

Aligning Interests around IHRP to Further Advance Human Rights

Review of the International Human Rights Program
Faculty of Law, University of Toronto

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1. Introduction

In January 2021, University Professor Dean Jutta Brunnée asked Rebecca Cook, Professor *Emerita* and part-time Interim Director of the International Human Rights Program (“IHRP” or “Program”), to undertake a review of what the Program has done well and what options the Faculty of Law might consider for moving forward.¹ Specifically, this review was called to focus on strengths and weaknesses of the existing program; challenges and opportunities for IHRP going forward; and options that can help inform decisions about future directions (see Appendix A for the Terms of Reference).

In response, this review conducted over sixty interviews on a confidential basis with different stakeholders, including the Faculty’s students (JD, LL.M. and SJD), former IHRP Directors and Interim Directors, former chairs and members of the Faculty Advisory Committee, members of the Faculty of Law and the Law Library, Faculty of Law staff, directors of other Faculty of Law programs and clinics, former Faculty of Law Deans, members of the IHRP Alumni Network Committee, members of other Faculties, and partner and potential partner organizations. Given time constraints, this review was unable to cover all interested groups, including funders. Many documents were reviewed, including the Program’s strategic plan, its Clinical Course syllabus, work products, the *Rights Review* publication, and its website.

There is uniform praise for IHRP and indeed interviewees were brimming with ideas of how to make the Program even better. The interviewees identified, primarily in the last decade, many ways through which IHRP was able to forge creative approaches to fulfilling its mandate. These provide a strong foundation to envision the future and adapt to changes in the multi-level environments in which it operates, from the Faculty of Law, to the University, to the partners situated in Toronto, in Canada, and beyond.

The core mission of IHRP, affirmed in its 2014 updated Strategic Plan, is “to advance the field of international human right law.”² The 2014 Plan identified the following three pillars to achieve this mission: advocacy, knowledge-exchange, and experiential learning and capacity-building initiatives that provide legal expertise to civil society. This report is meant to start a conversation about how better to align IHRP’s three pillars of action and the interests of its multiple stakeholders to further advance international human right law (“IHRL”),³ in view of its unique strengths as a University-based program.

The interviewees suggested that there is a need for better alignment of the incentives of the multiple stakeholders to be involved in the advancement of IHRL. To this end, a disciplined methodology that better aligns interests and assets of the various stakeholders is needed to maximise the work of IHRP. As a result, this report lays out options for the Faculty of Law to consider for expanding on IHRP’s strong track-record in order strategically to determine how

¹ I am indebted to Christopher Campbell-Durufflé, B.C.L./LL.B., LL.M., SJD Candidate, University of Toronto, Pierre Elliott Trudeau Foundation Scholar, for his valuable contributions to this report, including his insights from his human rights practice.

² IHRP, [Advancing the Field of International Human Rights Law](#), Strategic Plan 2011 - Updated 2014, at 2.

³ Dinah Shelton, ed, *The Oxford Handbook of International Human Rights Law* (Oxford University Press, 2013).

this Program can build on its location in this Faculty and in this University in the service of human rights.

The Report proceeds as follows: Section 2 provides an overview of IHRP's program, its design and its achievements. Section 3 focuses on nearer term opportunities that would build naturally on IHRP's accomplishments. Section 4 identifies the deeper challenges the Faculty of Law might want to consider in determining longer-term opportunities for IHRP to advance IHRL. One such opportunity, which resonated widely with interviewees, is the creation of Labs within the existing IHRP structure. Section 5 lays out options for improved governance of IHRP and Section 6 concludes with a summary of findings.

2. Overview of the International Human Rights Program

IHRP has evolved incrementally over the years depending primarily on the interests, expertise and networks of each of its Director and the Chairs of its Faculty Advisory Committee. While the Program started modestly in the academic year 1987-1988 with the establishment of summer fellowships, activities were added over time, including working groups, the first international human rights clinic in Canada, the student-led publication *Rights Review*, a workshop series and research associates' projects. Currently, participation ranges between 100 and 120 students every academic year. Many student interviewees referenced IHRP as their reason for coming to this Faculty of Law ("Faculty"). IHRP's work products, including its fact-finding reports, have led to significant policy and legal changes in Canada and beyond, and the Program has become the intervener of choice in particular subject matter areas.

Staffing has consisted of a Director and a part-time Administrative Assistant (see Appendix B, List of IHRP Directors). The Director reports to the Assistant Dean, J.D. Program, Ms. Alexis Archbold. The Director of Student Programs, Ms. Kim Snell, currently administers IHRP Summer Fellowships along with some other Faculty Fellowships. In 2019, thanks to the generosity of a former Faculty member, Professor Bill Graham, two Graham Research Associates (IHRP alumni) joined the Program, expanding the Program's capacity for new projects and partnerships.

The Program has the benefit of a Faculty Advisory Committee that acts as a sounding board on project and partner selection and, in the case of clinic projects, signs off on those recommended by the Director. The Faculty Advisory Committee has been chaired primarily by Professor Audrey Macklin until 2020. In the last decade or so, members of the Faculty Advisory Committee have included Professors Lisa Austin, Vincent Chiao, Anver Emon, Karen Knop, Trudo Lemmens, Patrick Macklem, Mariana Prado, Anna Su and serving *ex officio* Ms. Jennifer Orange (when doctoral student), Ms. Andrea Russell (when a staff member), the Assistant Dean, J.D. Program and the IHRP Director.

The Faculty owes a huge debt of gratitude to IHRP Directors and all those involved in making the Program what it is. In particular, congratulations go to the long-time chair of IHRP Faculty Advisory Committee, Professor Audrey Macklin, who has received the [Impact Award of the President of the University of Toronto](#) for her strategic human rights advocacy.

Currently, IHRP is managed by a part-time Interim Director, Professor *Emerita* Rebecca Cook, supported by one remaining Graham Research Associate, Ms. Ashley Major. The Administrative Assistant position was reorganized in 2018, and with subsequent budget cutbacks, IHRP was unable to implement its plan to put in place a new structure for administrative support. The lack of administrative support has decreased IHRP's capacity to host workshops, organize symposia, and manage its website and blog. Periodically, staff attorneys and Research Associates have joined the program based on donations and project-specific funding.

IHRP alumni are devoted to the success of the Program and have formed the IHRP Alumni Network Committee, currently co-chaired by Mr. Louis Century and Ms. Morgan Sim. They mentor students and contribute to project-specific work. IHRP also has an [International Advisory Board](#) composed of prominent Canadians and human rights luminaries.

The Faculty's Operating Budget covers IHRP's core expenses including salaries of the Director and, until recently, the part-time Administrative Assistant, a portion of the Summer Fellowships and some administrative and travel costs. IHRP's other expenses, such as the salaries of staff attorneys, Research Associates and additional fellowships, are covered through expendable funds (donations).

Over the years, IHRP Directors and the Assistant Dean, Advancement, Ms. Jennifer Lancaster and her predecessors, have shown entrepreneurial magic in using a variety of different funding models to secure project-specific funding. These funding models include:

- the academic model of SSHRC for work on gender-based violence in Syria,
- the Canadian government model for placing IHRP alumni at the UN for human rights work,
- the foundation model for fellowships (McCall MacBain Foundation and Schwartz Reisman Foundation), work on HIV/AIDS and human rights (Elton John Foundation), and for human rights reports (Law Foundation of Ontario),
- the Law firm and the individual donor models (South African Society for Labour Law Fellowships).

While the Program has been successful in securing project-specific funds through these approaches, interviewees emphasized that lack of stability of this funding has severely limited IHRP's ability to build out project-specific initiatives in a sustainable way, in turn creating barriers to approaching other funding organizations.

Program activities include summer fellowships, working groups, a human rights clinic and research associate projects. They are designed to provide opportunities for 1Ls, 2Ls, 3Ls and graduate law students to learn about the human rights field and to engage in human rights practice. The Program offers career-defining experiential learning opportunities to students, collaborates strategically with human rights organizations and partners, and advocates with a high level of professionalism.

Student volunteers in the Working Groups and Research Associate Projects and those taking the IHRP Clinical Course are schooled in legal ethics and must sign a confidentiality agreement. The

Law Librarian, Mr. John Bolan, trains Working Group members and IHRP Clinic students in IHRL research and, with the help of a part-time Law Librarian, Ms. Angela Gibson, works with the students on maintaining the Women's Human Rights Resources Data base.

Summer Fellowships

IHRP has funded summer fellowships with international human rights organizations since 1988, ranging from 15 to 20 students per summer. Fellowships are open to 1Ls and 2Ls and, depending on the fellowship, to graduate law students. The Faculty provides fellowship stipends for students who qualify for financial aid. Students' reporting and research requirements vary depending on their placement. As demand often exceeds available fellowships, selection is made on a competitive basis. Fellowships can be either student-initiated or based on IHRP-arranged partnerships.

With regard to the IHRP-arranged fellowships, one example is the South African Society for Labour Law (SASLAW) Fellowship which resulted from the initiative of a group of Canadian labour lawyers with South African connections (led by Arbitrator Chris Albertyn) working with Professor Brian Langille and Mr. Samer Muscati, a former IHRP Director. Thanks to the good offices of the Assistant Dean, Advancement, funds were raised from the labour law community to support annual SASLAW Fellowships for a period of three years. Other examples are fellowships which have been developed with the assistance of graduates of the Faculty who now work for international organizations resulting in partnerships with IHRP whereby students are placed with their respective organizations through the Summer Fellowship program.

Summer Fellowships have often led to career-transformative opportunities. For example, one Fellowship motivated an IHRP alumnus to join the Board of a women's rights organization with which she had interned. Another Fellowship led an IHRP alumnus to focus on the practices of Canadian extractive corporations, resulting in him intervening with others before the Supreme Court of Canada in the recent *Nevsun* case.⁴ Importantly, the interviews conducted revealed that the Summer Fellowships create significant career opportunities for students. Moreover, while there are compelling examples of direct effect, it should be noted that the positive long-term career effects of these opportunities are often less overt, but still profound. The fellowships should be continued and enhanced as suggested below.

Working Groups

IHRP's four Working Groups provide significant experiential learning opportunities in IHRL and assist civil society with advocacy efforts. Working Group teams range from 15 to 30 students, and are currently supervised by the Research Associate, Ms. Major, with advice from faculty advisors, law librarians, and SJD students. The subject matter themes of the Working Groups have evolved over the years according to the interests of students, the IHRP Director and partner opportunities. Working Group leaders (upper-year students) typically plan and host an event related to the Working Group theme. The current groups are the following:

⁴ *Nevsun Resources Ltd v. Araya*, 2020 SCC 5 (Supreme Court of Canada); <https://www.utflr.ca/forum/nevsun>.

The [Digital Verification Corps](#) (DVC), directed by Mr. Sam Dubberley from the Crisis Response Team of Amnesty International,⁵ was brought to IHRP at the initiative of Mr. Muscati. The DVC is a partnership between six global universities that investigate human rights abuses as they emerge. Amnesty International trains students to verify videos and photographs allegedly showing potential war crimes, using open source investigation techniques. The training takes place virtually over several days. The DVC runs weekly or bi-weekly “lab sessions” that consist of one-and-a-half to three hours of collaborative verification sessions.

The Global Health and Human Rights Working Group (GHHR), supported by Professor Trudo Lemmens, contributes to the [Global Health and Human Rights Database](#). This free online database offers an interactive, searchable, and fully indexed website of case law, national constitutions and international instruments from both common and civil law jurisdictions. Its aim is to promote the right to health and to make health rights litigation from each jurisdiction universally accessible. The database was developed by Lawyers Collective, an NGO in India, and the O’Neill Institute at Georgetown University, the coordinator of which trains GHHR students on substantive legal issues as well as summarizing and tagging relevant sources.

The Women’s Human Rights Resources (WHRR) Working Group updates the Faculty’s annotated [database](#) on international women’s human rights. The database provides summaries of legal and policy resources that are used by advocacy groups and human rights defenders around the globe. Each student completes a bibliography of five citations and corresponding annotations summarizing each newly found resource. The Law Librarian, Mr. Bolan, trains students on organizing and uploading their submissions.

