



UNIVERSITY OF TORONTO  
FACULTY OF LAW

INTERNATIONAL  
HUMAN RIGHTS  
PROGRAM

# Advancing the Field of International Human Rights Law

**Strategic Plan 2011**  
updated 2014

## Executive Summary

### **Mission**

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#### **Advancing the field of international human rights law.**

*The International Human Rights Program at the University of Toronto Faculty of Law enhances the legal protection of existing and emerging **international human rights** obligations through **advocacy, knowledge-exchange, and experiential learning and capacity-building** initiatives that provide **legal expertise** to civil society.*

### **Goals**

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We will achieve our missions through the following:

**Advocacy:** The IHRP will lend its legal expertise to advocacy that enhances the legal protection of existing and emerging international human rights.

**Knowledge Exchange:** The IHRP will enhance knowledge exchange between students, academics, civil society, and the private sector on current, emerging, and contentious international human rights law issues.

**Experiential Learning and Capacity-building:** Though experiential learning opportunities for students and provision of legal expertise to civil society, the IHRP will build the capacity of current and future advocates to effectively use international human rights law.

### **Programs and Initiatives**

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- clinical legal education
- volunteer student working groups
- summer internships
- events
- website, listservs, social media
- *Rights Review* magazine

### **Flexible and Responsive**

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Throughout our programming, the IHRP will retain its flexibility, responsiveness, and willingness to engage on a diversity of substantive issues.

## Introduction: 25 Years of Transformative Human Rights

The International Human Rights Program (“IHRP”) at the University of Toronto Faculty of Law (“Faculty”) was established in 1987. In 2002, under the leadership of then Dean, Ronald Daniels, the IHRP expanded from summer internships and student volunteer working groups to include Canada’s first-ever international human rights clinic and a human rights speaker series.

Since 2002, the IHRP has engaged in international human rights advocacy on diverse issues. Advocacy has ranged from direct client representation to policy work, though the emphasis in recent years has been on providing legal expertise to civil society. Projects have been solicited based on Director and Faculty expertise, been reactive to unfolding events and needs, and provided high quality experiential learning opportunities for students. The freedom to pursue a diversity of projects has allowed the IHRP to respond quickly to changes in the Canadian and international landscape and provide students with a well-rounded view of the practice of international human rights law. In 2010, the IHRP won a Lexpert Zenith award for its advocacy work. Over the years, we have also brought in a wide range of practitioners, activists and scholars to educate our community. Most recently, the IHRP expanded to include *Rights Review* magazine.

In 2003, the Faculty created an IHRP Advisory Board comprised of distinguished members of the bar, judiciary and academia. In 2009, to further integrate the IHRP within the Faculty’s overall research mission and goals, the Faculty created the IHRP Faculty Advisory Committee comprised of experts in public international law, corporate accountability, forced migration, health and human rights, indigenous and minority rights, and law and development. The Faculty Advisory Committee discusses and approves all advocacy initiatives and provides strategic advice on all programming.

As the IHRP approached its 25<sup>th</sup> anniversary (and the 10<sup>th</sup> anniversary of the clinic) in 2012, then-Dean Mayo Moran tasked the Faculty Advisory Committee and Director with completing a comprehensive strategic plan. To ensure the plan was responsive to key stakeholders, the IHRP compiled data from sixteen international human rights programs at comparator schools and received feedback from over 75 current students, numerous recent alumni, key faculty members, and over one hundred Canadian and international civil society stakeholders.

In the spring of 2011, the Faculty Advisory Committee met to discuss the background data and chart the IHRP’s course forward. In 2014, the Committee met again to further refine the plan based on experience over the previous three years. This document is the culmination of a multi-year process that has allowed us to reflect on our past, and situate our mission within the broader goals of the Faculty and our civil society partners. This plan signals a move towards **targeted engagement** that is **collaborative**, and draws upon our **unique strengths** and as a program housed within the University of Toronto Faculty of Law.

