

Human Rights and the Law of Armed Conflict: A Selected Annotated Bibliography



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This collection of resources is intended to present a diverse selection of articles, reports, and books on human rights and the law of armed conflict. From a purely academic perspective, we hope it inspires introspection and reflection by individuals and, in particular, for military professionals. We anticipate that the readings cited in this bibliography will encourage and enrich the discussion of these issues in communities dedicated to the study of security and defense matters.

This is not intended to be an exhaustive or definitive bibliography, but rather a “living” document, one that grows and evolves as new issues and new materials arise. This bibliography was last updated on September 10, 2013. We welcome any suggestions or recommendations for additional texts. Please email them to Patrick.paterson@ndu.edu.

Inclusion of materials in this bibliography does not imply or constitute endorsement of the views contained in them by the Perry Center, NDU, or the Department of Defense. The diversity of the material is intended to be part of a broader educational effort to provide different points of view and to stimulate discussion.

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Human Rights Theory

Philosophy and Politics

International Relations and Security Network, “What are Human Rights and Where do They Come From?” *International Relations Security Network*, 16 January 2012

The author provides an introductory overview about the definition and origins of human rights. It addresses the philosophical, legal, and political origins of human rights and outlines some of the major international organizations and treaties that underlie the international human rights regime.

Walter Laqueur, “The Issue of Human Rights,” *Commentary* 63:5 (May 1977), pp. 29-35

The author reflects on the political debate on human rights in the light of the 1975 Helsinki Pact. He analyzes the debate over human rights in relation to the political struggle between the Soviet Union and the United States before discussing some central problems in the 1948 Universal Declaration of Human Rights that fuels and sustains these debates.

Daniel P. Moynihan, “The Politics of Human Rights,” *Commentary* 64:2 (August 1977), pp. 19-26

The author reflects upon official statements by the Carter administration that it would advocate and protect human rights throughout the world, thus making it a focus of US foreign policy. He argues that the real question is not why the United States has chosen to adopt and implement this standard, but why the US has taken so long to actually implement that standard.

Chandra Lekha Sriram, Olga Martin-Ortega, and Johanna Herman, *War, Conflict, and Human Rights: Theory and Practice* (London: Routledge, 2010)

The authors draw from texts in law, the humanities, and politics in relation to conflict management in order to synthesize the relevant pieces of human rights legislation and provide a critical consideration of its application in a variety of current contexts. They provide an analytical approach to the intricately layered political and legal relationships underlying the international human rights regime.

Datasets and Methodology

Russel Lawrence Barsh, “Measuring Human Rights: Problems of Methodology and Purpose,” *Human Rights Quarterly* 15:1 (February 1993), pp. 87-121

The author analyzes the methodology used for published rankings of states’ human rights conditions since the 1970’s and recent studies by the World Bank and the United Nations

Development Program that correlate human rights freedom with economic growth. He argues that the current methods are not adequate for demonstrating the relationship between human rights and economic growth and that studies should instead focus on theories of development rather than a broad and vague notion of human rights.

David Cingranelli and David Richards, “The Cingranelli and Richards Human Rights Data Project,” *Human Rights Quarterly* 32 (2010), pp. 401-424

The authors present a dataset they created to provide information about government respect for human rights in nearly every country in the world. The dataset is one of the largest available, comprising 15 separate indicators for 195 countries over a 26 year span. The authors also address some criticisms of their dataset and comparisons between it and the political terror scale.

Maria Green, “What We Talk about When We Talk about Indicators: Current Approaches to Human Rights Measurement,” *Human Rights Quarterly* 23:4 (November 2001), pp. 1062-1097

The author provides an account of the current field of human rights research by defining indicators and metrics for civil, cultural, economic, political, and social evaluations of human rights. It addresses both theoretical measurements of human rights and the practice of human rights monitoring.

Reed M. Wood and Mark Gibney, “The Political Terror Scale (PTS): A Re-Introduction and a Comparison to CIRI,” *Human Rights Quarterly* 32 (2010), pp. 367-400

The authors address the political terror scale, a quantitative dataset for the analysis of state terror. They explain the origins of the scale, the coding scheme it employs, and its conceptualization of state terror. They also compare the political terror scale with the Human Rights Data Project, a similar dataset that they argue has some conceptual weaknesses.

International Human Rights Regimes

Introduction and Theory

Kenneth Abbot and Duncan Snidal, “Why States Act through Formal International Organizations,” *The Journal of Conflict Resolution* 42:1 (February 1998), pp. 3-32

The authors argue that international organizations enable states to achieve their ends and then examine the power and distributive questions and the role of international organizations in developing norms and understandings. They identify centralization and independence as key properties of formal organizations that allow states to pursue interests through the enforcement of community values and international commitments.

Amnesty International, “Major Powers Fuelling Atrocities: Why the World Needs a Robust Arms Treaty,” *Amnesty International* 30/01/2013

The report analyzes the relationship between the five permanent members of the United Nations Security Council and the global arms market. It argues that their support of the global arms market has led to atrocities and conflicts throughout the globe. It concludes with a call for a comprehensive international arms treaty and provides recommendations for its implementation.

David Davis, Amanda Murdia, and Coty Garnett Steinmetz, “Movers and Shakers: Human Rights INGOs and Public Opinion,” *Human Rights Quarterly* 34 (2012), pp. 199-224

The author analyzes the influence of international human rights organizations on international public opinion. He argues that human rights organizations provide information to citizens in repressive regimes about their government’s human rights practices, which causes less people in the country to believe that their government respects human rights.

Jack Donnelly, “International Human Rights: A Regime Analysis,” *International Organization* 40:3 (Summer 1986), pp. 599-642

The author examines the development of international human rights as an example of a noneconomic international regime. He also provides a preliminary analysis of the creation, evolution, and current state of the international human rights regime.

Rupert Emerson, “The Fate of Human Rights in the Third World,” *World Politics* 27:2 (January 1975), pp. 201-226

The author analyzes whether or not newly-independent decolonized states throughout the world can shape their attitudes, assumptions, and policies in a way that justifies fundamental human rights and freedoms as their main priority. He is clear to state that this is not an assumption of the superiority

of western values but an exploration of the respect for human dignity accorded by the founding documents of the United Nations.

Andrew Moravcsik, “Explaining International Human Rights Regimes: Liberal Theory and Western Europe,” *European Journal of International Relations* 1:2 (1995), pp. 157-189

The author uses the case study of Western Europe to determine under what conditions international regimes for the promotion of human rights are likely to emerge. He argues that the example of Western Europe shows that Liberal theories of international relations are more likely to explain the emergence of human rights regimes than their competing counterparts.

Andrew Moravcsik, “The Origins of Human Rights Regimes: Democratic Delegation in Postwar Europe,” *International Organization* 54:2 (Spring 2000), pp. 217-252

The author provides the first systemic empirical test of competing theories on the establishment of formal international human rights regimes by examining the negotiations to establish the European Commission on Human Rights in 1949-1950. He argues that the primary proponents of binding international human rights commitments in postwar Europe were neither great powers, nor governments and transnational groups in long established democracies, but the governments of newly established democracies.

Regional Organizations in Latin America

Human Rights Education System, *The Inter-American Human Rights System*, 2009
http://www.hrea.org/index.php?doc_id=413

The website provides a brief overview of the human rights regime in the Americas. It includes a written history of the inter-American human rights regime and an overview of the Organization for American States and other relevant human rights bodies. It also provides an overview of the main human rights treaties in the region and an overview of other educational resources.

Inter-American Commission on Human Rights, *Petition and Case System: An Informational Brochure*, 2010

This brochure seeks to inform persons seeking to file a petition before the Inter-American Commission on Human Rights about which human rights are protected, how and when a petition may be filed, the requirements that must be met, and the procedures that have to be followed.

Vesselin Popovski, Nicholas Turner, Thomas Karl Wagner, and Greg Lowden, “The Human Rights Regime in the Americas,” *United Nations University Policy Brief*, 3 November 2008

The report examines the context, development, and future of the human rights regime in the Americas. It argues that the extensive human rights violations that have occurred through civil wars and military dictatorships and changing nature of continuing violations should require a re-

orientation of domestic and international policies to build state-capacities and improve judicial reforms in order to address these abuses.

Dinah Shelton, *Regional Protection of Human Rights* (Oxford: Oxford University Press, 2008)

The author provides the first regional comparison between human rights regimes in Africa, Europe, and Latin America. It addresses the history and place of human rights regimes, the normative instruments of compliance and enforcement, as well as an overview of different human rights mechanisms and their future prospects.

United Nations

Michael N. Barnett, “Bringing in the New World Order: Liberalism, Legitimacy, and the United Nations,” *World Politics* 49:4 (July 1997), pp. 526-551

The author addresses the contemporary literature that attempts to envision an international order secured without the threat of force through the use of multilateral institutions and advocate for the strengthening of the United Nations in order to pursue these intentions. He argues that the literature waxes eloquent on the ability of the United Nations to transform the nature of international politics but that their arguments do not hold legitimacy in the light of political conflicts in the previous decade.

Luisa Blanchfield, *the United Nations Convention on the Rights of the Child: Background and Policy Issues*, Congressional Research Services, 2 July 2012

The author provides an overview of the background and structure on the UN Convention on the Rights of the Child. It also examines evolving US policy toward the Convention, including past and current Administration positions and Congressional perspectives and discusses the implications of the Convention for federal and state laws, US sovereignty, parental rights, and US family planning and abortion policies.