The Sexual Orientation and Gender Identity (SOGI) Working Group, most recently assisted by SJD student Mr. Daniel Del Gobbo, maintains a [database](#) of country-specific reports regarding discrimination based on sexual orientation and gender identity. The aim of each country report is to provide lawyers, especially refugee lawyers, with a condensed and practical summary of the challenges faced by LGBT+ persons through an examination of government policy, scholarly articles, NGO reports, and UN documentation. Country reports are used around the world as basis for legal claims.

[The Human Rights Legal Clinic](#)

IHRP established Canada’s first international human rights clinic in the academic year 2002-03, pursuant to the recommendation of Professor Harold Koh in his review of the Program in the early 2000s. The IHRP Director has run a highly successful IHRP Clinical Course usually comprising 10 students, with 2 students working on any one project. Approximately 80% of the clinic students have had Summer Fellowships. This is a four-credit course, taught in the second semester, that enables learning from actual situations.⁶ Given the current lack of a full-time IHRP Director, this course has been temporarily suspended.

⁵ See: Sam Dubberley, Alexa Koenig & Darah Murray, eds, *Digital Witness-Using Human Rights Investigation, Documentation and Accountability* (Oxford University Press, 2020).

⁶ IHRP, Excellence in Clinical Legal Education, online: <https://ihrp.law.utoronto.ca/page/overview-0>.

The IHRP Directors, with the Faculty Advisory Committee acting as a sounding board, have put a great deal of thought and care into designing the Clinic's projects. Templates for project and partner selection have been developed and require detailed consideration of such factors as:

- how the project will advance the field of IHRL and what benchmarks will be used in showing such advancement,
- how the project will enhance the experiential learning of students, and
- what resources the Faculty can bring to the project.

In addition, the IHRP Director prepares Project Design Memos for each project, whereby issues such as the following are identified: objectives, what advocacy strategies will be used in achieving those objectives, what research and fact finding will be necessary, how will the impact of the project be assessed, what consultations might be useful, what are the anticipated difficulties and what is the timeline of the project. The IHRP Clinic seeks to foster students' broad understanding of how soft and hard legal norms function in specific situations. A notable feature of the Clinic is that it trains students in fact-finding to determine whether and how norms have been applied.

The IHRP Clinic has worked on multiple [projects](#) and engaged with a wide range of substantive issues over the years, such as:

- Advocacy and reporting on Indigenous rights,⁷
- Advocacy and reporting on media freedom,⁸
- Advocacy and reporting on the detention of migrants in Canada,⁹
- Advocacy and reporting on the accountability of Canadian corporations operating abroad,¹⁰
- Advocacy and reporting regarding gender, sexual orientation, and gender identity.¹¹

The Clinic focuses on public interest issues of common concern. IHRP has intervened in a variety of domestic and international forums including:

⁷ [HRW Submission to the Government of Canada on Police Abuse of Indigenous Women in Saskatchewan and Failures to Protect Indigenous Women from Violence](#) (2017), [State Recognition of Indigenous Governance](#) (2011).

⁸ See: [Fearful Silence: The Chill on India's Public Sphere](#) (2016), [Imposing Silence: The Use of Law to Suppress Free Speech in India](#) (2015) and [Honduras: Journalism in the Shadow of Impunity](#) (2014) [Corruption, Impunity, Silence: The War on Mexico's Journalists](#) (2011).

⁹ For example: [Rights Violations Associated with Canada's treatment of Vulnerable Persons in Immigration Detention](#) (UPR Joint submission by IHRP, Amnesty International, Justice for Children and Youth, CARL, CCLA, BCCLA, RLO) (2018), [Invisible Citizens: Canadian Children in Immigration Detention](#) (2017), and ['No Life for a Child': A Roadmap to End Immigration Detention of Children and Family Separation](#) (2016).

¹⁰ For example: [Report to the U.N. Committee on the Elimination of Racial Discrimination](#) (Joint submission by IHRP, EarthRights International and Mining Watch Canada) (2017) and [Actions Speak Louder than Words: A Critical Analysis of GoldCorp's Human Rights and Corporate Social Responsibility Policies](#) (May 2011).

¹¹ [Petition to the Honourable Members of the Inter-American Commission on Human Rights Organization of American States, Request by Petitioners Hoffmann, "S.A." and "D.H." For a Decision Recommending Repeal of Sections 9 and 12 of Barbados' Sexual Offences Act](#) (2018), [Sexual Orientation and Gender Identity \(SOGI\) Resources](#) (2015) and [Cruel, Inhuman and Degrading? Canada's Treatment of Federally-Sentenced Women with Mental Health Issues](#) (2012).

- Supreme Court of Canada - *Amicus Curiae* interventions,¹²
- UN Human Rights Council - Submissions under the Universal Periodic Review,¹³
- Inter-American Commission on Human Rights - *Amicus Curiae* intervention.¹⁴

Interviewees were uniform in stressing the importance of the IHRP Clinical Course in providing opportunities to learn about the application of IHRL in concrete situations.

Research Associate Projects

These projects are the most recent addition to IHRP and are led by Research Associates. They often include students and faculty, and build on partnership with domestic and international civil society networks and organizations (e.g., Rights of Non-Status Women's Network, Canadian Council of International Law project on Prevention of Sexual Exploitation and Abuse (Digna!)). The following five projects range in subject matter from crimes against humanity to artificial intelligence and human rights, media freedom and migrant and refugee rights:

- 1) The Venezuela Accountability Project (VAP) examines crimes against humanity allegedly committed by the Maduro regime. This project is being undertaken in collaboration with former international criminal prosecutors housed at the Global Accountability Network (GAN) and with human rights lawyer and Emeritus Professor Irwin Cotler and his team at the Raoul Wallenberg Centre for Human Rights. The ultimate goal is to utilise the work of the VAP to assist with an international prosecution in the future. The VAP project consists of three divisions (investigation, intelligence, and registrar) and involves about 30 J.D. and graduate law students. Students receive extensive training on topics such as: international criminal law, the Venezuelan context, conducting international law research, and citing and writing in the GAN style. All work is edited and vetted by IHRP Research Associate, Ms. Major, and ultimately by lawyers at GAN and the Raoul Wallenberg Centre.
- 2) The Artificial Intelligence and Criminal Justice Report: IHRP and the Munk School's [Citizen Lab](#) published and disseminated [To Surveil and Predict: a Human Rights Analysis of Algorithmic Policing in Canada](#) in 2020. This report was written by Citizen Lab Research Fellows and Ms. Yolanda Song, an IHRP *pro bono* Research Associate. It was reviewed by, among others, the Citizen Lab Director, Professor Ron Deibert, IHRP Interim Director, Ms. Petra Molnar and former IHRP Director, Mr. Muscati, Professor Vincent Chiao and civil society organizations such as the Canadian Civil Liberties Association.
- 3) The Global Partnership to Protect Media Freedom and IHRP partnered to produce a series of reports on model laws that set out IHRL standards to protect journalists and media freedom

¹² Examples include: *Nevsun v. Araya*, *supra* note 4; *Kazemi, et al. v. The Islamic Republic of Iran, et al*; *Canada v. Khadr and Charkaoui v. Canada*.

¹³ See for example: [PEN Hong Kong, PEN International, PEN Canada, the University of Hong Kong Centre for Comparative and Public Law, and the University of Toronto Faculty of Law International Human Rights Program, 2018 Universal Periodic Review Submission on the Special Administrative Region of Hong Kong Regarding Freedom of Expression](#) (2018).

¹⁴ [Petition to the Honourable Members of the Inter-American Commission on Human Rights Organization of American States, Request by Petitioners Hoffmann, "S.A." and "D.H." For a Decision Recommending Repeal of Sections 9 and 12 of Barbados' Sexual Offences Act](#) (2018).

worldwide. Under the leadership of Mr. Vincent Wong, a former Graham Research Associate, IHRP drafted a report on the impact of espionage and official secrets on media freedom that will inform the final report, to be released later this year. Relatedly, IHRP and the David Asper Centre for Constitutional Rights co-hosted a symposium of a small group of academics, civil society organizations, media experts and leading practitioners to discuss the state of media freedom in Canada.

- 4) **The Migrants Know Your Rights Guide:** In collaboration with No One is Illegal Toronto, Butterfly (Asian and Migrant Sex Worker Support Network), and the Ontario Coalition Against Poverty, IHRP is working to create a set of community-directed guides for non-status or precarious-status individuals interacting with law enforcement. These guides include information on human rights and the immigration detention and deportation system, as well as practical tips.
- 5) **The Abdilahi Elmi case at the UN Human Rights Committee (HRC):** IHRP, with the two Research Associates as counsel, successfully petitioned the HRC to request that Canada halt the deportation of Mr. Abdilahi Elmi to Somalia in 2019. Mr. Elmi was granted refugee status after arriving in Canada as a child, and before he was taken into state care. State officials failed to complete an application for permanent residency on his behalf, and as a result Mr. Elmi faced deportation to Somalia as an adult. Canada has complied with the request of the HRC to stay Mr. Elmi's deportation while the Committee reviews his case.

IHRP's [Rights Review](#) reports on many of the above activities and, for example, interviews visiting professors to the Faculty who are teaching human rights subjects. It is written and edited by law students and published monthly in *Ultra Vires*.

3. Achievements and Nearer-Term Opportunities

The Program as described in the previous section gives the Faculty many reasons to be proud. IHRP Directors have brought vision and fortitude to IHRP, each one building on the achievements of their predecessors. A lot of wisdom is captured in how they have incubated and grown ideas to address human rights abuses. Through its multiple work products, IHRP has shown that it takes ingenuity to apply new knowledge to preventing, remedying and sanctioning particular human rights infractions. Indeed, it takes insight into the causes and consequences of human rights abuses to effectively address them through the application of human rights standards. IHRP has done this admirably under the pressure of time and resource constraints.

IHRP has had success in bringing its work to a wider audience through the press and social media. Suggestions were made to build out its communications by devising a communications strategy with the Law Faculty's Communication Strategist, Ms. Nina Haikara. Such a strategy might include focused collaborations with the University's various programs for visiting journalists (including Massey College's William Southam Journalism Fellowships) in collaboration with the Toronto-based organization, [Journalists for Human Rights](#). One interesting example is that of the Oxford Human Rights Hub, which publishes a monthly blog that

showcases faculty and students' work and produces a podcast (RightsUp) featuring emerging research.¹⁵

The interviews conducted with different stakeholders identified a range of strengths that have established a strong foundation for the future of IHRP's activities, to which the rest of this section is dedicated. Four in particular are worth highlighting because of their crosscutting nature and of their value in addressing the challenges that IHRP currently faces:

- a) Human rights practice and reflexivity,
- b) Creating synergies on campus and beyond,
- c) Finding the nexus between the domestic and the international,
- d) Building careers in international human rights law.

a) Human Rights Practice and Reflexivity

Human rights practice, especially through the IHRP Clinic, is a core feature of this Program. It draws on, but is different from, the work of domestic legal clinics.¹⁶ Human rights law is practiced in a complex world with multiple stakeholders that constantly experiment with different and often overlapping approaches to international and domestic remedies.¹⁷ Human rights forums exist at many different levels, and the choice of forums to vindicate individual or collective rights depends on a multiplicity of factors, including the nature of the harm suffered and whether that harm is cognizable in IHRL. Program Directors know that reducing ideas to actual practice is a tall order in any context, especially in that of IHRL

Training IHRP students to *practice law in a self-reflective way* is a core feature of the Program, which reconciles the University's twin mandates to transmit practical knowledge and pursue theoretical enquiries.¹⁸ For example, students reflect on their experiences in their Summer Fellowship reports, write about human rights practice in *Rights Review*, and reflect on practice in the writing requirements for the IHRP Clinical Course. Interviewees underscored that student reflection was a core feature of university-based clinical legal education in human rights.

Such reflection might be enhanced through *strategic debriefing among relevant stakeholders on lessons learned*. What makes a debrief strategic is that thought is given to how a work product has contributed to the mission of the Program as enunciated in its Strategic Plan. Interviewees suggested that strategic debriefing is critical to human rights practice, especially in a world where the sheer volume of activities, blogs, articles, books, seminars, and webinars on IHRL can overwhelm. Strategic debriefing is strongly supported by scholarship on clinical legal education

¹⁵ Oxford Human Rights Hub, About Us, online: <https://ohrh.law.ox.ac.uk/about/>.