## Mission: Advancing the Field

Our mission is to enhance the legal protection of existing and emerging international human rights obligations or, more succinctly, to **advance the field of international human right law**. Our mission builds on our existing work and reflects our belief that law is an important and powerful tool of social change that is worth developing and using to its utmost potential.

Consistent with our mission, we will engage in a deeper analysis of each initiative's potential to advance the field of international human rights law, whether locally, nationally, or internationally, by:

- extending human rights protection to marginalized or vulnerable populations;
- addressing pervasive, systemic or multi-faceted violations;
- challenging laws and/or social norms that violate human rights;
- addressing widespread, high-profile, or persistent instances of impunity;
- extending the umbrella of human rights to cover new actors or fields;
- expanding state, individual, and non-state responsibility and accountability;
- using new forums to pursue accountability; and/or
- otherwise changing the international human rights landscape.

To assist in the difficult task of predicting whether a particular initiative will *in fact* advance the field, we will target our engagement to areas where our Faculty has expertise and/or which benefit from our Canadian location, and will develop initiative-specific benchmarks to track our progress.

## Values

**Excellence**: Intellectual rigour and professionalism are the foundation of the IHRP's work.

**Independence**: The IHRP's location within an academic institution provides the basis for integrity, intellectual freedom, and diversity.

**Collaboration**: The IHRP forges durable, reciprocal and responsive partnerships with grassroots and international civil society.

## Flexible and Responsive

Throughout our programming, we will retain our flexibility, responsiveness, and willingness to engage on a diversity of substantive topics. The freedom to pursue a diversity of projects without thematic restriction has allowed the IHRP to respond quickly to changes in the Canadian and international landscape and provided students with a well-rounded view of international human rights advocacy. For example, this approach has allowed us to engage in *amicus* interventions before the Supreme Court of Canada, assist with individual complaints to inter-governmental human rights bodies, weigh in on proposed legislative changes, and target media engagement.

### ***Faculty Expertise***

We will marshal our Faculty's expertise to develop expertise in areas that advance the field of international human rights law.

Drawn from a wide variety of disciplines and educated at leading institutions around the world, our professors reflect a remarkable range of knowledge and experience, enjoy an international reputation for research excellence, and are actively engaged in current public policy issues. In the area of human rights, our faculty's expertise is diverse in both substantive focus and theoretical approach.

We currently have experts in the areas of corporate accountability, forced migration, indigenous rights, health, women's rights, gender and sexuality, law and development, labour rights, economic globalization, transitional justice, national security, citizenship, minority and cultural rights, Islamic law, children's rights, private law, and environmental law.

The Faculty also houses programs staffed by professional legal staff whose work intersects with the IHRP, namely, the David Asper Centre for Constitutional Rights, Downtown Legal Services (a poverty-law clinic), Pro Bono Students Canada, and Law in Action in Schools (an at-risk youth outreach program).

## **Location in Canada**

We will develop expertise in areas that capitalize on Canada's unique rights-conscious and multi-lateral perspective, and advance the field of international human rights law vis-à-vis those affected by Canadian policies and/or actors.

Canadians are rights conscious. The *Charter of Rights and Freedoms* is a model the world over of robust constitutional protection of human rights and has paved the way for historic advances for criminally accused, women, sexual minorities, workers, indigenous people, and other marginalized groups. Canada's policies on universal health care and income security reflect a commitment to basic economic and social rights protection. Canadian civil society has been at the forefront of advocacy in relation to indigenous rights; civil and political rights for accused persons, prisoners, suspected terrorists, refugees, and Canadian detained abroad; ensuring economic globalization enhances human security; and fostering energy and environmental sustainability.

Canadian governmental and non-governmental agencies also play an important supporting role in the struggle for human rights around the world. Canada receives thousands of refugees fleeing persecution each year; spends billions of dollars on development assistance; promotes democratization and good governance through its foreign policy; pioneered peace-keeping and the "responsibility to protect"; and promotes the use of domestic and international criminal law to end impunity for war crimes. Moreover, there are numerous Canadian non-governmental organizations whose main stakeholders live outside Canada.