Jack Donnelly, “Human Rights at the United Nations 1955-85: The Question of Bias,” *International Studies Quarterly* 32:3 (September 1988), pp. 275-303

The author empirically evaluates the validity of criticisms that the United Nations was organizationally captured by the Soviet Union and other Third World nations between 1955 and 1985 through an analysis of UN human rights legislation. He argues that there is considerable bias, which creates significant impediments to the effectiveness of human rights legislation.

Suzanne Nosel, “Advancing Human Rights in the UN System,” *Council on Foreign Relations Working Papers Series* (May 2012)

The author shares her experiences as Deputy Assistant Secretary of State for International Organizations in the US government. In doing so, she provides an explanation for the tactics of the

US government to achieve US strategic objectives and advance particular human rights legislation through international organizations.

Brett D. Schaeffer, “The US Should Pursue an Alternative to the UN Human Rights Council,”
Heritage Foundation Backgrounder 2572, 22 June 2011

The author argues that the UN Human Rights Council has failed to fulfill its mission of government accountability for human rights violations and that US contributions to the Council during its two year membership are minimal. He concludes that the United States should focus its efforts on human rights protections through the Third Committee of the General Assembly and start to develop an effective human rights regime that can operate outside the UN system.

Shashi Tharoor, “Why America Still Needs the United Nations,” *Foreign Affairs 82:5*
(September/October 2003), pp. 67-80

The author argues that multilateralism is a means, not an end, and there is no more multilateral body than the UN. That may make it unwieldy at times, but the UN's inclusiveness is the key to the legitimacy only it can confer. The organization thus remains an essential force in international politics, and one the United States benefits from greatly.

International Legal Regimes

International Humanitarian Law

US Army Judge Advocate General's Legal Center and School, *The Laws of War Deskbook* (Charlottesville, Virginia: United States Army Judge Advocate General's Legal Center and School, 2011)

This official reference book serves as one of the three main materials on the international and operational law subjects taught to military judge advocates. It replaces individual outlines on similar subjects published individually in previous years. In this way, it does not represent official position or doctrine but an overview of the instructional materials need for military law.

US Army Judge Advocate General's Legal Center and School, *Operational Law Handbook* (Charlottesville, Virginia: United States Army Judge Advocate General's Legal Center and School, 2011)

This official reference material serves as a “how to” guide for US Judge Advocates practicing operational law. It provides references and describes tactics and techniques for the practice of operational law. It supports the doctrinal concepts and principles of previous strategy manuals and serves as a focused collection of diverse legal and practical information.

Rosa Brooks, “Strange Bedfellows: The Convergence of Sovereignty-Limiting Doctrines in Counterterrorist and Human Rights Discourse,” *Georgetown Journal of International Law* 13:2 (Summer 2012)

The author argues that national security hawks and human rights advocates, despite vast philosophical differences, have converged on an understanding of state sovereignty as limited and subject to de facto waiver in a way that justifies military interventions even in the absence of state consent and Security Council authorization. She then traces how both communities came to these conclusions.

Rosa Brooks, “War Everywhere: Rights, National Security Law, and the Law of Armed Conflict in the Age of Terror,” *University of Pennsylvania Law Review* 153:2 (December 2004), pp. 675-761

The author focuses on the law of war and international humanitarian law in the U.S. She provides background on the evolution and content of the law of armed conflict and the international system it presupposes and examines the concrete ways in which the boundaries between traditional categories have eroded. She concludes with a discussion on the implications of erosion of the boundaries and argues that rights advocates are correct to suspect that there is much to fear.

David E. Graham, “The Law of Armed Conflict and the War on Terrorism,” *International Law Studies, Volume 80: Issues in International Law and Military Operations* ed. Richard B. Jacques (Newport, RI: Naval War College, 2005)

The author addresses previous speakers in the anthology and discusses the need to revise, amend, or supplement the existing laws of armed conflict in the wake of September 11 and the ensuing declaration that the United States is now engaged in a war on terrorism. He addresses several of the most common concerns and establishes an agenda for future inquiry into the topic.

James Turner Johnson, “Just War Tradition and Low-Intensity Conflict,” *International Law Studies Volume 67: Legal and Moral Constraints on Low-Intensity Conflict* eds. Alberto Coll, James Ord, and Stephen A Rose (Newport, RI: Naval War College, 2002), pp. 147-169

The author discusses just war theory and his perceptions of the doctrine and then discusses it in relation to low-intensity conflict. He argues that just war tradition should provide a reference framework, what he calls “the rules of the game,” for low-intensity conflict.

John F. Murphy, “Mission Impossible? International Law and the Changing Character of War,” in *International Law Studies, Volume 87: International Law and the Changing Character of War* eds. Raul A. Pedrozo and Daria P. Wollschlaeger (Bridgeport, RI: Naval War College, 2008)

The author discusses the topics to address at a conference on the relationship between international law and the changing character of war. He argues that the use and abuse of international law and the changing character of war have combined to place major obstacles in the way of the successful prosecution of armed conflict by US forces and their allies.

J. Ashley Roach, “Rules of Engagement,” in *International Law Studies, Volume 68: Readings on International Law from the Naval War College Review 1978-1994* eds. John Norton Moore and Robert F. Turner (Newport, RI: Naval War College, 1995)

The author argues that there is a very real need for greater knowledge of the Rules of Engagement on the part of strategy and policy personnel, tacticians and operators, and even by our civilian leaders. He explains the necessity for strict rules of engagements and what those rules should entail.

Sir Adam Roberts, “Transformative Military Occupation: Applying the Laws of War and Human Rights,” *American Journal of International Law* 100:3 (July 2006), pp. 580-622

The author explores two particular ways that potential conflicts between the conservationist principles on the one hand, and transformative goals on the other, may be mitigated. One is the application of international human rights law, which offers principles and procedures that can help to define the means and ends of an occupation. Another is the involvement of international organizations, especially the United Nations, that can assist in setting or legitimizing certain transformative policies during an occupation.

David Lloyd Roberts, “Teaching the Law of Armed Conflicts to Armed Forces: Personal Reflections,” in *International Law Studies, Volume 82: The Law of War in the 21st Century: Weaponry and the Use of Force* ed. Anthony Helm (Newport, RI: Naval War College, 2006)

The author reflects upon his own experience teaching the laws of armed conflict to various members of the military forces and places it in relation to the recommendations and training of the International Committee of the Red Cross. In particular, he focuses on the potential problems of applying the law, the need to accept that training must be based on the pressures of combat, the suggested gaps in training, and the debate on whether training is accepted in battle.

Alfred P. Rubin, “Misconceptions of Law and Misguided Policy,” in *International Law Studies, Volume 68: Readings on International Law from the Naval War College Review 1978-1994* eds. John Norton Moore and Robert F. Turner (Bridgeport, RI: Naval War College, 1995)

The author addresses common misconceptions of international law within the context of public policy debates. He argues that many underestimate the importance of international law and its influence on public policy in a way that dangerously threatens both lives and fortunes.

Non-International Armed Conflicts

Yoram Dinstein, “Concluding Remarks on Non-International Armed Conflicts,” *International Law Studies, Volume 88: Non-International Armed Conflict in the Twenty-First Century* eds. Kenneth Watkin and Andrew J. Norris (Newport RI: Naval War College, 2012), pp. 399-421

The author summarizes the findings of a conference held by the Naval War College to discuss non-international armed conflict in the twenty-first century. In particular, he focuses on its definition and threshold, as well as the legal applications and protections afforded by the NIAC framework against those afforded by an international armed conflict.

David E. Graham, “Defining Non-International Armed Conflict: A Historically Difficult Task,” *International Law Studies, Volume 88: Non-International Armed Conflict in the Twenty-First Century* eds. Kenneth Watkin and Andrew J. Norris (Newport RI: Naval War College, 2012), pp. 43-55

The author discusses the potential difficulties in establishing a definition for non-international armed conflict. He provides a historical development of definitions for NIAC within the international community and assesses different types of NIAC that could occur today. He then analyzes US practices of defining a particular conflict as an NIAC.

Richard B. Jackson, “Perfidy in Non-International Armed Conflicts,” in *International Law Studies, Volume 88: Non-International Armed Conflict in the Twenty-First Century* eds. Kenneth Watkin and Andrew J. Norris (Newport, RI: Naval War College, 2012)

The author addresses whether the war crime of perfidy exists in the laws of war on non-international armed conflicts through an examination of customary international law as well as the Additional Protocols I and II to the Geneva Convention. He argues that the principle of distinction in international humanitarian law logically leads to the incorporation of a prohibition on perfidy in the law of non-international armed conflict.

John F. Murphy, “Will-o-the-Wisp? The Search for Law in Non-International Armed Conflicts,” in *International Law Studies, Volume 88: Non-International Armed Conflict in the Twenty-First Century* eds. Kenneth J. Watkins and Andrew J. Norris (Newport, RI: Naval War College, 2012)

The author discusses the historical quest to define non-international armed conflicts and the applications of law to these conflicts. He discusses the development of Common Article 3, the historical debates over definition, and the major contemporary challenges facing non-international armed conflict today.