¹⁶ Ann Shalleck, Susan Bryant & Elliott Milstein, *Transforming the Education of Lawyers: The Theory and Practice of Clinical Education* (Carolina Academic Press, 2014).

¹⁷ Beth A. Simmons, *Mobilizing for Human Rights: International Law in Domestic Politics* (Cambridge: Cambridge University Press, 2009), Kent Roach, *Remedies for Human Rights Violations: A Two-Track Approach to Supranational and National Law* (Cambridge University Press, 2021).

¹⁸ Ernest J. Weinrib, "Education, Administration, and Justice: Essays in Honour of Frank Iacobucci" (2007) 57:2 *The University of Toronto Law Journal* 131 at 135.

in human rights, which emphasizes their unique position at the intersection of theory and practice.¹⁹

Strategic debriefs currently occur in Working Groups. For example, IHRP's Women's Rights Working Group hosted a Zoom debrief on the 2020 Argentinian Abortion Law Reform where Ms. Mercedes Cavallo, one of the Faculty's SJD students from Argentina, addressed the challenges of implementation of the reform. The Sexual Orientation and Gender Identity Working Group debriefed on its country reports after a presentation by SJD student Mr. Del Gobbo on the challenges of strategic litigation for LGBT+ people. Further examples included hosting debriefs on IHRP court interventions after the courts have decided the cases to determine how persuasive such interventions were. The same might be done for fact-finding reports after their submission, for example in the context of a dedicated course.²⁰

Suggestions for creating *more spaces for debriefs* were multiple and include using a class in an existing course. For example, the Faculty's course on Homelessness might invite the former UN Special Rapporteur on Housing and IHRP alumnus, Ms. Leilani Farha,²¹ to debrief on one of her reports to the UN Human Rights Council, possibly in collaboration with the [School of Cities](#).

Another suggestion is to use one presentation per year in the relevant Faculty's workshop series for strategic debriefing by the IHRP Director to be a commentator on a relevant presentation. For example, this year the Critical Analysis of Law Workshop hosted the UN Special Rapporteur on Contemporary Forms of Racism, Professor Tendayi Achiume. It was suggested that this presentation would have offer an excellent opportunity for the IHRP Director to debrief on one of the Program's projects addressing racism, such as that against Indigenous women.²²

Debriefing might lead to ideas for the expansion of IHRP's work in certain areas. For example, it was suggested that expanding IHRP's work on Indigenous peoples' rights at the intersection of Indigenous, Canadian and international law would build naturally on our faculty's expertise²³

¹⁹ See also: Deena R. Hurwitz, "Lawyering for Justice and the Inevitability of International Human Rights Clinics" (2003) 28:2 Yale Journal of International Law 505, Bernard Duhaime, "Clinical Education and International Human Rights Law: Retrospective on UQAM's Pedagogical Methodology" (2010) 104 Proceedings of the Annual Meeting (American Society of International Law), International Law in a Time of Change 88 and Alberto Alemanno & Lamin Khadar, eds, *Reinventing Legal Education: How Clinical Education Is Reforming the Teaching and Practice of Law in Europe* (Cambridge University Press, 2018).

²⁰ For example, the Human Rights Institute at Georgetown Law offers a full-year, seven-credit Human Rights Fact-Finding Practicum. See: Fact-Finding Project, online: <https://www.law.georgetown.edu/human-rights-institute/our-work/fact-finding-project/>.

²¹ See: Human Rights Council, Guidelines for the Implementation of the Right to Adequate Housing, Report of the Special Rapporteur on adequate housing as a component of the right to an adequate standard of living, and on the right to non-discrimination in this context, 26 December 2019, UN Doc A/HRC/43/43.

²² Human Rights Watch, Submission to the Government of Canada on Police Abuse of Indigenous Women in Saskatchewan and Failures to Protect Indigenous Women from Violence, June 2017. See also, Cheryl Suzack, "Equality for Indigenous Women: *McIvor v. Canada*" in Rebecca Cook, ed, *Frontiers of Gender Equality* (forthcoming, University of Pennsylvania Press, 2022).

²³ See for example: Mayo Moran, "The Role of Reparative Justice In Responding to the Legacy of Indian Residential Schools" (2014) 64:4 The University of Toronto Law Journal 529; Mayo Moran, *The Problem of the Past and How to Fix It* (forthcoming, Oxford University Press, 2021); Douglas Sanderson, "Redressing the Right Wrong: The Argument from Corrective Justice" (2012) 62:1 The University of Toronto Law Journal 93, and Patrick

and on the periodic visits of Professor James Anaya, former UN Special Rapporteur on the Rights of Indigenous Peoples. It could also make a valuable contribution to the Faculty's ongoing efforts to implement the Truth and Reconciliation Commission's Calls to Action.²⁴

Other suggestions were made to expand strategic debriefs into projects, such as the rewriting of feminist judgements initiated by Professor Denise Réaume and others,²⁵ and inspiring the rewriting of international human rights decisions.²⁶ Given that much of the evolution of IHRL is not court-centric, rethinking projects could also focus on influential soft law norms.²⁷

Still further suggestions for more reflective practice include encouraging IHRP students to *write more on human rights issues*. Writing helps one to be a better listener and as a result a more compassionate human rights advocate. Furthermore, students who have publication portfolios have a considerable edge in being hired by a human rights organization in an increasingly competitive field. Suggestions were made to collaborate with the Faculty's journals, such as the [Journal of Law and Equality](#), the [Indigenous Law Journal](#), and the [U of T Faculty of Law Review](#), whereby students would write a periodic entry, perhaps annually or biannually, relevant to that journal, as has been done [regarding the *Nevsun* case](#) in the blog section of the U of T Faculty of Law Review. Collaborations with existing journals were thought to be especially pressing given the recent termination of the Journal of International Law and International Relations for lack of submissions. Beyond the Faculty's journals, IHRP might encourage recent graduates to publish on their human rights practice in other journals (see Appendix E for Canada-based examples and Appendix F for foreign examples).

IHRP students wanting to develop writing portfolios might usefully enrol in existing courses on legal writing, publication and editing. It was pointed out that care is needed in addressing the challenges of different forms of writing, such as successful online legal writing.²⁸ Regardless of the ultimate form, these suggestions all point to opportunities to further integrate IHRP into the research and writing activities at the Faculty.

b) Creating Synergies

IHRP has been successful at *creating synergies among activities, with other student programs, and with faculty*. IHRP has worked collaboratively and creatively within the Faculty, for example, with the Law Library, the Asper Centre, the LAWS Program (Law in Action within Schools) and Downtown Legal Services. Ideas for further such collaborations include working

Macklem & Douglas Sanderson, *From Recognition to Reconciliation: Essays on the Constitutional Entrenchment of Aboriginal and Treaty Rights* (Toronto: University of Toronto Press, 2016).

²⁴ University of Toronto Faculty of Law, Truth and Reconciliation Commission Implementation Committee, online: <https://www.law.utoronto.ca/about-law-school/truth-and-reconciliation-commission-implementation-committee>.

²⁵ [Special Issue: Rewriting Equality](#), (2006) 18:1 Ca J. Women & Law; [Special Issue: Rewriting Equality II](#), (2018) 30:2 Ca J. Women & Law.

²⁶ Eva Brems & Ellen Desmet, eds, *Integrated Human Rights in Practice-Rewriting Human Rights Decisions* (Cheltenham: Edward Elgar, 2017).

²⁷ Joanna N. Erdman & Mariana Prandini Assis, "Gender Equality in Health Care: Revisioning CEDAW General Recommendation 24", in Cook, *supra* note 22.

²⁸ Jack Goldsmith, [Successful Student Online Writing](#), Lawfare, October 27, 2016.

with the Future of Law Lab on creating efficiencies for the implementation of human rights norms and decisions and improving access to justice.²⁹

Another synergy could be achieved by ensuring that each IHRP Working Group has an SJD advisor, thereby taking advantage of the SJD candidates' experience in IHRL,³⁰ and reciprocally providing advisors opportunities to improve their mentoring skills. In terms of creating synergies with the Law Library, the suggestion was made to conduct a scoping exercise of how other university libraries support their respective human rights programs to inform the Law Library regarding how it could further contribute to the success of IHRP.

Outside the Faculty, thanks to the initiative of Mr. Muscati, IHRP has worked with the Munk School's Citizen Lab and with the Museum Studies Program in curating photographic exhibits on human rights issues.³¹ Interviewees suggested ways for extending such collaboration, such as through Dean Brunnée hosting an annual meeting of Directors of clinics and student programs relevant to IHRL at the Faculty, interested faculty, and representatives from programs in other faculties with whom IHRP has collaborated during the year.

Such a convening would provide time and space to debrief on how best to build on accomplishments, innovate for the year ahead and determine how well IHRP is fulfilling its Strategic Plan. Such an annual meeting might usefully be preceded by the sharing of respective annual reports of the Directors of the various student programs. Indeed, such a spirit of collaboration could also extend to inter-institutional meetings on issue areas. For example, the disability rights projects at the Irish Centre for Human Rights of the National University of Ireland, Galway and the University of Pretoria Human Rights Centre periodically take responsibility for convening meetings on disability rights.

c) Finding the Nexus Between the Domestic and the International

Interviewees stressed that IHRP is at its best when it finds *the nexus between the domestic and the international*. Finding such a nexus can take many forms, which include applying international norms in domestic matters, applying domestic norms in international forums, borrowing norms horizontally from one country to another, and moving transnationally between different jurisdictions at multiple levels.³²

Examples of areas of work where IHRP has found such a nexus include corporate social accountability, refugee policies, and gender identity and sexual orientation. Indeed, the Program's successful intervention as *amicus curiae* before the Supreme Court of Canada in *Nevsun v. Araya* on the right to access remedies before Canadian courts for human rights violations committed abroad reflects this capacity to integrate these different spheres. Likewise, IHRP's work on issues abroad is at its most credible when it engages with our own government's

²⁹ Gillian Hadfield, *Rules for a Flat World* (Oxford University Press, 2017) chs 11-13; Gillian Hadfield, "The Price of Law: How the Market for Lawyers Distorts the Justice System" (2000) 98:4 Michigan Law Review 953; United Nations Commission on Legal Empowerment of the Poor, *Making the Law Work for Everyone* (2008).

³⁰ E.g., Ms. Nadia C.S. Lambek, a current [SJD student](#), has direct experience with implementing the right to food.

³¹ See also: Jennifer A. Orange, "Translating Law into Practice: Museums and a Human Rights Community of Practice" (2016) 38:3 Human Rights Quarterly 706.

³² Harold Hongju Koh, "Transnational Legal Process" (1996) 75 Neb L R 181.

policies, such as with the project to investigate the negative impact of Canada's refugee policies on claimants with HIV/AIDS in Syria and Mexico.

IHRP has also found the nexus between the domestic and the international in the area of gender identity and sexual orientation. It has collaborated with partners to intervene as *amicus curiae* in a case challenging the criminalization of homosexuality in the Barbados before the Inter-American Commission on Human Rights. Suggestions for expanding this work include providing students with fellowships to work in organizations advocating on this issue in the Caribbean, such as the Canada-based [HIV Legal Network](#) and the Jamaica-based [J-FLAG](#).

Such collaboration would build on the achievements of the SOGI Working Group, the Faculty's historic ties to the Caribbean,³³ the University's Bonham Centre for Sexual Diversity Studies, and the links of the Faculty students and staff to the Caribbean and the Caribbean diaspora in Toronto and across Canada. The forthcoming visit of Professor Tracy Robinson of the University of the West Indies Law Faculty in 2021-2022 to teach a course in the January intensive week might provide opportunities to collaborate on her project on the protection of the rights of trans people.