Consistent with its status as a "middle power", Canada is also uniquely multi-lateral. Canada has signed and ratified many international human rights treaties and conventions, has historically refused to intervene militarily in other states without UN Security Council authorization, and displays a strong commitment to multi-lateral institutions such as the International Criminal Court.

## **Goals and Objectives**

We will achieve our mission through **advocacy, knowledge exchange, and experiential learning and capacity-building** initiatives. We will leverage our legal expertise to the benefit of civil society through our core programmatic offerings, namely: our clinical legal education program, volunteer student working groups, human rights internships, events, web presence, and *Rights Review* magazine. While we believe that our goals and objectives are realistic, we recognize that resources available to the IHRP and our civil society partners as well as unpredictable socio-political factors may affect the direction or our activities and the impact of our efforts.

## ADVOCACY

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**GOAL:** To lend our legal expertise to advocacy that enhances the legal protection of existing and emerging international human rights.

**OBJECTIVE:** To lend our legal expertise to civil society engaged in advocacy, especially in areas that intersect with our Faculty's expertise and/or draw upon our location within Canada.

### **Expansive View of "Advocacy"**

We purposefully adopt a broad understanding of advocacy. Our emphasis is on forms of legal advocacy that reach beyond traditional client representation and litigation, including but not limited to *amicus* intervention in appellate courts, applied research, drafting fact-finding reports, drafting submissions to international bodies, and creating knowledge exchange tools and resources (such as public legal education materials, bibliographies, plain language guides, etc.)

### **Legal Expertise**

Our focus is on provision of *legal* expertise through rigorous research and strategic analysis. Our location in Canada's preeminent law school provides access to exceptional scholars and students, and an arena to bridge the academic and the practical. Consistent with our values, we will model intellectual rigour and professionalism in all our advocacy initiatives.

### **Civil Society Partners**

We are dedicated to fostering durable, reciprocal and responsive partnerships with civil society and undertaking advocacy in partnership with them. We recognize the vast expertise and knowledge of civil society, especially in terms of socio-political landscape, first-hand experience of human rights' violations, and the identification of strategic priorities. We envision a collaborative dimension to all of the advocacy-related programmatic elements of the IHRP, including the clinical legal education program, volunteer student working groups, and internship placements.

### **Flexible and Responsive**

We will retain our flexibility, responsiveness, and willingness to engage on a diversity of substantive topics, but prioritize lending our legal expertise to advocacy initiatives that intersect with our Faculty's expertise and/or location within Canada.

### **Interaction with our Other Goals: Experiential Learning and Capacity-Building, and Knowledge Exchange**

Our advocacy goal intersects with our goal of experiential learning and capacity-building. Advocacy projects provide experiential learning opportunities for students enrolled in the clinic and volunteers in the working groups, and facilitate expansion and deepening of our civil society partners' legal work. Consistent with our second goal, where feasible, we will disseminate the knowledge gained through our advocacy projects to a broader audience.

## **KNOWLEDGE EXCHANGE**

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**GOAL:** To enhance knowledge exchange between students, academics, civil society and the private sector on current, emerging, or contentious international human rights law issues

### **OBJECTIVES:**

- To **convene diverse stakeholders** to exchange knowledge and advance the discussion of current and emerging international human rights law issues, especially in areas that intersect with our Faculty's expertise and/or draw upon our location within Canada.
- To **disseminate knowledge** to diverse stakeholders, especially in areas that intersect with our Faculty's expertise and/or draw upon our location within Canada.

### **University-based Program**

Knowledge exchange between diverse stakeholders must be a central goal within a university-based international human rights program and is a key factor that distinguishes the IHRP from non-governmental organizations. As a university-based program, we can effectively initiate dialogue between stakeholders that may not otherwise have the means to access one another, provide a forum to exchange ideas, and facilitate candid discussion.

### **Current, Emerging or Contentious Issues**

We will target our knowledge exchange initiatives on current, emerging or contentious issues that intersect with our Faculty's expertise and/or draw upon our location within Canada because these are the areas where increased discussion and understanding are most likely to advance the field of international human rights law.

