemid=155](https://www.womensrefugeecommission.org/component/zdocs/document/667-torn-apart-by-immigration-enforcement-parental-rights-and-immigration-detention?Itemid=155)

### Optional:

F.K. Coronel & F. Unterreiner, [*Increasing the impact on children’s rights in the Philippines*](http://www.unicef.org/socialpolicy/files/Philippines_Increasing_the_Impact_of_Remittances_on_Childrens_Rights.pdf) (UNICEF, Division of Policy and Practice Working Paper, 2008). [http://www.unicef.org/socialpolicy/files/Philippines\_Increasing\_the\_Impact\_of\_Remittances\_on\_Childrens\_Rights.](http://www.unicef.org/socialpolicy/files/Philippines_Increasing_the_Impact_of_Remittances_on_Childrens_Rights.pdf)

[pdf](http://www.unicef.org/socialpolicy/files/Philippines_Increasing_the_Impact_of_Remittances_on_Childrens_Rights.pdf)

Peggy Levitt, "Reshaping the Stages of the Life Cycle" in *The Transnational Villagers* (University of California Press, 2001). pp. 73-96.

## Class 13: Wednesday, April 12th – Growing Up in a Refugee Camp

*Refugee camps have become permanent homes for generations of children; how does this impact their psychological state and their future options?*

### Film:

In this World, section on Afghan Children in Pakistani Refugee Camps ([YouTube](https://www.youtube.com/watch?v=VhR-w5b-LYg)) (1 hour 25 min)

### Readings:

Bartells, S, Hamill, K., [*Running Out of Time: Survival of Syrian Refugee Children in Lebanon*](http://fxb.harvard.edu/reports/) (January 2014). <https://fxb.harvard.edu/reports/>

Abisaab, J, Balsari, S, Ali Siam, Z, et al., [*Syrian Refugees in Jordan: Urgent Issues and Recommendations*](http://fxb.harvard.edu/reports/)

(November, 2014). <https://fxb.harvard.edu/reports/>

Agamben, Giorgio, *Homo Sacer: Sovereign Power and Bare Life*, trans. Daniel Heller-Roazen (Stanford University Press, 1998). Excerpt: pp. 168-76.

Save the Children*,* [*Camp to Community: Liberia study on exploitation of children.*](https://www.essex.ac.uk/armedcon/story_id/000381.pdf) (May 2006). pp. 1-16. <https://www.essex.ac.uk/armedcon/story_id/000381.pdf>

Kathleen Hamill, “Rights, Refugees and the Case of Syria: What Do Human Rights Offer*?”* in *Routledge Handbook on Human Rights and the Middle East and North Africa* (Routledge, 2016).

Vasoula Digidiki, [*Humanitarianism in Crisis: Lesbos, Greece (April 2016)*](https://cdn2.sph.harvard.edu/wp-content/uploads/sites/5/2016/04/humanitarianism_in_crisis-FINAL.pdf) (FXB Center for Health and Human Rights, 2016).

<https://cdn2.sph.harvard.edu/wp-content/uploads/sites/5/2016/04/humanitarianism_in_crisis-FINAL.pdf>

### Optional:

Lynne Jones, *Then They Started Shooting: Growing Up in Wartime Bosnia* (Harvard University Press, 2004). Excerpt pp. 102-117; 228-243.

Inter-Agency Network for Education in Emergencies, [*Minimum Standards for Education: Preparedness, Response,*](http://www.ineesite.org/en/minimum-standards)[*Recovery*](http://www.ineesite.org/en/minimum-standards) (INEE, 2010). <http://www.ineesite.org/en/minimum-standards>

K. Tomasevski, [*Human Rights Obligations: Making Education Available, accessible, acceptable and adaptable*](http://biblioteca.clacso.edu.ar/gsdl/collect/ar/ar-033/index/assoc/D599.dir/11.pdf)(Right to Education Primer no. 3, 2001). [http://biblioteca.clacso.edu.ar/gsdl/collect/ar/ar- 033/index/assoc/D599.dir/11.pdf](http://biblioteca.clacso.edu.ar/gsdl/collect/ar/ar-033/index/assoc/D599.dir/11.pdf)