As the world becomes smaller and human rights challenges increasingly transcend national borders, IHRP has an opportunity to enhance its capacity to connect domestic and international realities, building upon existing institutional ties, faculty strengths, and courses offered at the Faculty.

d) Building Careers in International Human Rights Law

IHRP has been effective in helping students *build their careers in international human rights law* in multiple ways. It has worked tirelessly to fund as many Summer Fellowships as possible. Indeed, given the amount of time the IHRP Director spends on arranging such fellowships and raising the necessary funds, the suggestion was made to explore the feasibility of maintaining the current management of IHRP Summer Fellowships in the office of the Director of Student Programs. Further suggestions were made to make this program even stronger:

- Involve the Faculty more directly in these fellowships. This might be done by soliciting, in the fall of each year, their ideas for fellowships for the following summer. Often, Faculty are working with, or doing research for, organizations where there might be fellowship opportunities. These connections are a valuable resource that should be "exploited" more systematically. Involve the Faculty with subject-matter expertise in reviewing the applications for Fellowships that require that specific expertise.
- Enhance the link between academic learning and the fellowships such as by establishing a course prerequisite to enhance students' subject-matter expertise, such as with the SASLAW Fellowships (on workers' rights). Establishing subject-matter expertise as strong criteria in selection ensures that students are maximally trained to contribute to, and benefit from, their fellowship. Explore the possibility of establishing some sort of

³³ Martin Friedland, *Searching for W.P.M. Kennedy* (Toronto: University of Toronto Press, 2020) 266-70 and 272-74.

writing requirement for all fellowships, such as reports in *Rights Review* or papers for a relevant course.

- Develop more IHRP-arranged Fellowships, whereby at least two students could intern with the same partner organization. There was strong support for sustaining these Fellowships over a period of years in hopes that they would enable deeper collaborations with partner organizations in addressing the systemic dimensions of human rights abuses.
- Devise more IHRP-arranged fellowships in the Global South, as has been done with the SASLAW Fellowships. This might be especially feasible where our faculty, staff, and alumni have networks or live (e.g., Brazil, the Caribbean, Mexico, the Philippines, South Africa). In this regard, special mention was made of building on the networks of graduates of the [GPLLM Program](#).

IHRP has worked with the Career Development Office (CDO) to develop the second iteration of the [International Human Rights Career Guide](#) (2017). Interviewees stressed the importance of IHRP and the CDO updating this guide on a periodic basis. In addition to Summer Fellowships, interviewees suggested assisting students to develop Articling positions in IHRL and refugee law. Another suggestion is for IHRP to expand its offering of public events that are eligible for Career Professional Development credit hours as required by the Law Society of Ontario.

4. Deeper Challenges and Longer-Term Opportunities

As made clear in the previous section, past Directors have planted the seeds for IHRP to excel at its mission of advancing IHRL through advocacy, knowledge-exchange, and experiential learning. And yet, many interviewees felt that IHRP could accomplish so much more “if only” one more ingredient could be secured, including the following:

- moving strategically from a reactive to a proactive mode;
- choosing areas of focus (thematic or otherwise) that could improve the chances of securing sustainable funding; and
- creating a methodology that allows pilot testing of new ideas to determine if they are scalable.

These and similar suggestions reveal that IHRP has a longer-term opportunity to advance a clearer strategic vision for its interventions, by focusing on issues on which it can have a distinctive impact. IHRP could enhance its capacity to guide its action where the interests of its multiple stakeholders are better aligned by leveraging its unique strengths as a University-based program. Three main challenges are described below as a basis for introducing a proposal to host a theme-specific Lab or Labs within the existing IHRP structure as one approach to improved alignment.

Deeper Challenges

Interviewees identified three deeper challenges that operate at different levels and that may, if unaddressed, interfere with IHRP’s capacity to align the interests of its stakeholders and develop

a compelling vision for its interventions: a) Competitiveness of the Field, b) Silos and c) Disciplinary Debates.

a) Competitiveness of the Field

Coming of age at a time when a hyperlink can instantly connect them to the world, students are seeking an IHRL education that extends well beyond campus walls, that offers a nuanced understanding of the communities of which they are part, and that marries a rigorous academic experience with rich opportunities for learning and transitioning to practice through real-world application.³⁴ In this context, the field of IHRL programs in Canada has grown in impressive ways: research centres, diplomas and courses, clinics as well as other experiential learning opportunities are offered at many of Canada's leading law schools.

Appendix E contains a comparator of the human rights offerings at six other Canadian universities and identifies the four other clinics that have an explicit focus on IHRL (University of British Columbia, Université Laval, University of Ottawa and Université du Québec à Montréal). The development of IHRL programs in Canada mirrors a global movement, selected examples of which are provided in Appendix G. Given that IHRP does not have an endowment and is funded primarily by core budget, it should be noted that some of the comparisons are not apt.

In addition to the increase of academic institutions, governmental and non-governmental human rights organizations are growing in number, specialization and sophistication. Those interviewed from partner and potential partner organizations explained that they select which human rights clinic to work with based on its ability to produce high quality work in a timely and professional fashion, with a distinctively creative approach to the subject matter.

It was noted that partners are increasingly demanding more from academic programs, especially as they and their donors are asking for greater effectiveness in addressing human rights abuses. Human right organizations look to academic institutions for a range of activities such as convening interdisciplinary teams to address challenging issues, thinking creatively on implementing IHRL domestically,³⁵ or institutional design challenges in implementing human right decisions.³⁶ Scoping exercises of partners and donors would allow for a better understanding of how key human rights organizations and donors have shifted their focus and methodologies. In order to compete successfully for students, staff, resources and partners, there was strong consensus that IHRP has to accelerate its drive for distinctiveness.

³⁴ See: University of Toronto Faculty of Law, Final Report of the Clinical Education Advisory Committee, March 2014.

³⁵ For example: Karen Knop, "Here and There International Law in Domestic Courts" (1999-2000) 32 N.Y.U. J. Int'l L. & Pol. 501. For domestic implementation of Indigenous rights, see the work of the [Center for International Governance Innovation](#).

³⁶ Marta Rodriguez Machado & Mariana Mota Prado, "Institutional Dimensions of Gender Equality: The *Maria Da Penha* Case", in Cook, *supra* note 23.

b) Silos

The urgent questions of the day—a just recovery from the COVID-19 pandemic, global energy transition, systemic racism, the future of our urban centers, to name only a few—have considerable human rights implications. Responses to these questions, however, cannot be confined to the legal field. Indeed, they require a commitment of expertise and resources so great that collaboration between departments and institutions will be a non-negotiable requirement by partners and, for example, external funders.³⁷

Despite the need for interdisciplinary collaboration, there was an overall sense that IHRP often acted as a “mini law firm” or a “mini NGO” housed in university premises rather than being well integrated into the University’s overall research, teaching, and service activities. Despite productive collaboration on some projects with some members of the Law Faculty and other Schools (including algorithmic policing in Canada with the Munk School’s Citizen Lab), interviewees pointed to invisible barriers between IHRP and the rest of the Faculty and relevant Departments in the University. Efforts are made to inform the Faculty of work of student programs by annual reports to Faculty Council, but interviewees thought much more should be done to integrate IHRP into the life of the Faculty.

This challenge appeared all the more salient in light of the host of other University programs also contributing to research, teaching and occasional lab work regarding human rights (e.g., [African Studies Program](#), [Mark S. Bonham Centre for Sexual Diversity Studies](#), [Centre for Criminology & Sociolegal Studies](#), [Centre for Indigenous Studies](#), [Institute of Islamic Studies](#), [Women & Gender Studies Institute](#), [Schwartz Reisman Institute for Technology and Society](#), [Harney Program in Ethnic, Immigration and Pluralism Studies Program](#)) as well as of Canada Research Chairs addressing human rights issues outside the Faculty (see Appendix C).

c) Disciplinary Debates

Practitioners and researchers have continually reflected on the limits of IHRL, and on the tension between its ambitious goals and what it has achieved in practice.³⁸ Past IHRP Directors were well aware of these critiques, and encouraged further strategic responses in planning the next phase of IHRP. Although the sophistication of these debates cannot be adequately conveyed in the present report, three crosscutting issues were evident throughout the interviews:

- *Neo-Colonialism*: One common critique of IHRL is that its content and its application have generally prioritized interests from the Global North, for example through disproportionate attention to human rights violations that occur in the Global South.³⁹ Historically, international law has often facilitated colonial enterprises.⁴⁰ While IHRL is

³⁷ Ronald J. Daniels, *10x2020, A Vision for Johns Hopkins University Through the Year 2020*, online: <https://president.jhu.edu/10x2020/>.

³⁸ See: Frédéric Mégret, “Where Does the Critique of International Human Rights Stand? An Exploration in 18 Vignettes” in José María Beneyto & David Kennedy, eds, *New Approaches to International Law: The European and the American Experiences* (T.M.C. Asser Press, 2013).

³⁹ For example: Makau Mutua, “Savages, Victims, and Saviors: The Metaphor of Human Rights” (2001) 42 Harv Int’l LJ 201.

⁴⁰ Antony Anghie, *Imperialism, Sovereignty and the Making of International Law* (Cambridge University Press,

increasingly responsive to the plight of Indigenous peoples, huge challenges remain.⁴¹ Relatedly, several interviewees have described as “disconnected” the relationship between the Bar and the Bench in Canada and IHRL.

- *Out-Dated Focus on the State*: Another critique is IHRL’s primary focus on states. At a general level, there is a tension between the overall attempt to regulate the power of states through international law, and the fact that each of its application relies on and further reaffirms the notion of state sovereignty.⁴² More concretely, a primary focus on the state could overlook significant injustices, including those engendered by informal rules,⁴³ multinational corporations,⁴⁴ terrorist organizations, and other non-state actors, and those global phenomena that do not easily fit an inter-state conception of the world (climate change, financial instability, pandemics, etc.)⁴⁵
- *Blindness to Inequity*: A third critique is that the human rights movement has too often focused on civil and political rights while our world is characterized by massive inequities. Moyn observes that the focus of IHRL on substantive equality “generally concern[s] a threshold above indigence, not how far the rich tower over the rest”.⁴⁶ More specific is the warning that a practice focussed predominantly on developing new legal instruments and obtaining court judgments risks creating a disconnect with local beneficiaries, broader publics, and relevant political processes (especially if these instruments and judgments then fail to be implemented).⁴⁷

Longer-Term Opportunities for Greater Alignment

How then to advance a clearer strategic vision for IHRP in order to maximise the Program’s capacity to have a distinctive impact while being responsive to these considerable challenges? By drawing on the unique intellectual and material resources to which the Program has access, including a talented student body that reflects Canada’s rich diversity.⁴⁸ Indeed, IHRP has a privileged access to:

2005).

⁴¹ S. James Anaya, *Indigenous Peoples in International Law*, 2nd ed (New York: Oxford University Press, 2004).

⁴² Martti Koskeniemi, *From Apology to Utopia: The Structure of International Legal Argument* (Cambridge, UK; New York: Cambridge University Press, 2005). See also: Patrick Macklem, *The Sovereignty of Human Rights* (Oxford University Press, 2015).

⁴³ Kerry Rittich, “Formality and Informality in the Law of Work”, in S. Archer, D. Drache & P. Zumbansen, eds, *The Daunting Enterprise of Law: Essays in Honour of Harry W Arthurs* (Montreal and Kingston: McGill-Queen’s University Press, 2017).

⁴⁴ See: David Schneiderman, “Global Constitutionalism and Its Legitimacy Problems: Human Rights, Proportionality, and International Investment Law” (2018) 12:2 *The Law & Ethics of Human Rights* 251.

⁴⁵ David Kennedy, “The International Human Rights Regime: Still Part of the Problem?” in Beneyto & Kennedy, *supra* note 38, at 32.

⁴⁶ Samuel Moyn, *Not Enough: Human Rights in an Unequal World* (Cambridge, Massachusetts: The Belknap Press of Harvard University Press, 2018) at 217. See also: International Council on Human Rights Policy, *Enhancing Access to Human Rights* (Versoix, Switzerland: 2004).

⁴⁷ Anja Mihr & Hans Peter Schmitz, “Human Rights Education (HRE) and Transnational Activism” (2007) 29:4 *Human Rights Quarterly* 973. See also: Payam Akhavan et al, “What Justice for the Yazidi Genocide?: Voices from Below” (2020) 42:1 *Human Rights Quarterly* 1.

⁴⁸ President Meric S. Gertler, University of Toronto, *Three Priorities: A Discussion Paper*, October 2015.