Kenneth Watkin, “Small Wars: The Legal Challenges,” in *International Law Studies, Volume 88: Non-International Armed Conflict in the Twenty First Century* eds. Kenneth Watkin and Andrew J. Norris (Newport, RI: Naval War College, 2012)

The author provides his remarks at the Naval War College to address the many legal challenges raised by non-international armed conflict and small wars. He addresses the historical inability of the international community to provide the parties of non-international armed conflicts with an extensive and clear legal framework for their use and discusses the contemporary issues of non-international armed conflict that the legal community must soon resolve.

Intervention and Stabilization Operations

Legal and Political Theory

Ben Barber, “Feeding Refugees, or War? The Dilemma of Humanitarian Aid,” *Foreign Affairs* 76:4 (July/August 1997), pp. 8-14

The author argues that the aid sent to humanitarian groups and international agencies since World War II for the care of refugees has actually motivated or sustained conflicts. In some cases, militant groups specifically attempted to create large refugee populations in order to receive the money provided by humanitarian aid. Militants and corrupt civilians who aid their programs often take money for themselves from these aid programs and use the base as station to develop and recruit further militancy.

Gareth Evans and Mohamed Sahnoun, “The Responsibility to Protect,” *Foreign Affairs* 81:6 (November/December 2002), pp. 99-110

The authors argue that, throughout the humanitarian crises of the 1990s, the international community failed to come up with rules on how and when to intervene, and under whose authority. Despite the new focus on terrorism, these debates will not go away. The issue must be reframed as an argument not about the "right to intervene" but about the "responsibility to protect" that all sovereign states owe to their citizens.

Michael J. Glennon, “The New Interventionism: The Search for a Just International Law,” *Foreign Affairs* 78:3 (May/June 1999), pp. 1-7

The author argues that the anti-interventionist rules of the UN Charter have fallen out of sync with the modern concept of justice and that NATO has developed its own form of interventionism through a unique interpretation of international law. He argues that this development has created a vague system of justifications for intervention that depend on rationalizations by Western nations rather than disciplined determinations of jurisprudence.

Harry R. Yager, *Short of General War: Perspectives on the Use of Military Power in the 21st Century* (Carlisle, PA: Strategic Studies Institute, 2010)

The editor has collected an anthology of essays from various military officers on the use of military force in circumstances short of a general war. They collectively demonstrate that professionals are reaching to embrace new ideas essential to the restoration and sustainment of stability operations

Humanitarian Intervention and Responsibility to Protect

Kofi Annan, “The Legitimacy to Intervene: International Action to Uphold Human Rights Requires a New Understanding of State and Individual Sovereignty,” *The Financial Times*, 10 January 2000

The author, the United Nations Secretary-General at the time of publication, argues that globalization and international co-operation have redefined state sovereignty and made the United Nations of unprecedented critical importance to people throughout the world. These changes require the United Nations to assume an active and prominent role in the prevention of human rights abuses and the preservation of human life throughout the world.

Walter Clarke and Jeffrey Herbst, “Somalia and the Future of Humanitarian Intervention,” *Foreign Policy* 75:2 (March/April 1996), pp. 70-86

The authors argue that humanitarian operations in Somalia profoundly changed the debate around the legitimacy of humanitarian intervention. The operation, they continue, did not completely fail due to the many lives saved by American forces. However, the end of operations caused the death of many American soldiers and a particularly undesirable conclusion. In order to prevent this in the future, the United States must have a much clearer operational definition of success within humanitarian operations.

Chester A. Crocker, “The Lessons of Somalia: Not Everything Went Wrong,” *Foreign Affairs* 74:3 (May/June 1995), pp. 2-8

The author analyzes the UN peacekeeping operation in Somalia and rejects previous interpretations that evaluated the operation in varying degrees of failure. Instead, the author argues that the operation was not a failure according to the initial goals established by President George H.W. Bush. In his eyes, the operation prevented a much larger crisis from occurring and that conditions were better at the beginning of the operation than at the end.

Edward Djerejian and Andrew Bowen, *Syria at the Crossroads: US Policy and Recommendations for the Way Forward* (Houston: Baker Institute, 2013)

The authors highlight the deepening challenges faced by Syria two years after the start of the conflict and provide substantive policy recommendations for the US government in order to secure a multi-ethnic democratic Syria. They propose that the US government prepare a multilateral strategy that strengthens moderate political forces in Syria, engages Syria’s regional and international stakeholders, buttresses Syria’s neighbors, addresses the humanitarian crisis and plans for a post-Assad Syria.

Michael Ignatieff, “Intervention and State Failure,” *Dissent* (Winter 2002)

The author argues that, unlike in the Cold War era, present human rights threats come from weak and failing states who often pose a national security threat to other states. He provides a historical overview of the human rights system since 1945 as a construct in conflict with state sovereignty. He eventually concludes that the international system is at a current midway point in which state sovereignty or human rights take priority over the other on a case by case basis.

Michael Mandelbaum, “Foreign Policy as Social Work,” *Foreign Affairs* 75:1 (January/February 1996), pp. 16-32

The author addresses the humanitarian efforts of the Clinton administration to provide support in the Balkans, Haiti, and Somalia. He concludes that their intentions, to assist the people and address social problems in developing countries, are noble but misguided. He concludes that to actually solve these problems would be a very expensive proposition that would require deep, protracted, and costly engagement to address the causal factors of any engagement with a particular country.

Jeremy M. Sharp and Christopher M. Blanchard, *Armed Conflict in Syria: US and International Response*, Congressional Research Service, 19 July 2012

The authors address the ongoing conflict in Syria and its implications for US policy and the international system. They argue that a menu of imperfect choices confront US policymakers amid fears of continued violence, a humanitarian crisis, and regional instability. The unrest provides an opportunity for the development and recruitment of al-Qaeda, create a security vacuum, and put pressure on minority groups throughout the region.

Jerome Slater and Terry Nardin, “Nonintervention and Human Rights,” *The Journal of Politics* 48:1 (February 1986), pp. 86-96

The authors, still writing within the context of the Cold War, argue that “although in principle the moral justification for intervention to protect human rights is broader than defenders of a strong principle of nonintervention...are willing to allow, the practical constraints on armed intervention are such that it can never be more than an exceptional remedy for human rights abuses.”

Peacekeeping Operations

Kai Michael Kenkel, “Stepping out of the Shadow: South American and Peace Operations,” *International Peacekeeping* 17:5 (2010), pp. 584-597

The author addresses the rapid expansion of Latin American contributions to peacekeeping operations in the past decade. He argues that Latin American states have developed a unique regional model to peacekeeping based on the perceptions and functions that these states can perform. He also presents several of the issues ready for further research.

Alvaro de Soto and Graciana del Castillo, “Obstacles to Peacebuilding,” *Foreign Policy* 94 (Spring 1994), pp. 69-83

The authors argue that the greatest challenges to UN peace building operations occur in situations that require both civilian and military responsibilities and engage a variety of different UN agencies. They investigate this hypothesis with an analysis of UN peacebuilding operations in El Salvador.

Patrick Paterson, “Darfur and Peacekeeping Operations in Africa.” *Military Review* 88 (July-August 2008): 14-23.

The author examines the crisis in Darfur, the African Union’s (AU’s) ability to conduct its own peacekeeping operations, and the growing demand for peacekeeping operations in Africa. In the author’s opinion, the U.S. should continue to fund GPOI and other similar PKO efforts indirectly in Africa in order to avoid direct involvement in conflicts on the continent.

Post-Conflict Reconstruction

Theory of Transitional Justice

Andrew Altman and Christopher Heath Wellman, *A Liberal Theory of International Justice* (Cambridge: Cambridge University Press, 2009)

The book argues that the right to political self-determination lies at the foundation for states and non-state groups that meet the requirements to become a state. It then uses that argument as a foundation to discuss several of the most prominent issues in contemporary international law, including armed intervention, international criminal justice, and immigration.

Jo-Marie Burt, “Transitional Justice Struggles and Human Rights in Latin America in Comparative Perspective,” *Woodrow Wilson International Center for Scholars*, 2 June 2009

The author explores four questions regarding the shift towards accountability for grave violations of human rights and crimes against humanity in some parts of Latin America. It explains the shift in countries where it has occurred, what role prosecutions play in transitional justice processes, the limitations of particular trials, and the pressing issues for further research.

Bronwyn Leebaw, “The Irreconcilable Goals of Transitional Justice,” *Human Rights Quarterly* 30:1 (February 2008), pp. 95-118

The author analyzes the dual role of law in relation to violence in order to argue that in evaluating the political significance of transitional justice, more attention should be given to their irreconcilable goals. Transitional justice institutions aim to challenge the legitimacy of prior political practices by confronting denial and transforming the terms of debate on past abuses, yet they also seek to establish their own legitimacy by minimizing the challenge that they pose to dominant frameworks for interpreting the past.

Juan E. Mendez, “Accountability for Past Abuses,” *Human Rights Quarterly* 19:2 (May 1997), pp. 255-282

The author discusses and reports on the various debates about whether or not to hold the perpetrators of massive human rights violations accountable in post-conflict environments. It also discusses attempts in post-conflict societies, with a particular focus on those in Latin America, to establish systems of justice.

Richard Lewis Siegel, “Transitional Justice: A Decade of Debate and Experience,” *Human Rights Quarterly* 20:2 (May 1998), pp. 431-454

The author reviews seven of the most prominent pieces of literature on transitional justice from the nineties in order to evaluate the state of the field. He considers the theoretical issues underlying debates of transitional justice, the major developments and norm changes in the past ten years, future policy considerations of transitional justice, and the questions facing the field in the near future.