### **Diverse Stakeholders**

We will facilitate knowledge exchange between *diverse* stakeholders, including our students, academics across a range of disciplines, civil society (i.e. governmental, non-governmental, and inter-governmental organizations), and the private sector. Where appropriate, we will facilitate dialogue between those on opposing sides of an issue or different ends of the political spectrum.

### **Exchange**

Our approach to knowledge exchange will emphasize the process of both creating and sharing knowledge generated within the Faculty by both students and professors, and receiving and disseminating knowledge created by the diverse stakeholders outlined above. The IHRP recognizes that its civil society partners hold immense knowledge and will facilitate its exchange.

### **Convening**

The Faculty is an ideal place to advance the discussion of international human rights law due to its credibility and neutrality, value placed on academic freedom, and access to a diversity of actors (who may be alumni, or otherwise engaged with the broader Faculty or University). From a practical perspective, we have access to event space and administrative support to facilitate these opportunities, and our location in Toronto is relatively accessible. Finally, given that there are few other international human rights programs in Canadian law schools, convening is a very important role that the IHRP is well-positioned to fill.



### **Disseminating**

The IHRP is also ideally situated to disseminate knowledge in key areas (whether created by our students, professors, other academic institutions, civil society, or the private sector). We have access to a world-class law library, student research capacity, and talented faculty generating original research.

### **Interaction with our Other Goals: Advocacy, and Experiential Learning and Capacity-Building**

We will facilitate dissemination of knowledge gained through our advocacy projects to a broader audience. We will enhance experiential learning and build the capacity of future lawyers and civil society advocates through knowledge exchange initiatives such as our events, web presence, and *Rights Review*.

## **EXPERIENTIAL LEARNING AND CAPACITY-BUILDING**

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<p><b>GOAL:</b> To build the capacity of current and future advocates to effectively use international human rights law.</p>
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### **OBJECTIVES:**

- To facilitate **experiential learning opportunities for future lawyers** that emphasize intellectual rigour and professionalism.
- To provide high quality **legal expertise to civil society** advancing the field of international human rights.

### **Law-School Based Program**

Central to our goal in this area is using the Faculty's legal expertise to increase the capacity of advocates to understand, apply, and use international human rights law to advance the field. By virtue of our location in one of the world's preeminent law schools, we are uniquely situated to provide access to exceptional scholars and students, model intellectual rigour and professionalism, and bridge the academic and practical.

### **Experiential Learning for Future Lawyers**

We will build the capacity of "advocates" – which we interpret to include both future lawyers (i.e. students) and civil society actors (including non-lawyers). In relation to students, we will facilitate experiential learning opportunities that expose them to the theory and practice of international human rights law and emphasize intellectual rigour and professionalism. This is a central and unique goal that draws directly on our location within a university and distinguishes our program from other Canadian law schools (the vast majority of which do not have a student-focused international human rights program) and human rights non-governmental organizations (which are rarely focused on training lawyers). Though it would be a departure from past practice, we will consider the feasibility and desirability of offering programming to non-law students.

### **Legal Expertise to Civil Society**

By referring to capacity-building of "advocates" we are also making explicit a new goal: to increase the ability of civil society actors (including lawyers and non-lawyers) to effectively use human rights



law. Much of the IHRP's work to date has been done in partnership with civil society and undoubtedly has increased our partners' capacity to, for example, make informed choices based on legal research, submit *amicus* briefs, pursue alternative avenues for redress, et cetera. However, through explicit recognition of capacity-building of civil society as an objective, we are identifying it as a goal in and of itself (and not simply a fortunate by-product of experiential learning).

***A Mix of Projects and Initiatives to Meet our Two-Fold Objective***

We will meet our experiential learning and capacity-building goals through a mix of projects and initiatives, some which will emphasize experiential learning over legal expertise and vice-versa.

***Interaction with our Other Goals: Advocacy and Knowledge Exchange***

Our advocacy projects and knowledge exchange initiatives are the primary means by which we will meet our capacity-building goal.

## Acknowledgements

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