- knowledge (for example through our faculty’s expertise and the University’s outstanding libraries),
- interdisciplinary methods and topics given the diversity of departments and centres on campus with an interest in IHRL),
- information technology which offers new tools to expand research collaborations⁴⁹ and respond to emerging human rights challenges⁵⁰, and
- an advantageous position to leverage new financial resources.

IHRP’s unique position in this Faculty and this University provides the ingredients to better align the interests of its multiple stakeholders, including partnerships in Canada and around the world. IHRP partners stressed during interviews that they are asking for more than court interventions and fact-finding reports. They hope that IHRP can better mobilize the University’s many assets toward the difficult translations of big ideas into transformative solutions.

a) Labs: Aligning Interests to Advance Human Rights

One concrete option that would allow IHRP to enhance its approach is the creation of Labs within the existing IHRP structure. “Lab” is used here because the laboratory connotes the idea of solving problems through disciplined collaboration with interested stakeholders and of “testing” new ideas in practice to determine if they are scalable. Other closely related terms could also be used, such as hubs, clusters, teams, leads, collaborations, nodes, etc. for subtle rhetorical shifts in emphasis. Interviewees considered that such an approach could allow addressing a range of challenges currently faced by IHRP, including the need to align interests, develop more innovative solutions to respond to human rights violations, and address the deeper challenges outlined in the previous section.

Under such an approach, the Faculty would periodically allow its members to apply, in collaboration with partner organizations, to create a Lab hosted within IHRP to execute a 3-year work program. Such programs, in essence, would use research and fact-finding in order to better understand the pressing human rights challenges, and devise solutions that could be applied through the IHRP Clinic and other IHRP activities by leveraging the talent available at the Faculty and throughout the University. Interviewees suggested that the field needs not only more human rights cases, but also more thinking on how IHRL can respond more effectively to pressing injustices, and opportunities to test that thinking in practice.

The Faculty would ultimately decide which Lab or Labs might best align with Faculty, University, and partner strengths, with input from IHRP’s two advisory structures, the Faculty

⁴⁹ See: University of Toronto, *Excellence, Innovation, Leadership*, The University of Toronto Strategic Research Plan 2018-23, Sari Graben, “Law and Technology in Legal Education: A Systemic Approach at Ryerson” (2021) 58.1 Osgoode Hall Law Journal 139.

⁵⁰ See: Michael A. Geist, Lisa Austin & Kent Roach, *Law, Privacy, and Surveillance in Canada in the Post-Snowden Era* (Ottawa: University of Ottawa Press, 2015); Virginia Mantouvalou, “Work, Human Rights, and Human Capabilities” in Brian Langille, ed, *The Capability Approach to Labour Law* (Oxford University Press, 2019) 202-217; Anna Su, “The Promise and Perils of International Human Rights Law for AI Governance” (in progress).

Advisory Committee and the International Advisory Board. The selection process could hinge on the criteria of *significant* and *distinctive* impacts on the advancement of IHRL to determine where the interests of IHRP's stakeholders present the most synergy. A successful Lab would propose the most compelling vision in terms of experiential learning, advocacy, knowledge generation, exchange and translation.

There are multiple examples of how to incubate and grow innovative ideas in different contexts.⁵¹ On campus, the Rotman School of Management's [Creative Destruction Lab](#) offers mentorship, funding, and academic advice to successful applicants who wish to launch new technology-based companies. The Munk School's [Reach Alliance](#) select students on a competitive basis, who then go on to conduct field research and develop publications regarding successful development initiatives that reach the most marginalized. This Alliance has chosen a group of Professors from across campus, including Professor Mariana Prado, who mentor the students.

Beyond this University, the experience of the [Buffet Institute of Global Affairs](#) at Northwestern University in Chicago points to the importance of disciplined cross-category deliberation to find research solutions for pressing problems. Its methodology includes different rounds of workshops whereby successful applicants can transform new ideas into full-fledged interdisciplinary research proposals that are ready to compete for funding. Another organization, notable for its methodology of convening human rights advocates, scholars and policy makers to produce insightful publications on transcending human rights issues, was the International Council on Human Rights Policy. The Council was particularly skilled at addressing the persistent gap between human rights and development thinkers.⁵² While the organization closed in 2012, its mission remains salient and well-suited to a university-based program.⁵³

Concretely, a Lab would bring together a unique constellation of Faculty members within the Faculty and from other departments, of relevant centres or programs on campus, and of partners in Toronto, across the country, and abroad to focus on devising and applying solutions for particular IHRL issues. IHRP's current projects (Summer Fellowships, Working Groups, Research Associate projects, etc.) would not necessarily be replaced by the Lab(s), although some projects might respond by aligning with the subject matter area of a Lab. Flexibility is of the essence: it may make sense to extend a Lab beyond three years in some cases, or to start a second one before the first one is complete to respond to emerging issues and the interests and resources of faculty and partners.

A Lab would focus on a compelling issue that could be addressed creatively by this Faculty situated in this University and in Canada. Interviewees suggested topics where work is currently being done at the Faculty, such as Indigenous rights, technology and human rights, corporate social responsibility and human rights, worker's rights, or equality rights with respect to

⁵¹ See for example: Stanford Social Innovation Review; William Taylor, "The Business of Innovation" (1990) Harvard Business Review 97-107.

⁵² See: Philip Alston, "Ships Passing in the Night: The Current State of the Human Rights and Development Debate seen through the Lens of the Millennium Development Goals" (2005) 27:3 Human Rights Quarterly 755.

⁵³ The International Council's mission and approach, online archive:
<http://web.archive.org/web/20200611141542/http://www.ichrp.org/en/methodology>.

Indigenous peoples, women, migrants and LGBT+ people. Thoughts also included adopting a geographical focus (e.g., IHRL implementation in the Americas), a methodological one (e.g., institutional challenges in implementing human rights norms), or focussing on specific doctrinal issues (e.g., remedies).

By way of illustration, a Lab dedicated to the potential and limitations of IHRL to foster development in a large emerging economy like Brazil could triangulate expertise at the Faculty and on campus (e.g., Professor Mariana Prado, William C. Graham Chair in International Law and Development⁵⁴) with leading local research institutions (e.g., the Global Law and Development Study Center at [FGV Law São Paulo](#)) and leading advocacy NGOs (e.g., [Contectas Human Rights](#)). Such combinations would offer a unique horizon for IHRP members (faculty, students, local partners, etc.) and the rest of the community at the Faculty. Among many possible examples, existing FGV contacts with Dean Oscar Vilhena Vieira and Associate Dean/Academic Marta Machado could pave the way to the development of academic visits (e.g., Fellowships, graduate scholarships, post-doctorates) and even joint diplomas (e.g., LL.M.).

The Lab approach is specifically meant to address the concern frequently expressed during interviews that invisible “silos” sometimes separate IHRP from its research environment at the Faculty and on campus. Indeed, a Lab is a way of aligning interests. The fact that Labs would be headed by a Faculty member (or members) would spur cross-category thinking in a number of ways, including:

- Providing opportunities to test theories about IHRL in concrete situations;
- Facilitating exchange among academics and practitioners about the effective application of innovations in human rights practice, and
- Addressing IHRL from different disciplines, including philosophy,⁵⁵ political science,⁵⁶ and sociology.⁵⁷

Undertaking a scoping exercise would be necessary to ensure that all promising issue areas are considered, and which issue areas might best be developed into a Lab where interests of stakeholders could most effectively be aligned. Once such a scoping exercise has been undertaken, suggestions were made to bring stakeholders together for a series of workshops to develop a proposal, perhaps using the methodology of the Buffet Institute of Global Affairs.

b) Existing and Additional Resources for Greater Alignment

Initially, the Faculty proponent(s) would use *existing* resources to develop a Lab’s activities, in collaboration with IHRP’s team (Director, Research Associate(s), students, and partners). For

⁵⁴ See: Mariana Mota Prado & Michael J. Trebilcock. *Institutional Bypasses: A Strategy to Promote Reforms for Development* (Cambridge: University Press, 2019).

⁵⁵ For example, Sophia Moreau, *Faces of Inequality - A Theory of Wrongful Discrimination* (Oxford University Press, 2020).

⁵⁶ For example, Sarah S. Stroup & Wendy Wong, *The Authority Trap: Strategic Choices of International NGOs* (Cornell University Press, 2017).

⁵⁷ For example, Ron Levi & Ioana Sendroiu, “Performance, Power, and Transnational Legal Ordering: Addressing Sexual Violence as a Human Rights Concern” in G. Shaffer & E. Aaronson, eds, *The Transnational Legal Ordering of Criminal Justice* (Cambridge University Press, 2020).

example, a Lab could be integrated within the existing IHRP Clinical Course or lead to the creation of new clinical courses or, for example, courses that are co-taught with a practitioner as currently done at the Faculty. If a Lab were part of the clinical course, one option could be to extend it from its current one-term format (4 credits) to a two-term course that would allow for deeper and more long-term support in clinical projects.⁵⁸ The thematic focus created by such a Lab would enable the Law Library to support it through, for example, the production of specialized databases and bibliographic searches. Indeed, it was suggested that the U of T Library system be made virtually accessible for interested IHRP Lab partners.

Depending on the focus area, a Lab could secure a Post-Doctoral research position through the [University of Toronto Provost's Postdoctoral Fellowship](#) program, which currently provides funding to Graduate Faculties to hire postdoctoral fellows from underrepresented groups, specifically Indigenous and Black researchers. IHRP could also arrange Summer Fellowships to place students with a Lab's partners to further extend a Lab's activities.

A Lab with a subject matter focus and a distinct methodology would enable the Faculty's Assistant Dean, Advancement to approach funders on the basis of a clear and compelling vision, which could eventually pave the way to more sustainable funding. While further scoping of existing and potential donors is needed, interviewees emphasized that a specific focus would make it easier to approach donors that have an interest in the selected area.

It was suggested that creating Labs could also facilitate securing *future resources* for the following:

- The creation of LL.M. and SJD scholarships in specific areas of human rights associated with a Lab, as was done for [graduate students focused on sexual and reproductive rights](#).
- The creation of an LL.M./IHRP position for a graduate student(s) to participate in a Lab, including research activities and a paid Fellowship to work after graduation with IHRP or with one of a Lab's partners for at least a year.⁵⁹
- The creation of a SJD position(s) and a Postdoctoral Fellowship(s) to focus on the development of research and academic publications that could arise out of a Lab. Interviewees stressed that establishing IHRP positions for LL.M., SJD and postdoctoral students is needed to create a deeper bench on human rights in Canada.
- The creation of a position for a visiting human rights practitioner with subject matter expertise relevant to a particular Lab, who could co-teach the IHRP Clinical Course or a separate clinical course. Such a position could build on the Asper Center's experience with visiting constitutional law practitioners.

⁵⁸ For example, UQAM's clinic course offered to J.D. and LL.M. students spans the entire year.

⁵⁹ For example, the [Irish Research Council](#) funds higher degrees of students who successfully design their academic research to address a research question of a partner organization with which they have or could have an employment relationship, and the [Klau Center for Civil and Human Rights](#) at the University of Notre Dame offers an eight-month paid fellowship at the Inter-American Commission on Human Rights and a one-year clerkship at the Inter-American Court of Human Rights to two LL.M. students each year.

c) Metrics for IHRP's Impacts on the Field

Labs could impact IHRL in a range of ways. In particular, the longer time frame envisioned would allow the individuals involved to create new partnerships, produce strong solution-oriented research, and address the interface between legal theory and practice. Support by the Lab for a specific theme could result in publications, *amicus curiae* interventions by IHRP before appropriate courts, including the Supreme Court of Canada (in collaboration with the Asper Centre) and before international human rights bodies, long-term partnerships with NGOs in Canada and abroad for future research and student placements, and a dynamic network of researchers across the University's campuses.

Some funding schemes for research projects precisely call for a better integration of the three stages of a "research trajectory", namely the birth of a research idea, the completion of a research project, and the dissemination of conclusions to impact other publics.⁶⁰ Three-year cycles of support by the Pierre Elliott Trudeau Foundation [Fellowship Program](#) provide another example of how time and resources allow faculty to create different activities around a selected theme.