Lieselotte Viaene, “The Internal Logic of the Cosmos as Justice and Reconciliation: Micro-level Perceptions in Post-Conflict Guatemala,” *Critique of Anthropology* 30:3 (September 2010), pp. 287-312

The article analyzes the ability of traditional justice mechanisms to provide peace and reconciliation after a period of large-scale human rights violations. It profiles ethnographic research to explain traditional conceptions of justice and their differences from conceptions of justice within the international legal system. These differences may create different perceptions of justice within the local and international community.

Human Rights Trials

Ellen Lutz and Kathryn Sikkink, “The Justice Cascade: The Evolution and Impact of Foreign Human Rights Trials in Latin America,” *Chicago Journal of International Law* 2:1 (Spring 2001), pp. 1-33

The authors examine what changed between 1982 and 1999 that made Augusto Pinochet's arrest in Britain possible. They address two main questions: why, in the last two decades of the 20th century, was there a major international norms shift towards using foreign or international judicial processes to hold individuals accountable for human rights crimes; and what difference have foreign judicial processes made for human rights practices in the countries whose governments were responsible for those crimes

Carlos Osario, “Operation Condor on Trial: Legal Proceedings on Latin American Rendition and Assassination Program Open in Buenos Aires,” *National Security Archive Electronic Briefing Book* 416, 8 March 2013

This is a collection of primary documents and evidence provided to Argentine prosecutors for cases against former Argentine and Uruguayan military officers for human rights abuses in Operation Condor, a cross-border campaign by Southern Cone dictatorships to eradicate subversion from leftist elements during the period of military dictatorships in the seventies and eighties. Officials have cited the program as one of extraordinary rendition, torture, and political assassination.

Kathryn Sikkink and Carrie Booth Walling, “The Impact of Human Rights Trials in Latin America,” *Journal of Peace Research* 44 (2007), pp. 427-445

The authors empirically analyze truth commissions and trials for their ability to prosecute past human rights violations. They argue that the past twenty years has seen a dramatic increase in the emergence and growth of truth commissions for domestic, foreign, and international human rights trials throughout the world. They then discuss the relationship between these trials and human rights, democracy, and the rule of law in Latin America.

International Legal Systems

Juan E. Mendez and Javier Marizcurrena, “Accountability for Past Human Rights Violations: Contributions of the Inter-American Organs of Protection,” *Social Justice* 26:4 (Winter 1999), pp. 84-106

The authors analyze the contributions made by the Inter-American Commission and the Inter-American Court of Human Rights in order to establish systems of accountability for human rights violations in post-conflict societies. They address the balance between their status as international bodies seeking to implement regional programs with the influence of domestic programs within civil society that may have a better understanding of the domestic cultural, political, and social context.

Juan E. Mendez, “National Reconciliation, Transnational Justice, and the International Criminal Court,” *Ethics & International Affairs* 15:1 (2001), pp. 25-44

The author addresses the development of international legal systems subject to universal jurisdiction in order to hold leaders and public officials accountable in relation to human rights violations and crimes against humanity. He evaluates the arguments provided in support of these policies and provides some answers to frequent criticisms of this system.

Truth Commissions

Mark Ensalaco, “Truth Commissions for Chile and El Salvador: A Report and Assessment,” *Human Rights Quarterly* 16:4 (November 1994), pp. 656-675

The author advocates for the customary utilization of truth commissions through an assessment of Chilean and Salvadorian experiences. He also examines the mandates between the two commissions and the relationship between the two different political environments and the differences between the two different commission structures. He concludes that both forms serve as adequate and sufficient models.

Eduardo Gonzalez and Howard Varney, *Truth Seeking: Elements of Creating an Effective Truth Commission*, International Center for Transitional Justice (2013)

The authors report on transitional justice mechanisms in Brazil as a way to encourage and empower the performance of truth commissions and similar mechanisms, as well as encourage citizen perception in securing the right to truth, memory, reparation, and non-recurrence. It defines and identifies the different elements of truth commissions in order to create a sustainable and successful model.

Priscilla B. Hayner, “Fifteen Truth Commissions – 1974 to 1994: A Comparative Study,” *Human Rights Quarterly* 16:4 (November 1994), pp. 597-655

The author compares and analyzes the success of fifteen different truth commissions established to address atrocities and human rights violations that occurred during a period of internal violent conflict within a state. She argues that truth commissions can play a valuable role for a country coming to terms with a history of human rights violations, but concludes that some commissions were significantly limited by institutional restrictions on their ability to determine the truth of past events.

Priscilla B. Hayner, *Unspeakable Truths: Facing the Challenge of Truth Commissions* (New York: Routledge Press, 2002)

The author profiles the rise of official truth commissions as a means to overcome impunity for past abuses and reconcile post-conflict societies. She clarifies the exact definition of truth commissions, their potential to contribute in post-conflict societies, and their limitations to overcome abuse and impunity.

Andrew Hudson and Alexandra Taylor, “The International Commission against Impunity in Guatemala: A New Model for International Criminal Justice Mechanisms,” *Journal of International Criminal Justice* 8 (2010), pp. 53-74

The authors analyze the International Commission against Impunity in Guatemala and its attempts to create a rule of law model that the UN can implement in its attempts to reform weak judicial systems. It analyzes the Commission’s actions and compares it with previous attempts to develop a mechanism of international criminal justice. They argue that the Commission’s integration with local judicial systems provide a model for replication in the future.

Lisa Laplante and Kimberly Theidon, “Truth with Consequences: Justice and Reparations in Post-Truth Commission Peru,” *Human Rights Quarterly* 29:1 (February 2007), pp. 228-250

The authors argue that truth commissions have become key mechanisms in transitional justice schemes in post conflict societies in order to assure transitions to peace, the rule of law, and respect for human rights. They also argue that while attention often focuses on prosecutions and institutional reforms, reparations also play a critical role. The authors share their observations of

how government agencies, nongovernmental organizations (NGOs), civil society sectors and victim-survivor's associations struggle over reparations in post truth commission Peru.

Tricia Olsen, Leigh Payne, Andrew Reiter, and Eric Wiebelhaus-Brahm, “When Truth Commissions Improve Human Rights,” *The International Journal of Transitional Justice* 4 (2010), pp. 457-476

The authors evaluate the preconceived notion that truth commissions generally improve human rights. They argue that commissions, when used alone, tend to have a negative impact on human rights. They have a positive impact, however, when used in combination with trials and amnesties. It presents a theoretical explanation to support these findings.

Relationship with US Foreign Policy

Human Rights and US Strategic Doctrine

Roberta Cohen, “Integrating Human Rights in US Foreign Policy: the History, the Challenges, and the Criteria for an Effective Policy,” *Foreign Service Institute*, 2008

The author argues that effective American diplomats need to integrate human rights into different aspects of US foreign policy. She argues that, although the United States has adopted many mechanisms for human rights protections, the United States must do more to overcome present challenges and ensure future protections.

David P. Forsythe, “Human Rights in US Foreign Policy: Retrospect and Prospect,” *Political Science Quarterly* 105:3 (Autumn 1990), pp. 435-454

The author presents two fundamental problems with human rights in US foreign policy: 1) the traditional conflict in foreign policy between human rights interests and other strategic concerns; and 2) the difference between American and international conceptions of human rights. The author traces the development of these conflicts since 1945 to argue that the United States has not been the principal contributor to international human rights regimes and has struggled to locate the exact premise and objective of human rights within US foreign policy.

David P. Forsythe, “Human Rights and US Foreign Policy: Two Levels, Two Worlds,” *Political Studies* 43 (1995), pp. 111-130

The author analyzes the role of human rights in US foreign policy from the perspective that foreign policy is a two-level game that needs to balance domestic political considerations with international strategic interests. He argues that domestic considerations of American exceptionalism have made it more difficult for the United States to pursue foreign policy objectives driven solely by traditional realist considerations of strategic self-interest.

David P. Forsythe, “US Foreign Policy and Human Rights: Situating Obama,” *Human Rights Quarterly* 33 (2011), pp. 767-789

The author examines the three historical approaches to the analysis of human rights within US foreign policy and categorizes the Obama administration within a non-distinct fourth category. He argues that an inconsistency regarding human rights in foreign policy defines this category and that the Obama administrations, like all of those before him, fall into that category. He also concludes with some of the differences and similarities between the Bush and Obama administrations in regards to the role of human rights within US foreign policy.

Leslie Gelb and Justin Rosenthal, “The Rise of Ethics in Foreign Policy: Reaching a Value Consensus,” *Foreign Affairs* 82:3 (May/June 2003), pp. 2-7

The authors argue that, once marginal, morality has now become a major force in foreign policy, particularly in the intentions and rhetoric of US government officials. For all the problems this development raises, they conclude, the United States and the world are better off.

Samuel P. Huntington, “Human Rights and American Power,” *Commentary* 72:3 (September 1981), pp. 37-43

The author argues that, although American power is not synonymous with the expansion of liberty, but a significant correlation exists between the rise and fall of American power in the world and the rise and fall of liberty and democracy in the world.