[The Committee on Economic, Social and Cultural Rights, *General Comment No. 13, The Right to Education,*](http://www.refworld.org/docid/4538838c22.html)

E/C.12/1999/10, 8 December 1999. <http://www.refworld.org/docid/4538838c22.html>

## Class 14: Wednesday, April 19th - Child Refugees and Asylum Seekers

*In what circumstances can a child qualify for refugee protection in his or her own right? What is the difference between an unaccompanied and a separated child asylum seeker? What is child specific persecution? Does it fall within the refugee definition, or is the refugee definition only effective for harms faced by adults? Do states,*

*adjudicators, and refugee advocates recognize child specific persecution? Do children react differently than adults to violence they are subjected to or witness?*

### Relevant Law:

[1951 Convention Relating to the Status of Refugees](http://www.unhcr.org/pages/49da0e466.html) (“Refugee Convention”) Article 1A (2) (“Definition of the Term ‘Refugee’”). <http://www.unhcr.org/pages/49da0e466.html>

[UNHCR Handbook on Procedures and Criteria for Determining Refugee Status under the 1951 Convention and the](http://www.unhcr.org/4d93528a9.pdf) [1967 Protocol relating to the Status of Refugees](http://www.unhcr.org/4d93528a9.pdf) (HCR/IP/4/Eng/REV.1 Reedited, Geneva, January 1992, UNHCR 1979).Excerpts: Chapter VI (“The Principle of Family Unity”) para. 181-8 and (“Unaccompanied Minors”) para.

213-9. <http://www.unhcr.org/4d93528a9.pdf>

U.S. Immigration and Naturalization Service, [*Guidelines for Children’s Asylum Claims*,](http://www.uscis.gov/sites/default/files/USCIS/Laws%20and%20Regulations/Memoranda/Ancient%20History/ChildrensGuidelines121098.pdf) *(*December, 1998). [http://www.uscis.gov/sites/default/files/USCIS/Laws%20and%20Regulations/Memoranda/Ancient%20History/Chil drensGuidelines121098.pdf](http://www.uscis.gov/sites/default/files/USCIS/Laws%20and%20Regulations/Memoranda/Ancient%20History/ChildrensGuidelines121098.pdf)

Jacqueline Bhabha and Mike Dottridge, [*Recommended Principles to Guide Actions Concerning Children on the*](http://un-act.org/publication/recommended-principles-to-guide-actions-concerning-children-on-the-move-and-other-children-affected-by-migration/)[*Move and Other Children Affected by Migration*](http://un-act.org/publication/recommended-principles-to-guide-actions-concerning-children-on-the-move-and-other-children-affected-by-migration/) (FXB Center for Health and Human Rights, June 2016) Principles and Commentary. [http://un-act.org/publication/recommended-principles-to-guide-actions-concerning-children-on-](http://un-act.org/publication/recommended-principles-to-guide-actions-concerning-children-on-the-move-and-other-children-affected-by-migration/) [the-move-and-other-children-affected-by-migration/](http://un-act.org/publication/recommended-principles-to-guide-actions-concerning-children-on-the-move-and-other-children-affected-by-migration/)

### Readings:

Jacqueline Bhabha, *Child Migration and Human Rights in a Global Age* (Princeton University Press, 2014). Chapter 6.

Daniel Senovilla Hernandez, “Unaccompanied and Separated Children in Spain: A Policy of Institutional Mistreatment” (Ch. 7) in ed. Jacqueline Bhabha, *Children without a State: A Global Human Rights Challenge* (MIT Press, 2011). pp. 151-175.

### Optional:

Selcuk R. Sirin and Lauren Rogers-Sirin, [*The Educational and Mental Health Needs of Syrian Refugee Children*](http://www.migrationpolicy.org/research/educational-and-mental-health-needs-syrian-refugee-children)(Migration Policy Institute, 2015). [http://www.migrationpolicy.org/research/educational-and-mental-health-needs-](http://www.migrationpolicy.org/research/educational-and-mental-health-needs-syrian-refugee-children) [syrian-refugee-children](http://www.migrationpolicy.org/research/educational-and-mental-health-needs-syrian-refugee-children)