Perhaps most importantly, a Lab approach could assist us in impacting the way we think about and practice IHRL. Is that not the essence of the University? Examples of how tectonic shifts in ideas have been stimulated include Professor Kimberlé W. Crenshaw's scholarship on intersectionality,⁶¹ the involvement of former IHRP Director Valerie Oosterveld in a broad-based campaign to recognize gender-based violence in the *Rome Statute of the International Criminal Court*,⁶² and Professors Jutta Brunnée and Stephen J. Toope's focus on interactions between international actors to explain how these come to recognize law as binding.⁶³ Striving to transform the terms of the debate may very well be the way in which IHRP can have the most distinctive impact in view of its pioneering achievements and its position in this Faculty and this University.

Interviewees emphasized that finding the metrics to assess IHRP's contribution to shifts in thinking and in practice is challenging to say the least, but nonetheless important. While no metric is dispositive on its own, they include:

- pedagogical metrics (courses offered, students graduated with what diplomas and degrees, student publications, etc.),
- academic metrics (Faculty publications, number of citations, grants, academic awards, named lectureships, university professorships, etc.),

⁶⁰ Buffett Institute of Global Affairs at Northwestern University, Research Trajectory, online: <https://buffett.northwestern.edu/research/research-trajectory/index.html>.

⁶¹ Kimberlé Crenshaw, "Demarginalizing the Intersection of Race and Sex: A Black Feminist Critique of Antidiscrimination Doctrine, Feminist Theory and Antiracist Politics" (1989) 1 University of Chicago Legal Forum 139, applied internationally, for example, by Shreya Atrey, "Fifty Years On: The Curious Case of Intersectional Discrimination in the ICCPR" (2017) 35:3 Nordic Journal of Human Rights 220.

⁶² Valerie Oosterveld, "The Definition of Gender in the Rome Statute of the International Criminal Court: A Step Forward or Back for International Criminal Justice" (2005) 18 Harv Hum Rts J 55.

⁶³ Jutta Brunnée & Stephen J. Toope, *Legitimacy and Legality in International Law: An Interactional Account* (Cambridge University Press, 2010).

- professional metrics (cases litigated, precedents set, amicus briefs filed, etc.),
- governance metrics (legal and policy reforms, indicators of social change, etc.) and
- funding metrics (profile, amounts, origins, etc.).

5. Governance

Governance, like exercise, tends to be something rather avoided and often is overlooked due to the pressures of work, but programs are more effective where governance is strong. A challenge with governance is to ensure that it enhances program effectiveness while minimizing its administrative burdens. Interviewees suggested that it might make sense to have someone who has been involved in governance structures for student and clinical programs at the Faculty take a fresh look out how IHRP governance can best be developed to enhance program effectiveness, accountability and responsiveness to new opportunities without becoming overly burdensome for IHRP's staff.

Specifically, seizing the nearer-term and longer-term opportunities identified in this report sheds light on a range of possible improvements to IHRP's governance. Currently, the IHRP Director meets the Assistant Dean, J.D. Program periodically to report on activities. The Director reports annually at the end of each academic year to the Assistant Dean on the work of the preceding year, to determine the Program's successes and challenges in the pursuit of IHRP's Strategic Plan. The Director also reports on the execution of funds received through specific agreements (e.g. with foundations) as required in each case.

Improvements to IHRP's governance have to be envisioned in the context of governance of other student and clinical programs. These all have Faculty Advisory Committees to:

- provide academic oversight,
- devise strategic plans,
- review annual reports to determine how well the past year's work has met the goals of the strategic plan and what needs to be adjusted for the following year.

In the IHRP's case, interviewees thought that greater clarity is needed with regard to each of these three aims. Indeed, academic oversight has been immensely helpful in determining where the Program can have the most impact and, more specifically, at the project selection stage. However, greater clarity is needed regarding how academic oversight can be effectively conducted in practice. Once reviewed, the responsibilities and modalities of academic oversight need to be communicated more clearly to all involved in IHRP.

a) Faculty Advisory Committee

Suggestions were made to revisit the composition of the Faculty Advisory Committee. The Faculty Advisory Committee is composed of Faculty members with the IHRP Director and the Assistant Dean, J.D. Program serving *ex officio*. Past membership has also included doctoral students and staff with subject matter expertise in IHRL. Questions were raised as to whether it might be appropriate to revisit the composition to involve key stakeholders such as alumni, partners, doctoral students, and faculty from other disciplines? For example, the Munk School's

Citizen Lab's Research Advisory Group includes participation by corporations and NGOs, and the human rights centres at McGill, Ottawa and UQAM Universities also reflect a diversity of stakeholders. (Appendix F).

b) International Advisory Board

Similar questions were raised with regard to International Advisory Board. It was suggested that the functions of the International Advisory Board be clarified in order to reap greater benefit from the exceptional individuals that have accepted to support IHRP. For example, the Board could be more closely involved in different processes of reporting (e.g., annual reporting) and planning (e.g., Strategic Planning). Once the present IHRP review process is completed, it might make sense to revisit the composition of this Board in light of the future role envisioned for it.

c) Strategic Planning

A well-designed strategic plan and disciplined adherence to it distinguish a program. Indeed, what a program chooses not to do is as important as what it does. It was suggested that the IHRP Strategic Plan should be revised periodically, perhaps every five years, with the active participation of the Faculty Advisory Committee, the International Advisory Board, and relevant stakeholders (including partners). Such revisions would build on the year-end reviews, offer periodic opportunities to debrief on how well IHRP has met its core mission of advancing the IHRL field, and provide valuable occasions to envision the future with fresh eyes. For the next round of strategic planning, it was suggested to include someone from outside our Faculty who is adept at building programs to apply knowledge, such as the mastermind behind the Munk School's [Reach Alliance](#).

6. Conclusion

It bears repetition that there was uniform praise for IHRP despite the many changes in its environment and challenges faced in the last decade. Interviewees responded creatively to the question of what the Program has done well and what options the Faculty of Law might consider for moving forward in the nearer and longer terms. They agreed that continuing to do things as before is not sustainable and would not do justice to IHRP's full potential. Indeed, there was a consensus that, to compete successfully for students, staff, resources and partners, IHRP will have to accelerate its drive for *distinctiveness*. Part of the answer lies in leveraging its unique strengths as a University-based program in order to have the greatest possible impact on the advancement of IHRL.

Section 2 provided an overview of the Program and emphasized the important learning opportunities offered to J.D. and graduate students throughout their years at the Faculty. The vehicles for these opportunities are the Summer Fellowships, the Working Groups, the IHRP Clinic and the Research Associate Projects.

Section 3 of this report detailed the nearer-term opportunities identified by the stakeholders interviewed. In a nutshell, this review suggests that IHRP could expand on what it already does well, including training students to be self-reflective on their human rights practice, building on

the synergies with other student programs and with faculty; striving to find the nexus between domestic and international issues; and launching careers in IHRL. There is a risk, however, that IHRP will not be able to seize the nearer-term opportunities identified without devising a distinctive approach that could lead to greater and more sustainable resources. Otherwise put, the Faculty of Law cannot ask future IHRP Directors to do more only with the same resources.

In response to this challenge, Section 4 outlined longer-term opportunities suggested by interviewees for IHRP to devise a clearer strategic vision for its work. One promising option to this end is the creation of Labs within the existing IHRP structure. Labs would enable a disciplined approach to focus the Program's work:

- where its unique strengths as a University-based program may be leveraged,
- where the interests of its multiple stakeholders are most aligned, and
- where it can have the most impact on advancing the field of IHRL.

For interested Faculty members, Labs would offer singular opportunities to explore how their research results and theoretical insights can be tested in practice, in turn galvanizing their capacity to contribute to the advancement of the field. Another distinctive strength of the Lab approach is the periodicity that it would introduce in IHRP's activities. Indeed, the culmination of each three-year Lab would offer an occasion to debrief among stakeholders on successes, shortcomings, and new directions. In turn, such efforts would naturally feed into the periodic reviews of IHRP's Strategic Plan.

Section 5 addressed governance issues, including academic oversight, annual reviews, and strategic planning. Any governance changes should reflect what is decided in the next round of strategic planning and aligned more generally with Faculty and University approaches to governance of student and clinical programs.

In a context where universities in Canada and around the world are rapidly evolving to establish distinctly transformative human rights programs and clinics for their Faculty members, students and partners, the need for the University of Toronto Faculty of Law to clarify its own approach to make a lasting contribution to the advancement of IHRL appears urgent.

Appendix A: Terms of Reference

January 18, 2021

Professor Emerita Rebecca Cook
Faculty of Law

Dear Rebecca,

Thank you again for so generously agreeing to step into the role of Interim Director of IHRP, and to prepare a report laying out options to inform decisions about the direction of the program going forward. I thought it would be useful at this juncture to lay out what I am hoping your report can address, namely:

- take stock of and assess the program's mission and goals;
- take stock of and assess the components and activities of IHRP (e.g. Working Groups; Summer Fellowships; Clinic; Speaker Series; Rights Review);
- take stock of and assess the governance structure pertaining to IHRP (e.g. program structure; role of Faculty Advisory Committee; role of Advisory Board; Faculty oversight);
- take stock of and assess IHRP's relationships with other programs and offices under the Faculty of Law umbrella;
- highlight resources (e.g. initiatives, units or programs) elsewhere in the University that might be relevant to IHRP's mission and goals;
- provide a sample of models and best practices in other human rights programs.

It would be helpful if, in considering the aforementioned items, you could identify:

- strengths and weaknesses of the existing program;
- challenges and opportunities for IHRP going forward;
- options that can help inform decisions about the direction of the program.

In preparing your report, I am hoping that you can:

- review available documentation;
- seek input from
 - o former Faculty Advisory Committee members;
 - o IHRP staff (present and former);
 - o IHRP students and alumni;
 - o Faculty administrative staff (e.g. Assistant Dean; key staff in related programs / initiatives);
 - o potential stakeholders elsewhere in the university;
 - o former and existing partners.

Thank you again for your willingness to assist me with this report. I understand that you will not be able to complete the report before late Spring. My hope is that you might be able to begin the listening process as soon as possible.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Jutta Brunnée', with a long horizontal flourish extending to the right.

Jutta Brunnée

Appendix B: List of IHRP Directors

1987-1998	Rebecca Cook
1998-1999	Valerie Oosterveld
1999-2001	Isfahan Merali (Acting)
2002-2007	Noah Novogrodsky (leave of absence 2006-2007)
2006-2008	Darryl Robinson
2008-2009	Sarah Perkins
2009-2015	Renu Mandhane (two maternity leaves)
2009-2010	Diana Jurisevic (Interim)
2013-2014	Carmen Cheung (Interim)
2015-2019	Samer Muscati
2019-2020	Petra Molnar (Interim)
2020-present	Rebecca Cook (part-time Interim)

Appendix C: Human Rights Offerings at the Faculty and the University⁶⁴

Faculty of Law Offerings, Present and Past, in Addition to IHRP

Centres and Programs:

- [David Asper Centre for Constitutional Rights](#): The Asper Centre is devoted to realizing constitutional rights through advocacy, research and education. The Centre aims to play a vital role in articulating Canada's constitutional vision to the broader world. The cornerstone of the Centre is a legal clinic that brings together students, faculty and members of the bar to work on significant constitutional cases and advocacy initiatives.
- [International Reproductive and Sexual Health Law Program](#): The goal of the Program is the improved protection of rights relating to reproductive and sexual health. Funding was secured for: partial release time from teaching for two professors to co-direct the program and to teach in sister programs (such as at the University of Pretoria Centre for Human Rights, South Africa), a Director of the Health Equity and Law Clinic, graduate law students from the global south and Eastern Europe to pursue graduate degrees in law, student internships, research and teaching fellowships, and a grants coordinator. Given the retirement of the co-directors, this Program has been reduced to: Fellows with virtual access to the U of T library system, the maintenance of a quarterly blog, a website, occasional *amicus curiae* interventions, the editing of the ethical and legal section of the *Int'l J. of Gyn and Obstet*.
- [Centre for Transnational Legal Studies](#): CTLS is a joint venture between the University of Toronto and other premier law schools from countries around the world. It is a global education centre where students and faculty come together to examine and contribute to an understanding of the development of transnational legal norms, institutions, and processes.