William G. Hyland, “America’s New Course,” *Foreign Affairs* 69:2 (Spring 1990), pp. 1-12

At the end of the Cold War, the author considers the various strategic changes that the United States can make to its foreign policy. Although he eventually argues for a policy of containment, he also addresses the relationship between human rights and strategic *realpolitik* as strategic objectives within foreign policy, arguing that the two are not as contradictory as it would initially appear.

Michael Ignatieff, “No Exceptions?” *Legal Affairs* (May/June 2002)

The author admits that the United States has often demonstrated a hypocritical regard for human rights that selectively chooses its priorities on a daily basis. He then explains the ways in which the United States has differentiated itself from the international human rights systems. However, he also argues that criticizing the United States for its selectivity on human rights is misguided.

Tamar Jacoby, “The Reagan Turnaround on Human Rights,” *Foreign Affairs* 64:5 (Summer 1986), pp. 1066-1086

The author argues that all politicians experience something of the tempering effects of public office, but it is rare indeed that an American president reverses his position on a major issue. Yet Ronald Reagan seems to have done just that, picking up the pieces of a human rights policy he tried very hard to dismantle in his first days as president. It was a hesitant and somewhat opportunistic shift, but ironically it may help to strengthen the policy he inherited.

Jennifer D. Kibbe, “The Rise of the Shadow Warriors,” *Foreign Affairs* 83:2 (March/April 2004), pp. 102-115

The author argues that the use of Special Forces for covert operations has significantly expanded during US operations in Iraq, partly because they promote a leaner, more flexible military response considered by the Bush administration as critical for counter-terror operations. However, their use could be very dangerous for US foreign policy since legal ambiguities allow the military to use covert operations abroad without the permission of the host government.

Charles Maechling Jr, “Human Rights Dehumanized,” *Foreign Policy* 52 (Autumn 1983), pp. 118-135

The author argues that the Reagan administration has twisted the definition of human rights and ignored internationally recognized standards of human rights behavior in order to pursue its own strategic interests. In order to do this, it has had to redefine its own definitions and treaty obligations that prevent engagement with regimes that have committed human rights violations.

Jonathan Monten, “The Roots of the Bush Doctrine: Nationalism, Power, and Democracy Promotion,” *International Security* 29:4 (Spring 2005), pp. 112-156

The author explains a shift in the US strategy of democracy promotion from the concept of the United States as an example to the concept of the United States as a mission during the Bush administration. He argues that periods of activist democracy promotion can be explained by both the expansion of material capabilities and the presence of a nationalist domestic ideology that favors vindicationism over exemplarism.

Andrew Moravcsik, “The Paradox of US Human Rights Policy” in *American Exceptionalism and Human Rights* ed. Michael Ignatieff (Princeton: Princeton University Press, 2005), pp. 147-198

The author argues that the doctrine of American exceptionalism, the belief in the unique role of the United States as a country in world affairs, has created a paradox in American foreign policy regarding human rights. American exceptionalism, he continues, explains the fact that the United States consistently explains the rejection of international human rights legislation and norms but it also explains the support for human rights within US rhetoric and programs of judicial enforcement abroad.

Andrew Moravcsik, “Why Is U.S. Human Rights Policy So Unilateralist?” in *The Cost of Acting Alone: Multilateralism and US Foreign Policy* eds. Shepard Forman and Patrick Stewart (Boulder: Lynne Rienner Publishers, 2001)

The author addresses the long tradition of unilateral action to promote democracy and human rights and the equally long tradition of rejecting multilateral action in US foreign policy. He argues that the ambivalence of US human rights policy due to four characteristics, rather than any commonly accepted notion of exceptionalism. The United States is geopolitically powerful, stably democratic, ideologically conservative, and politically decentralized.

Patrick Paterson, “Human Rights and U.S. Foreign Policy in Latin America.” *Security and Defense Studies Review* (Vol 13: Summer 2012), 215-234.

The author examines the U.S. foreign policy on human rights in Latin America and attempts to identify determinants on such politics. He argues that domestic pressures and belief in “American Exceptionalism” prevents the U.S. from being participants in international human rights treaties.

Furthermore, human rights remains just one of many foreign policy considerations that policy makers have to consider. The author concludes his analysis by suggesting the U.S. reconsider its mixed record on human rights in Latin America in favor of a new, more cooperative stance.

Michael Posner, “Rally around Human Rights,” *Foreign Policy* 97 (Winter 1994/1995), pp. 133-140

The author rejects claims that governments are wrong to emphasize human rights as an element of foreign policy and that the US government cannot successfully challenge instances of state-sponsored murder or torture. He corrects erroneous assumptions about the origins of human rights, the objectives of the movement, measures to evaluate its use, and its influence on US foreign policy.

Arthur J. Schlesinger Jr, “Human Rights and the American Tradition,” *Foreign Affairs* 57:3 (1978), pp. 503-526

The author analyzes the role of human rights in the foreign policy of the Carter administration and concludes that its use has created more hope, puzzlement, and confusion than any of the President’s other initiatives. He attempts to assess its origins, ambiguities, and achievements as a primary aspect of US foreign policy. He also discusses its perils and its prospects.

Joe Stork, “Human Rights and US Policy,” *Foreign Policy in Focus*, 1 March 1999

The author critically analyzes the role of human rights in US foreign policy by addressing its relationship with international human rights treaties. He argues that, even though the United States promotes itself as the world’s foremost proponent of human rights, it objects to foreign scrutiny of its own practices and has failed to ratify many known international human rights treaties and covenants. Those that it has ratified, furthermore, often come with extensive reservations that exempt the United States from anything beyond minimal compliance.

Alan Tonelson, “Human Rights: The Bias We Need,” *Foreign Policy* 49 (Winter 1982-1983), pp. 52-74

The author posits that a human rights policy that does not enhance national security is unjustifiable and one that does not receive the support of the American people is unsustainable. He argues that to achieve this, US foreign policy needs to use harsh sanctions against authoritarian regimes and respond to totalitarian repression through quiet diplomacy and economic incentives.

Cyrus Vance, “The Human Rights Imperative,” *Foreign Policy* 63 (Summer 1986), pp. 3-19

The author argues that the first five years of the Reagan administration twisted the concept and definition of human rights nearly beyond recognition and eroded long-standing principles of international law and practice. However, he argues that the necessity and primacy of human rights as a central element of US foreign policy will soon become apparent.

Legacy of Afghanistan and Iraq

Afghanistan Independent Human Rights Commission, *Violations of International Humanitarian Law in Afghanistan: Practices of Concern and Example Cases* (2007)

Established after the Bonn Agreement of 2001, the AIHRC report identifies multiple violations of international humanitarian law conducted by coalition forces and insurgents. In particular, it details the targeting of civilians, the destruction of civilian property, and the approval of excessive military force

Charles D. Allen, “Lessons Not Learned: Civil-Military Disconnect in Afghanistan,” *Armed Forces Journal* (September 2010), pp. 30-33

The author analyzes civil-military relations in the United States through an analysis of leadership during the ISAF operations in Afghanistan since 2008. He evaluates the leadership transition from General McKiernan to General McChrystal and its implications for civilian leadership of the military.

Amnesty International, “Iraq: A Decade of Abuses,” *Amnesty International* 14/001/2013

This report chronicles human rights violations in the ten years following the US-led invasion against Saddam Hussein. It argues that thousands of Iraqis are detained without trial or are serving prison sentences imposed after unfair trials. It also concludes that torture remains rife and committed without impunity.

Larry Diamond, “What Went Wrong in Iraq,” *Foreign Affairs* 83:5 (September/October 2004), pp. 34-56

The author argues that, although the early U.S. blunders in the occupation of Iraq are well known, their consequences are just now becoming clear. The Bush administration was never willing to commit the resources necessary to secure the country and did not make the most of the resources it had. U.S. officials did get a number of things right, but they never understood-or even listened to-the country they were seeking to rebuild.

Human Rights Watch, *Off Target: The Conduct of the War and Civilian Casualties in Iraq* (New York: Human Rights Watch, 2003)

In April and June 2003, the authors conducted a report to investigate potential violations of international humanitarian law by the parties to the conflict and patterns of combat that may have caused civilian casualties and additional suffering by parties that did not take the necessary precautions. They conclude that Iraqi forces committed a significant number of violations of international humanitarian law, which may have led to significant civilian casualties. The US-led coalition, on the other hand, took precautions to spare civilians and, for the most part, made efforts to uphold their legal obligations.

Colin Kahl, “How We Fight,” *Foreign Affairs* 85:6 (November/December 2006), pp. 83-101

The author discusses the conduct of American soldiers in Iraq and reviews the treatment of noncombatant immunity within the country. He argues that the United States has fully complied with the principle of noncombatant immunity in terms of both distinction and proportionality. He also addresses historical parallels with noncombatant immunity in the Korean and Vietnam War.

Colin H. Kahl, “In the Crossfire or the Crosshairs? Norms, Civilian Casualties, and US Conduct in Iraq,” *International Security* 32:1 (Summer 2007), pp. 7-46

The author analyzes the extent of civilian casualties during US armed forces engagements in Iraq. It argues that, contrary to popular belief, US forces do not regularly violate the norm of noncombatant immunity based on an empirical analysis of the conflict. He concludes that Iraqi civilian casualties are usually caused by the high level of insurgents within conflicts.