Journals: Indigenous Law Journal, Journal of Law and Equality, University of Toronto Faculty of Law Review, University of Toronto Journal of Law

Diplomas:

- [JD/Master of Global Affairs](#)
- [JD/MA \(European and Russian Affairs\)](#)

Courses (2020-2021):

- [International Law Theory and the Rule of Law \(LAW352H1F\)](#)
- [Intensive Course: Punishing Genocide: An Introduction to International Criminal Law \(LAW709H1S\)](#)
- [International and Comparative Cultural Heritage Law \(9101\) \(CTS101H1S\)](#)

⁶⁴ All efforts were made to include and properly represent all relevant institutions and individuals. However, this list is not meant to be comprehensive.

- [International Human Rights Law & Global Health: The Right to Health in Theory and Practice \(CHL5704HS\)](#)
- [Moot - Jessup Competitive Program \(LAW404Y1Y\)](#)
- [Moot - Kawaskimhon Moot Competitive Program & Advanced Aboriginal Studies Competitive Program \(9101\) \(LAW331Y1Y\)](#)

Faculty of Law and University Resources Relevant to Moving Forward

Current Faculty of Law CRCs and Named Chairs

- Canada Research Chair in Constitutionalism, Democracy, and Development: Ran Hirschl
- Canada Research Chair in Democracy, Constitutionalism, and Electoral Law: Yasmin Dawood
- Canada Research Chair in Religion, Pluralism and the Rule of Law: Anver Emon
- Cecil A. Wright Chair: Karen Knop
- Chair in the Legal, Ethical and Cultural Implications of Technological Innovation: Malcolm Thorburn
- Innovation Chair in Law and Technology: Lisa Austin
- J. Robert S. Prichard and Ann E. Wilson Chair in Law & Public Policy: Douglas Sanderson
- James Marshall Tory Dean's Chair: Jutta Brunnée
- Rebecca Cook Chair in International Human Rights Law: Audrey Macklin
- Scholl Chair in Health Law and Policy: Trudo Lemmens
- Schwartz Reisman Chair in Technology and Society: Gillian Hadfield
- William C. Graham Chair in International Law and Development: Mariana Prado

Current CRCs Beyond the Faculty

- Canada Research Chair in Global Governance and Civil Society: Wendy Wong
- Canada Research Chair in Global Health Equity and Social Justice with Marginalized Populations: Carmen Logie
- Canada Research Chair in Global Migration: Randall Hansen
- Canada Research Chair in Human Rights and Global Health Equity: Lisa Forman

Centres and Schools (for example):

- [Centre for Criminology & Sociolegal Studies](#): Research by faculty at the Centre covers a wide range of topics and methodological approaches. Some faculty work with large data sets to ask questions about criminal justice. Others work with a combination of quantitative and qualitative methods. Others are engaged in socio-legal research, which sometimes uses legal materials as well as empirical research but asks different questions than those conventionally asked in law faculties. Substantive research interests include: International criminal law and war crimes prosecutions, Human rights regimes and International migration and its relation to crime and victimization.

- [Centre for Ethics](#): The Centre for Ethics sits at the interface between academic research and public discourse. An interdisciplinary centre aimed at advancing research and teaching in the field of ethics, broadly defined, C4E seeks to bring together the theoretical and practical knowledge of diverse scholars, students, public servants and social leaders in order to increase understanding of the ethical dimensions of individual, social, and political life.
- [Institute of Islamic Studies](#): The IIS incubates advanced research projects in the study of Islam and Muslims. A collaborative research space, the IIS brings together researchers from across disciplines, regional interests, and historical periods. Engaging research leaders, artists, public policy institutes, and community organizations, the IIS is an intellectual crossroad where people and ideas meet, develop, and transform.
- [Mark S. Bonham Centre for Sexual Diversity Studies](#): The mission of the SDS is to explore, analyze, and challenge the ways in which sexuality shapes people's lives by advancing new forms of interdisciplinary knowledge that connect academic learning to both local and global, present and historical problems and contexts. Undergraduate programming in Sexual Diversity Studies was first established in 1998, and now includes a Specialist, Major, and Minor program. SDS also has its own interdisciplinary courses at the 2nd, 3rd, and 4th year levels, including independent studies and 4th year seminars.
- [Munk School of Global Affairs and Public Policy](#): The Munk School is known for world-class faculty, research leadership and as a hub for dialogue and debate on global affairs & public policy. Several initiatives are relevant to IHRL, including:
 - [Citizen Lab](#): The lab is an interdisciplinary laboratory focused on advanced research and development at the intersection of digital media, global security, and human rights.
 - [Environmental Governance Lab](#): The lab is a research hub that focuses on the development of new ideas and tools to respond to the challenge of environmental governance at multiple scales. It is a home for research partnerships, a node in global research networks on environmental governance and transformative policy, and a platform for knowledge exchange with practitioners, policy makers, and the public.
 - [Global Justice Lab](#): The lab is an interdisciplinary research laboratory focusing on justice systems under stress worldwide, whether that pressure comes from social change, crime and violence, political demands, or organizational dilemmas. Examples of the Lab's current projects include global responses to crime and violence, innovation in urban systems of justice, international human rights practice, and evidence-based approaches to national security. The Lab engages in basic and applied research, including collaborative work with professional peers in government.
 - [Reach Alliance](#): Our team is led by Professor Joseph Wong and supported by the Mastercard Center for Inclusive Growth. The Reach Alliance is composed of researchers from across various disciplines and the University of Toronto. Together, we examine the delivery of social services to those who are hardest to reach.
- [Schools of Cities](#): The School of Cities aims to be a world-leading centre for innovative interdisciplinary urban research, education and engagement. It is where diverse communities will come together to spark new insights and design creative ways for cities

and their citizens to thrive. The School of Cities convenes urban-focused researchers, educators, students, practitioners and the general public to explore and address complex urban challenges, with the aim of making cities and urban regions more sustainable, prosperous, inclusive and just.

- [Schwartz Reisman Institute for Technology and Society](#): The Institute's mission is to deepen our knowledge of technologies, societies, and what it means to be human by integrating research across traditional boundaries and building human-centred solutions that really make a difference. Current projects include Human Rights in the Digital Era and Exploring the COVID-19 Attitudes of Canadians. Closely related is the IT3 Lab co-founded by Professor Lisa Austin.

Appendix D: Three University of Toronto Internship Programs⁶⁵

	Master of Global Affairs⁶⁶ (Munk School)	Master of Public Policy⁶⁷ (Munk School)	Environmental Studies⁶⁸ (School of the Environment)
Academic credit?	Yes (pass/fail), awarded on the basis of a final reflection paper submitted by the student at the conclusion of the internship.	Yes (pass/fail), awarded on the basis of a final reflection paper submitted by the student at the conclusion of the internship.	Yes (pass/fail), awarded on the basis of a one-page letter of assessment that is completed by the student's supervisor.
Duration of internship	Minimum of 10 weeks (full time). Up to 16 weeks. Must be completed during the summer between Year 1 and Year 2.	Minimum of 10 weeks (full time). Typically 12-19 weeks. Must be completed during the summer between Year 1 and Year 2.	Minimum of 3 months (full time). Typically completed during the summer term.
Paid/unpaid	Some are paid; unpaid interns are given \$5000 fellowship funding (with additional funds available for international internships). ⁶⁹	Majority are paid; unpaid internships are typically discouraged, but have been permitted during the COVID-pandemic.	Typically unpaid.
How is the internship sourced?	Majority of placements (70-85%) are sourced directly through the MGA program. A lesser number (15-30%) are self-sourced by students. Self-sourced internships must be approved by the administration.	Almost all placements are sourced directly through the MPP program. Less than 5% tend to be self-sourced by students. Self-sourced internships must be approved by the administration.	All opportunities are sourced by the students, and must be approved by the administration. Where possible, the administration will provide support in sourcing opportunities.

⁶⁵ This document was prepared by Ms. Michelle Rosenstock, Executive Director, Office of the Dean at the Faculty of Law. Any questions should be directed to her at michelle.rosenstock@utoronto.ca.

⁶⁶ For more information, see: <https://munkschool.utoronto.ca/mga/internships-2/>

⁶⁷ For more information, see <https://munkschool.utoronto.ca/publicpolicy/programs/master-of-public-policy-program/mpp-program-internships/>

⁶⁸ For more information, see: <https://environment.utoronto.ca/graduate/internships/>

⁶⁹ The fellowship is funded by student tuition.

Internship criteria	There must be a global element to the work; and the work must be deemed to be appropriate for graduate-level students.	The work must be related to public policy; and there must be a graduate-level research component to the work.	There must be an environmental component to the work. The student must conduct research and/or perform other duties related to topics that would be acceptable for the research component of their degree.
Faculty supervision?	No. An employee of the host organization must agree to act as supervisor to the student.	Yes. Each student must secure an MPP faculty advisor, who they consult throughout the internship and helps maximize the student's learning and development. It is the faculty advisor who reviews the final reflection paper.	No. An employee of the host organization must agree to act as supervisor to the student.
Evaluation by the host organization?	The host organization is asked to complete both a midterm and final evaluation for the student, but these are not always completed and this is not considered to be a mandatory component of the internship.	The host organization is required to create a student development workplan and complete a final evaluation for the student at the conclusion of the internship term.	The host organization is required to complete a one-page letter of assessment at the conclusion of the internship term.
Additional notes of interest	A high level of support is provided to students to assist with securing placements, including assistance with resumes/cover letters, interview coaching and networking. A database is maintained of available opportunities.	A high level of support is provided to students via the MPP's Career Services Office to assist with securing placements, including assistance with resumes/cover letters, interview coaching and networking. A database is maintained of	Students who are unable to source an internship may instead undertake a research project supervised by faculty member(s) associated with the School of the Environment.

	<p>MGA faculty members are used as industry sources to expand the pool of available internship opportunities.</p> <p>For roughly 30% of students, their summer internship leads to a full-time employment opportunity.</p>	<p>available opportunities.</p> <p>For roughly 20% of students, their summer internship leads to a full-time employment opportunity.</p>	
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Appendix E: Human Rights Offerings at Six Canadian Law Faculties⁷⁰

McGill University

- Current CRCs
 - Canada Research Chair in Transnational Labour Law and Development: Adelle Blackett
 - Canada Research Chair in Cosmopolitan Law and Justice: Evan Fox-Decent
 - Canada Research Chair in Human Rights, Health, and the Environment: Sébastien Jodoin
- *Centre for Human Rights and Legal Pluralism*: CHRLP is a focal point for innovative legal and interdisciplinary research, dialogue and outreach on issues of human rights and legal pluralism. The Centre's mission is to provide students, professors and the wider community with a locus of intellectual and physical resources for engaging critically with how law impacts upon some of the compelling social problems of our modern era.
- *Hans & Tamar Oppenheimer Chair in Public International Law*
- *Center for International Sustainable Development Law*
- *McGill Institute for Health and Social Policy* (Faculty of Medicine)
- Research Groups
 - Transnational Futures of International Labour Law Laboratory
 - Rule of Law and Economic Development Research Group
- Journals: McGill Journal of Sustainable Development Law ([MJSDDL](#)), and the McGill Journal of Law and Health ([MJLH](#)).

Osgoode Hall Law School

- *Jack and Mae Nathanson Centre on Transnational Human Rights, Crime and Security*: The Centre seeks as much as possible to make its contribution by studying, seeking to understand, and constantly querying the relationships between crime, security, and human rights, as informed by transnational perspectives. This relational and triangulated approach is intended to produce fresh analysis attendant to the multiple dimensions – the criminal justice, the security and the human rights angles – of a variety of transnational phenomena.
- *Institute for Feminist Legal Studies*: We focus on a range of teaching and research activities, including Visitorships which enhance the work of Osgoode faculty and graduate students, Special events and lectures concerned with feminism and law, and Events and Lectures co sponsored with other Osgoode organizations.
- Journals: Transnational Legal Theory, Transnational Human Rights Review
- Clinical and Intensive Programs:
 - International and Transnational Law Intensive Program: ITLIP places students with a variety of partner organizations at the same time as students engage in parallel academic work. The goal is for students to develop specialized, advanced, and critical knowledge of international and transnational law both through study and through exposure to the workings of the law in a program that integrates scholarly inquiry, skills development, and reflective practice.

⁷⁰ All efforts were made to include and properly represent all relevant institutions and individuals. However, this list is not meant to be comprehensive.

- Anti-Discrimination Intensive Program
- Environmental Justice and Sustainability Clinical Program
- Feminist Advocacy: Ending Violence Against Women Clinical Program
- Intensive Program in Indigenous Lands, Resources & Governments
- Intensive Program in Immigration & Refugee Law
- Intensive Program in Poverty Law at Parkdale Community Legal Services

University of British Columbia

- Current CRCs
 - Canada Research Chair in Global Economic Governance: Galit Sarfaty
 - Canada Research Chair in Jurisprudence and Human Rights: Julien Etxabe
- *Centre for Law and the Environment*: The CLE is a hub at Allard Law for creating and spreading knowledge, ideas and practices about the role of law in securing a healthy environment and a sustainable society.
- *Centre for Feminist Legal Studies*: One of the key goals of the CFLS is to strengthen co-operation in research, teaching, and graduate student supervision between scholars working with the Allard School of Law and elsewhere at UBC, as well as links and collaborations between scholars working in different university and community settings in British Columbia, nationally and internationally.
- [*International Justice and Human Rights Clinic*](#): The International Justice and Human Rights Clinic gives upper-year law students the opportunity to work on pressing human rights and global justice concerns through hands-on work on international cases and projects. The year-long clinic is for second and third year students, as well as LL.M. students, at Allard School of Law. The clinic includes a 6-unit seminar and clinical component in the Fall semester, followed by a 6 unit clinic in the Spring semester. The clinic is directed by Professor Nicole Barrett, Assistant Professor of Teaching.
- *Indigenous Community Legal Clinic*: The clinic is located in the Downtown Eastside on traditional, ancestral, and unceded Coast Salish territories and exists for two purposes: first, to provide free legal services to the Indigenous community and second, to provide legal education to Allard School of Law students. By participating in the ICLC program, students interested in advocacy, social justice and Indigenous peoples can gain practical experience and make a meaningful contribution to a historically underserved and marginalized community.

Université Laval

- Current CRCs
 - Canada Research Chair in International Criminal Justice and Human Rights: Fannie Lafontaine
 - Canada Research Chair in Environmental Law: Paule Halley
- *Centre de droit international et transnational*: Three research themes: Issues in economic and environmental governance and international law, Globalization and protection of human rights and freedoms, International and national legal procedures for settling disputes.
- *Groupe d'étude en droits et libertés de la Faculté de droit de l'Université Laval* (GEDEL)
- Diplomas
 - Maîtrise en droit - Droit international et transnational (LL. M.)

- DESS - Droit international et transnational
- [*Clinique de droit international pénal et humanitaire*](#) (CDIPH): The objectives of the Clinic are twofold: to offer university training focused on the practice of international criminal, humanitarian and human rights law and to respond to the demand of lawyers, institutions and NGOs who wish to work with students. Each session, law students (all cycles combined) and international studies (2nd and 3rd cycles) are recruited and matched with lawyers working in the areas of law targeted by the Clinic. The clinic is co-directed by Professors Fannie Lafontaine and Julie Grignon, and supported by assistant director Érick Sullivan.

University of Ottawa

- Current CRCs
 - Canada Research Chair in Legal Diversity and Aboriginal Peoples: Ghislain Otis
- *Human Rights Research and Education Centre*: The Centre places a particular emphasis on public policy and social justice, and has identified four themes: I) Diversity, Identity, Inclusion and Equality, II) Conflict, Violence, (In)Security and War, III) Governance, Rights, and Rule of Law, IV) Development, Economic, Social, and Cultural Rights.
- *Gordon F. Henderson Human Rights Chair*: Lucie Lamarche
- *Centre for International Policy Studies*: Through strategic hiring and the creation of new programs, the University of Ottawa has built a strong and growing team of researchers in international affairs across departments and faculties, including in the [Graduate School of Public and International Affairs](#), the [School of Development and Global Studies](#), the [School of Political Studies](#) and the [Law School](#). CIPS has two focus areas of research: International security and Global governance.
- Journals: Canadian Yearbook of Human Rights (CYHR)
- Diploma
 - JD with Option in International Law
 - LL.M. with concentration in International Humanitarian and Security Law
 - LL.M. with concentration in Global Sustainability and Environmental Law.
- [*Human Rights Clinic*](#): The Human Rights Clinic is a project-based initiative that, under the academic guidance of faculty members from the University of Ottawa, aims: To strengthen the protection of human rights, by promoting advocacy, research, training and technical assistance emphasizing their effective implementation. To foster capacity-building and to provide recommendations to ensure that policy and law have a human rights-based approach. To promote research regarding the implementation of human rights standards in Canada and abroad. The clinic is directed by Mr. Salvador Herencia-Carrasco, doctoral candidate at the University of Ottawa.
- Other Clinics:
 - EcoJustice Environmental Law Clinic
 - Global Health Law Clinic

Université du Québec à Montréal

- Current CRCs
 - Canada Research Chair in Chinese Law and Globalization: H  l  ne Piquet
- *Institut d'  tudes internationales de Montr  al (IEIM-UQAM)*: IEIM was created in 2002 to support, strengthen and deepen the research, training and knowledge mobilization

initiatives of research centres and chairs belonging to the Faculty of Political Science and UQAM law involved in the field of international studies. Four research axes: Globalization and governance, Security and diplomacy, Identity, citizenship and diversity, and International law and human rights.

- Journal: *Revue québécoise de droit international*
- Diplomas
 - Maîtrise en droit, Concentration droit international
 - Maîtrise en droit, Concentration droit international et politique internationale
 - Diplôme d'études supérieures spécialisées en droits humains
 - Baccalauréat en relations internationales et droit international
- [*Clinique internationale de défense des droits humains*](#) (CIDDHU): The clinic courses give students the opportunity to be directly involved in practical human rights cases while also collaborating with more than 60 partner organizations worldwide. The CIDDHU was the first International clinic for the defense of human rights in the francophone community. Innovative and strong from its years of experience, the CIDDHU has served as an example, and has participated in the creation of other of international law clinics worldwide. The clinic is directed by Professor Mirja Trilsh.

Appendix F: Governance Structure of Four Canadian Human Rights Centres⁷¹

1. [Centre de droit international et transnational](#) (Université Laval)
 - Created in 2015 within the Faculty of Law.
 - Co-Directors: not identified on the website, possibly faculty.
 - Membership: 12 Faculty of Law members.
2. [Centre for Human Rights and Legal Pluralism](#) (McGill University)
 - Created in 2005 within the Faculty of Law.
 - Management Board: Eight Members (faculty, students, external representative)
 - Director: faculty
 - Programs Coordinator: staff
 - Membership: 35 Full Members and Six Associate Members
3. [Human Rights Research and Education Centre](#) (University of Ottawa)
 - Created in 1981 in collaboration by the faculties of Law (Common Law and Civil Law sections) and of Social Sciences.
 - Management Committee: Seven Members (one faculty and centre members from law and the social sciences)
 - Advisory Board: 12 members (deans of faculties, institutional partners, community partners, senior researchers)
 - Research Director: faculty
 - Executive Director, Assistant Director, Communications and Events Officer: staff
 - Membership: faculty, students, community
4. [Institut d'études internationales de Montréal](#) (Université du Québec à Montréal)
 - Created in 2002 by the university.
 - Institute Council: president, director, dean of law, director of research units, faculty, community members
 - Scientific Committee: director, director of research units, faculty, other university faculty
 - Executive Committee: president, director and four other members
 - President: public personality
 - Director: faculty
 - Assistant Director, Coordinator, Head of Research, Head of Projects, Head of Communications, Web Developer: staff
 - Membership: honorary, institutional, individual
5. [Jack and Mae Nathanson Centre on Transnational Human Rights, Crime and Security](#) (Osgoode Hall Law School)
 - Created at the Faculty of Law in 1997 as the Jack and Mae Nathanson Centre for the Study of Organized Crime and Corruption.
 - Co-Directors: Two Faculty members

⁷¹ All efforts were made to include and properly represent all relevant institutions and individuals. However, this list is not meant to be comprehensive.

- Executive Committee: Four Faculty members
- Membership: faculty from law, sociology, political sciences, etc.

Appendix G: Six Human Rights Programs Outside Canada⁷²

1. [Ateneo Human Rights Center](#) (Ateneo de Manila University, Philippines)
 - Founded in 1986 after the democratic revolution.
 - Governance: could not be found.
 - Three programs: Summer Internship Program, Research and Education, Litigation
 - Innovative Features:
 - Curriculum development for Ateneo Law School
 - Secretariat assistance provided to the Human Rights Committee of the Law Association for Asia and the Pacific (LAWASIA) and the Working Group for an ASEAN Human Rights Mechanism.
 - Multi-Sectoral Quick Reaction Teams (MSQRTs): located around the country to serve as one-stop assistance centers where victims and/or their families can report human rights violations of civil and political rights; request immediate investigation; seek legal advice and assistance; and request witness protection.
2. [Australian Human Rights Centre](#) (University of New South Wales, Australia)
 - Established in the Faculty of Law in 1986.
 - Governance: Steering Committee, Chair, Two Directors, Manager
 - Long list of research topics: business and human rights, children's rights, digital media and human rights, etc.
 - Publications: Australian Journal of Human Rights
 - Innovative Features:
 - Interdisciplinary focus on human rights research projects
 - Human Rights Defender magazine
 - UNSW Human Rights Clinic: focus on domestic and international cases
3. [Bonavero Institute of Human Rights](#) (University of Oxford, UK)
 - Created in 2017 within Mansfield College.
 - Governance: Advisory Council, Director, Head of Research, Head of Programmes, Programmes Manager, Administrators, Events Officer, etc.
 - Research: Seven themes (human rights in the digital world, business and human rights, etc.)
 - Innovative Features:
 - Bonavero Reports: report on changing themes including the progressive realisation of human rights, Facebook's draft charter, human rights and COVID-19, etc.
 - Focus on collaboration between scholars and human rights lawyers in practice, including judges.
4. [Centre for Human Rights](#) (University of Pretoria, South Africa)
 - Established in the Faculty of Law in 1986 as part of domestic efforts against Apartheid.
 - Governance: Advisory Board, Director, Assistant Director, Financial Manager, Operations Manager.

⁷² All efforts were made to include and properly represent all relevant institutions and individuals. However, this list is not meant to be comprehensive.

- Research
 - Nine Advocacy and Research Units: Sexual Orientation, Disability, Children, Women, etc.
 - Journals: African Human Rights Law Journal, African Human Rights Yearbook, African Disability Rights Yearbook
 - Teaching:
 - Five specialized LL.M. programs
 - Moots: Nelson Mandela World Human Rights Moot Court Competition, African Human Rights Moot Court Competition
 - Innovative Features:
 - Combining Advocacy and Research in the same units
 - Africa Rights Talk Podcast
 - Prizes: African Union Human Rights Prize 2012, UNESCO Prize for Human Rights Education 2006
5. [Center for Human Rights and Global Justice](#) (New York University, USA)
- Established in the Faculty of Law in 2002.
 - Governance: Four Faculty Directors
 - Research: Seven priority areas (climate and environment, transitional justice, technology, etc.)
 - Global Justice Clinic
 - Innovative Features:
 - Committed to critical introspection in research and advocacy.
 - Support to former Special Rapporteur on extreme poverty and human right, Professor Philip Alston
 - Transitional Justice Leadership Program (LL.M. stream)
 - Moots offered: Jean-Pictet Competition, International Criminal Court Moot Court Competition
6. [Human Rights Centre](#) (Ghent University, Belgium)
- Established in the Faculty of Law and Criminology.
 - Governance: could not be found.
 - Mission: offering outstanding education; contributing to the struggle for social justice; and making our expertise available to the broader society.
 - Research: Nine themes are identified on the website (legal pluralism and Indigenous perspectives, technology and human rights, LGBT+ rights, etc.), although membership and research cover a broader range.
 - Human Rights Law Clinic founded in 2014 and supported by the Human Rights and Migration Law Clinic course.
 - Innovative Features:
 - Third party interventions in European Court of Human Rights cases.
 - Three blogs: HRC Blog, Strasbourg Observer, Belconlawblog