Robert M. Perito, “Afghanistan’s Civil Order Police: Victim of its Own Success,” *United States Institute for Peace Special Report* 307 (May 2012)

The report describes the creation by NATO forces of ANCOP, the Afghanistan Civil Order Police, to serve as a constabulary force against urban violence and insurgent operations. It argues that constant use in combat zones with constantly changing assignments led to very high attrition rates and undermined the sustainability of the agency.

Robert M. Perito, “Afghanistan’s Police: The Weak Link in Security Sector Reform,” *United States Institute for Peace Special Report* 227 (August 2009)

The report profiles efforts to reform the Afghanistan National Police Force, which serves a primary role in attempts to stabilize the country and fight against both insurgency and organized crime. However, police forces suffer from mass corruption and incompetence. As a result, the report discusses historical failures and current challenges to the reform effort.

Relations with Latin America

Jeane Kirkpatrick, “US Security and Latin America,” *Commentary* 71:1 (January 1981), pp. 29-40

The author argues that the United States has ignored vital security threats that have developed in the Caribbean and Latin America. The deterioration of the US position in the hemisphere has already created serious vulnerabilities where none previously existed and threatens to confront the country with the unprecedented need to defend itself against a ring of Soviet bases on and around our southern and eastern borders.

Washington Office on Latin America, “Below the Radar: US Military Programs with Latin America, 1997-2007,” *Washington Office on Latin America Joint Publications*, March 2007

The authors present a summary of major trends in the previous decade of US programs of military cooperation with Latin American states. They argue that US military programs have received relatively little attention in the American media, which has caused them to fly under the radar without the necessary public scrutiny.

Washington Office on Latin America, “Erasing the Lines: Trends in US Military Programs in Latin America,” *Washington Office on Latin America Joint Publications*, December 2005

The report profiles the intensifying confusion of military and police roles in Latin America occurring alongside weakening civilian oversight of US military assistance programs. It concludes that this had led to dangerous encouragement of Latin American militaries to enforce domestic law enforcement functions, particularly in Central America.

Richard F. Grimmett and Mark P. Sullivan, *US Army School of the Americas: Background and Congressional Concerns*, CRS Report for Congress, 16 April 2001

The authors provides background on the School of the Americas, the controversial training program for Latin American security officers at Fort Benning, GA, and issues related to it that raised Congressional concern for the human rights violations of former students. The school was closed and restructured in 2000.

Clare M. Ribando, “Article 98 Agreements and Sanctions on US Foreign Aid to Latin America,” *Congressional Research Services Report for Congress*, 30 March 2006

After the creation of the International Criminal Court in 2002, the United States sought to implement Article 98 agreements with many allies that would exempt US civilians and personnel from ICC jurisdiction. In order to encourage these agreements, the United States had placed sanctions on countries that signed the Rome Treaty for the International Criminal Court but had not implemented Article 98 agreements. The author analyzes these sanctions and their influence on US diplomatic relations with Latin America.

Dinorah Azpuru and Carolyn M. Shaw, “The United States and the Promotion of Democracy in Latin America: Then, Now, Tomorrow,” *Orbis* 54:2 (2010), pp. 252-267

The authors argue that the United States has been deeply involved in Latin American affairs for over a century, but promoting democracy has only recently become a priority. They examine the main multilateral and bilateral actions undertaken by the United States to promote democracy in Latin America in recent decades through a newly available dataset that specifies the investment made on democracy in different countries and sectors between 1990 and 2005.

Connie Veillette, Clare Ribando, and Mark Sullivan, *US Foreign Assistance to Latin America and the Caribbean*, Congressional Research Services, 3 January 2006

The authors discuss the historical development of US foreign assistance to the Latin American region since World War II and analyze contemporary trends while identifying future challenges. They pay particular attention to the growing problems of HIV/AIDS proliferating and poverty rates dramatically increasing. They also debate the US role in fighting narcotics trafficking and illegally armed groups in Colombia and stabilizing the situation in Haiti.

Colette A. Youngers and Eileen Rosen, *Drugs and Democracy in Latin America: The Impact of US Policy*, Washington Office on Latin America Special Report (November 2004)

The authors analyze US policy recommendations to Latin American nations that they use stronger measures to combat drug trafficking in the region. They argue that the supply-reduction model to counter-narcotics does not work and that it has sparked conflict, fueled human rights violations, and undermined democracy in countries where drugs are produced and trafficked.

Washington Office on Latin America, “Forging New Ties: A Fresh Approach to US Policy in Latin America,” *Washington Office on Latin America* (September 2007)

The report argues that for the previous twenty years, the United States had only one policy approach to Latin American countries. It recommended that governments should pursue free trade, expand free markets, and hold regular elections. Due to the inadequacy of these policy recommendations, the report argues that the United States should institute a new policy approach that addresses the vast economic, political, and structural inequalities throughout the region.

Response to Atrocities and Genocide

Madeline Albright and William Cohen, *Preventing Genocide: A Blueprint for US Policymakers* (Washington: United States Holocaust Memorial Museum, 2008)

The authors, a former Secretary of State and Secretary of Defense respectively, argue that the US government can and must do more to prevent genocide, which they argue threatens both American values and interests. They provide this report as a blueprint for the United States, along with international partners, to take preventive action against any future cases of genocide and mass atrocities.

Jennifer K. Elsea, “US Policy Regarding the International Criminal Court,” *Congressional Research Services*, 29 August 2006

This report outlines the main objections of the United States against the establishment of the International Criminal Court. It also analyzes the American Service members’ Protection Act and other relevant legislation that addresses the relationship between the United States and the statutes of the International Criminal Court.

Samantha Power, “A Problem from Hell: America in the Age of Genocide,” *Basic Books* (New York, 2002)

The author won a Pulitzer for her historical analysis of genocide as a concept and international responses to it. She investigates a series of case studies from the Armenian genocide of 1915 to the devastation of the Balkans in the 1990’s and develops the international responses to genocide and international perceptions of it. She also argues that the failure of the United States to respond to cases of international genocide stems from the structure of the American political system.

Security Consolidation and Stability Operations

Alison Laporte-Oshira, “From Militants to Policemen: Three Lessons from US Experience with DDR and SSR,” *United States Institute of Peace Brief 115* (17 November 2011)

The author investigates the United States experience with disarmament, demobilization, and reintegration and security sector reforms, two of the most critical elements needed to establish legitimate governance and security in post-conflict societies. She argues that quick implementation of these two concepts is necessary for the state to establish a legitimate monopoly on the use of force and that the US experience has demonstrated that US efforts must go in heavy, address both needs in tandem, and consolidate US capacity to implement both tasks in a coordinated, scalable way.

Robert M. Perito, “The Iraq Federal Police: US Police Building under Fire,” *United States Institute of Peace Special Report 291* (October 2011)

The author chronicles US efforts to train and equip an indigenous constabulary force to control insurgent and militia violence. Since the United States does not have constabulary forces, it previously depended on UN or European allies to provide assistance. In Iraq, UN peace forces were not available to provide protection, which required the United States to undergo training programs amidst active hostilities. He argues that US efforts in Iraq provide a case study of value for future stability operations.

Influence on Counter-Terrorism

Introduction and Theory

Rosa Brooks, “Protecting Rights in the Age of Terrorism,” *Georgetown Journal of International Law* 36:3 (Spring 2005), pp. 669-622

The author argues that terrorism is obviously a human rights abuse in itself, and human rights advocates share with governments the related goals of preventing terrorism and seeking to hold terrorists accountable for their violations of international law. If terrorism is conceptualized as a form of armed conflict, then the most clearly applicable body of law is what is variously referred to as the laws of war, international humanitarian law, or the law of armed conflict. The law of armed conflict is *lex specialis*, which is to say that it does not apply when there is no armed conflict, but it trumps other legal regimes when an armed conflict exists.

Center on Global Counterterrorism Cooperation, “Counterterrorism and Human Rights: Opportunities to Improve US and UN Policy,” Akin Gump Hauer & Feld LLP, New York, 5 February 2010

The report details the findings of a group at the law firm Akin Gump Hauer & Feld on efforts by the Obama administration to restore US credibility and leadership on human rights while countering terrorism and help translate that into action at the international level through US leadership and engagement with multilateral institutions.

Connor Gearty, “Terrorism and Human Rights,” *Government and Opposition* 42:3 (Summer 2007), pp. 340-362

The author argues that, since the formal invocation of the Universal Declaration of Human Rights in 1948, much global discourse has been shaped by those principles, to the extent that one could without exaggeration describe the period as an ‘age of human rights’. But will and indeed can that survive the perceived danger arising from violent acts of terrorism? Is this now an ‘age of terrorism’ – or at least, an ‘age of counter-terrorism’ – in which human rights are being accorded a secondary status? This article considers those contentions and also advocates particular roles for those who work in the human rights field.

Amos N. Guiora, “Not By All Means Necessary: A Comparative Framework for Post-9/11 Approaches to Counter-Terrorism,” *Case Western Reserve Journal of International Law* 42 (2009), pp. 273-287

The author argues that counterterrorism significantly benefits from a comparative approach that analyzes measures supplied by others states facing similar dilemmas and challenges subject to the

role of law. On this basis, it examines Israeli policies on targeted killings and administrative detention before examining their applicability in the US context.

In Relation to Just War Theory

Neta Crawford, “Just War Theory and the US Counterterror War,” *Perspectives on Politics* 1:1 (March 2003), pp. 5-25

The author evaluates the claims that the Bush administration that the Iraq War was just, that modern warfare has transformed, and that the transformation of modern warfare has transformed the nature of just war theory. She argues that it is extremely difficult to fight a just counterterror war given the nature of terrorism and the realities of contemporary warfare.

Tom Farer, “Un-Just War against Terrorism and the Struggle to Appropriate Human Rights,” *Human Rights Quarterly* 30:2 (May 2008), pp. 356-403

The author analyzes the war on terror by the United States after 9/11 according to the standards of just war theory, a philosophical tradition that reconciles strategic considerations for the nation with human rights protections for the individual. He concludes that the Bush administration has failed to satisfy any of the conditions for just war theory even though it continues to appropriate human rights language within its rhetoric.

Drone Strikes and Targeting Killings

Amnesty International, “United States of America: Targeted Killing Policies Violate the Right to Life,” *Amnesty International AMR 51/047/2012*

The authors address the legal rationale for the current policies and practices of the United States in relation to the targeting of suspected terrorist with lethal force. They argue that American policies and practices are unlawful in violation of the fundamental human right not to be arbitrarily deprived of one's life.

Laurie R. Blank, “Targeted Strikes: The Consequences of Blurring the Armed Conflict and Self-Defense Justifications,” *William Mitchell Law Review* 38:5 (2012), pp. 1655-1700

The author focuses on the consequences of American legal rationales for the targeted killing program. She argues that government arguments have blurred the lines between the armed conflict paradigm and the self-defense paradigm as justifications for the use of force against designated individuals. The blurring of these paradigms will undermine efforts to fulfill the core purpose of the law.

Laurie Calhoun, “The Strange Case of Summary Execution by Predator Drone,” *Peace Review* 15:2 (2003), pp. 209-214

The author addresses the initial use of predator drones as a means of targeted killings against the leaders of non-state terrorist organizations by the United States at the beginning of the War on Terror. She then explores the implications of this technological development from an ethical and political perspective.

Geoffrey S. Corn, “Self-Defense Targeting: Blurring the Line between Jus ad Bellum and Jus in Bello,” in *International Law Studies, Volume 88: Non-International Armed Conflict in the Twenty-First Century* eds. Kenneth Watkin and Andrew J. Norris (Newport, RI: Naval War College, 2012)

The author addresses the concept of self-defense targeting and the belief that it averts the need to engage in *jus in bello* legal considerations since it falls under the jurisdiction of *jus ad bellum* operational considerations. He questions the validity of that solution and why this substitution is a false solution to an extremely complex conflict classification dilemma.

Jennifer K. Elsea, “Legal Issues Related to the Lethal Targeting of US Citizens Suspected of Terrorist Activities,” *Congressional Research Services*, 4 May 2012

This report clarifies the legal debate around the targeting of US citizens suspected of terrorism. It establishes the legal background for the debate and articulates the position of the Obama administration. It also identifies possible points of contention among legal experts and other observers, including the views of other governments and the international community.

Michael Steven Llenza, “Targeted Killings in Pakistan: A Defense,” *Global Security Studies* 2:2 (Spring 2011), pp. 47-59

The author rejects criticisms that American practices of targeted killing in the tribal areas of Afghanistan and Pakistan are unlawful. He argues that the Pakistan government shows no influence over these areas and that the precedent of previous cases and the principle of self-defense allows armed attacks against non-state actors within a non-battlefield country under international law.

Bruno Oliveira Martins, “Welcome to the Future: Legal, Ethical, and Political Issues in the Use of Drones,” *Portuguese Institute of International Relations and Security Viewpoints* (March 2013)

The author discusses recent developments in the use of drones, particularly by domestic law enforcement agencies as well as during targeted killings by the Obama administration. It also addresses some of the contentious issues surrounding the debate and elaborates on further questions for the eventual use of drones.

Hillel Ofek, “The Tortured Logic of Obama’s Drone War,” *The New Atlantis* (Spring 2010), pp. 35-44

The author describes the historical benefits of targeted killings by autonomous aerial vehicles and their role within the counterterrorism strategy of the Obama administration. He then discusses several strategic concerns that the administration must address if it wants to continue the drone program in an ethical and legal manner.

Afsheen John Radsan and Richard Murphy, “The Evolution of Law and Policy for CIA Targeted Killing,” *Journal of National Security Law & Policy* 5 (2012), pp. 439-463

The authors address several of the legal concerns raised by the CIA’s targeted killing program using unmanned aerial vehicles in the US war on terror. It analyzes the legality of the program under US domestic law and the relationship between American domestic law with international treaty obligations. It also analyzes the procedural limits of the drone program and provides recommendations to improve its efficacy and legality.

Sikander Ahmed Shah, “War on Terrorism: Self Defense, Operation Enduring Freedom, and the Legality of US Drone Strikes in Pakistan,” *Washington University Global Studies Law Review* 9 (2010), pp. 77-129

The author outlines the international law governing the use of force in self-defense before determining the legality of the US attacks on Afghanistan and the continued occupation by the United States of the nation under Operation Enduring Freedom. It also moves to answer the important question of whether US drone attacks on Pakistani soil to eliminate terrorism under the guise of Operation Enduring Freedom are legal under the international law of self-defense.

Farhat Taj, “The Year of the Drone Misinformation,” *Small Wars & Insurgencies* 21:3 (September 2010), pp. 529-535

The author challenges the widely held view in the research communities around the world that US drone strikes on Pakistan’s north-western border area with Afghanistan lead to large-scale civilian casualties and are unpopular in that liberal area. The author supports that argument through an analysis on a new report published by the New America Foundation.

Alex S. Wilner, “Targeted Killings in Afghanistan: Measuring Coercion and Deterrence in Counterterrorism and Counterinsurgency,” *Studies in Conflict and Terrorism* 33 (2010), pp. 307-329

The author analyzes the effectiveness of coercion and deterrence practices that use precision force against the leaders of violent, non-state organizations. In particular, it uses public and semi-private sources to investigate the targeted killings of four Taliban leaders. He concludes that targeted killing degraded Taliban professionalism and success, as well as weakening morale and influencing target selection.

John Yoo, “Assassination or Targeted Killings after 9/11,” *New York Law School Law Review* 56 (2011/2012), pp. 57-79

The author advocates for the kill or capture policies implemented by the Bush and Obama administration against the leaders of al-Qaeda and associated terrorist organizations through covert operations and unmanned drones. He argues that they remain legal under domestic and international law. He further argues that they provide the best strategic means to engage terrorist networks and provides legal justifications for his analysis.

Guantanamo Bay and Legal Prosecutions of Alleged Terrorists

Sophia Brill, “The National Security Court We already Have,” *Yale Law & Policy Review* 28 (2010), pp. 525-537

The author responds to the calls by two prominent government lawyers to create a separate US court that specifically addresses national security issues. She argues that the DC District Court has constructed such a court through a common law process of habeas jurisprudence. She then examines their rulings, the implications of those rulings, and the problems of a common law approach to national security jurisprudence, particularly in regards to detainee attention.

Eun Young Choi, “Veritas, Not Vengeance: An Examination of the Evidentiary Rules for Military Commissions in the War against Terrorism,” *Harvard Civil Rights-Civil Liberties Law Review* 42 (2007), pp. 139-189

The author compares the efficiency of the evidentiary rules adopted for use in trials of terrorism suspects to traditional criminal law procedures for both civilians in federal district court and military defendants before courts-martial. It also reviews the origins of the regulations promulgated by the Bush administration to govern military commissions and the distinctions between those commission and civilian military courts.

Jennifer K. Elsea, “Comparison of Rights in Military Commission Trials and Trials in Federal Criminal Court,” *Congressional Research Services* 7-5700 (9 May 2012)

The author analyzes the differences between military tribunals and federal criminal courts in terms of the rights and protections afforded to defendants. In particular, she analyzes the rights given to those accused of terrorism under military tribunals and the uniform code of military justice versus those given to those accused of terrorism under civilian criminal law.

Anton L. Janik Jr, “Prosecuting Al-Qaeda: America’s Foreign Policy Interests Are Best Served by Trying Terrorists Under International Tribunals,” *Denver Journal of International Law & Policy* 30:4 (2002), pp. 101-139

The author addresses the various justifications for prosecuting alleged foreign terrorists under domestic, foreign, international, or military tribunals, particularly in relation to the detainees of

Guantanamo Bay, Cuba. He argues that the United States must try the alleged terrorists under an international tribunal rather than a domestic military tribunal similar to international processes condemned by the Bush Administration in the past.

David Luban, “Lawfare and Legal Ethics in Guantanamo,” *Stanford Law Review* 60:6 (April 2008), pp. 1981-2025

The author argues that government policies by the Bush administration in the wake of 9/11 made it more difficult for lawyers to represent Guantanamo prisoners. Although it is unclear whether or not they were intentional, these policies have reduced access to clients and complicated ethical considerations in ways that have impinged upon the ability of defense lawyers to communicate and engage with their clients.

Michael Montaña, “Who May be Tried under the Military Commissions Act of 2006,” *Stanford Law Review* 61:5 (2009), pp. 1281-1332

The author evaluates the United States Military Commission Act of 2006 and the provisions granted by federal executive authority. It examines only the major customary textual and historical sources available in the public record in order to determine who exactly may be tried under the MCA.

Alexandra Silver, “Prosecuting Terrorists after September 11,” *Council on Foreign Relations Backgrounder*, 27 March 2006

The author addresses the complicated factors underlying the legal aspects of the war on terrorism. She addresses the ambiguous legal detention and standing of those alleged of terrorism and explains some of the major court cases and legislation relevant to prosecuting terrorism.

Colonel James Terry, “Federal Court or Military Commission: The Legal Dilemma Posed by Those Charged with Terrorist Violence,” *Naval Law Review* 60 (2010), pp. 125-139

The author addresses the trial of Khalid Sheik Mohammed and the decision to try alleged perpetrators of terrorism by civilian court or military commission. He analyzes Congressional action taken to establish the dichotomy between the two court systems, the legislative standards developed to address cases that may present a threat to American national security interests, and constitutional implications for the decision to try alleged terrorists within a particular court.

Johan van der Vyver, “Prosecuting Terrorism in International Tribunals,” *Emery International Law Review* 24 (2010), pp. 527-547

The author considers the feasibility of prosecuting alleged terrorists through international tribunals given three norms of criminal justice. He argues that terrorism is a willful act against civilians subject to the jurisdiction of some international tribunals. He also argues that negotiation, mediation, and conciliation reduce terrorism more than armed conflict.

Richard Wilson, “Can the US Learn from Failed Terrorist Trials by Military Commission in Turkey and Peru,” *Human Rights Brief* 11:1 (2003), pp. 12-14

The author examines the trial and conviction of terrorists in Turkey and Peru who were controversially tried before a military tribunal. In both cases, reviewing courts overturned the convictions on the basis that due process rights were denied by being tried by the standards of a military tribunal. The author places these findings and their implications in relation to the US debate over whether to try captured terrorists in civilian or military courts.

Terrorist Detention and the Use of Torture

Mirko Bagaric and Julie Clarke, “Not Enough Official Torture in the World? The Circumstances in which Torture is Morally Justifiable,” *University of San Francisco Law Review* 39:3 (2005), pp. 581-616

The authors argue that, while a “civilized” community does not typically condone such conduct, torture is morally defensible in certain circumstances, mainly when more grave harm can be avoided by using torture as an interrogation device and that the pejorative connotation associated with torture should be abolished.

M. Cherif Bassiouni, “The Institutionalization of Torture under the Bush Administration,” *Case Western Research Journal of International Law* 37:2 (2006), pp. 389-425

The author argues that the President and other leaders within the Bush administration sanctioned the use of torture at Guantanamo Bay through a series of executive directives and other legal procedures that created a top-down command structure that allowed their subordinates to commit acts of torture. He then follows the process through which this process occurred.

Alex J. Bellamy, “No Pain, No Gain? Torture and Ethics in the War on Terror,” *International Affairs* 82:1 (2006), pp. 121-148

The author addresses the claim that the United States during the Bush Administration developed a systematic program of torture to extract information from terrorist suspects, their associates, their allies, and other alleged enemies of the United States. He argues that the prohibition on torture should be maintained but that in exceptional circumstances desperate necessity may dictate, though not excuse, its use.

David Cole, “The Taint of Torture: The Roles of Law and Policy in our Descent to the Dark Side,” *Houston Law Review* 49 (2012), pp. 51-69

The author evaluates the role of the law in the legitimization of institutionalized torture practices during the Bush administration. He discusses how international legal justifications were twisted in order to sanction these practices and its implications for the future of US national security policy.

Michael Davis, “The Moral Justifiability of Torture and Other Cruel, Inhuman, or Degrading Treatment,” *International Journal of Applied Philosophy* 19:2 (2005), pp. 161-178

The author analyzes the ticking-time bomb argument that morally justifies torture in a particular form of emergency. He rejects the argument on three philosophical grounds: the argument’s appeal to intuition, the unreliability of that intuition, and the use of intuition as an excuse rather than a justification.

Jennifer K. Elsea, “Detention of US Persons as Enemy Combatants,” *Congressional Research Service* 7-5700, 1 February 2012

The report discusses the law and authority of the United States government to target and detain US citizens for alleged involvement with terrorist organizations subject to the Authorization on the Use of Military Force (AUMF) in the wake of 9/11. It describes the historical practice of US detention of its own citizens during wartime, describes the relevant domestic and international legislation, as well as Congressional authority to address the detention of US persons.

Jennifer Elsea, “Treatment of Battlefield Detainees in the War on Terrorism,” *Congressional Research Services Report for Congress*, 15 November 2005

The author provides an overview on the laws of war and the historical treatment of detainees during times of armed conflict with a particular focus on US practices. It also reviews the current status of detainees under the Bush administration, the status of current detainee court cases, and the actions of the 108th and 109th Congress related to detention practices in the war on terrorism.

Laurel Fletcher and Eric Stover, “Guantanamo and its Aftermath: US Detention and Interrogation Practices and Their Impact on Former Detainees,” *Human Rights Center and International Human Rights Law Clinic, UC Berkeley*, November 2008

The report studied former detainees of American forces in Afghanistan and Guantanamo Bay, Cuba. It records their experiences, evaluates their treatment in detention and assesses their subsequent reintegration into civil society. It concludes that the Bush Administration implemented a system of detention with serious flaws, particularly in regards to “enhanced interrogation techniques.”

David P. Forsythe, “United States Policy towards Enemy Detainees in the War on Terrorism,” *Human Rights Quarterly* 28:2 (May 2006), pp. 465-491

The author explores the historical analogy of French operations in Algeria before analyzing the human rights violations of the Bush administration in regards to detainee treatment. He concludes that the administration has intentionally violated IHL in order to gain information, has not enforced adequate safeguards against arbitrary detainee abuse, and has not provided sufficient mechanisms of oversight against allegations of detainee abuse.

Gregory Hooks and Clayton Mosher, “Outrages against Personal Dignity: Rationalizing Abuse and Torture in the War on Terror,” *Social Forces* 83:4 (June 2005), pp. 1627-1645

The authors extensively criticize the rationalizations offered by the Bush administration for the treatment of detainees at Abu Ghraib prison. They argue that the abuses of Abu Ghraib are the systemic result of dehumanizing the enemy and institutionalizing policies that support and rely on the practice of torture.

Human Rights Watch, “Getting Away with Torture: The Bush Administration and the Mistreatment of Detainees,” *Human Rights Watch*, July 2011

The investigative report builds upon a previous 2005 study that questioned whether or not the CIA and other branches of American government had tortured detainees within their custody. The 2011 report summarized the admissions and details of the program that were revealed within those six years and then analyzes the alleged violations under US and international law statutes.

Neil MacMaster, “Torture: From Algiers to Abu Ghraib,” *Race & Class* 46:2 (2004), pp. 1-21

The author argues that the debate on torture in the United States has revolved around the ability of a liberal democracy to justify such methods and addressed an underlying debate on the history of counterinsurgency techniques originating with the French experience in Algeria. He concludes that this debate has ignored the profound damage done by such institutionalized barbarity to the victims that experience torture and to the regimes that deploy it.

John T. Parry, “Torture Nation, Torture Law,” *The Georgetown Law Journal* 97 (2009), pp. 1004-1056

The author argues that torture may be compatible with American values in practice and with the legal system that we have constructed to serve those values. It argues that, while some criticized the United States under the Bush administration as a torture nation, the US already was a torture nation before the Bush administration and that being a torture nation could be as significant for the US legal and political system as a ban on torture.

Leila Nadya Sadat, “Ghost Prisoners and Black Sites: Extraordinary Rendition under International Law,” *Case Western Reserve Journal on International Law* 37:2 (2006), pp. 309-342

The author argues that, despite the focus on detention abuses at Abu Ghraib, the problem of prisoner abuse is much more significant at American detention facilities in Iraq, even though detainees in Iraq are subject to the jurisdiction of Geneva Convention protections. In particular, the author addresses the issue of extraordinary rendition and its implications within the framework of international humanitarian law.

Robert Strassfeld, “American Innocence,” *Case Western Reserve Journal of International Law* 37:2 (2006), pp. 277-308

The author examines the use of torture within the history of American foreign policy and the way that the American people and the US government attempt to distance themselves from these atrocities. In doing so, he examines ideological conceptions of nationalism and innocence within American discourse as well as the way that the American public responds to allegations of torture by US soldiers. He also examines the implications of his findings for the United States after 9/11.

James Terry, “Al Qaeda and Taliban Detainees – An Examination of Legal Rights and Appropriate Treatment,” *International Law Studies, Volume 79: International Law and the War on Terror* eds. Fred L. Borch and Paul S. Wilson (Newport RI: Naval War College, 2003), pp. 441-454

The author posits the claim that the war against al-Qaeda and its affiliates by the United States in the wake of 9/11 represented a new kind of conflict. Using this foundation, he then presents a legal analysis about the viability of the 1949 Geneva Conventions to apply to American military operations in Iraq and Afghanistan and whether or not detainees from these conflicts are eligible for Prisoner of War protections under the statutes of Geneva Convention III.

David A. Wallace, “Torture v. the Basic Principles of the US Military,” *Journal of International Criminal Justice* 6 (2008), pp. 309-322

The author argues that the torture and ill-treatment of captured prisoners is illegal, immoral, and ineffective at any time and under any circumstances. It addresses standards of domestic, international, and military law in order to consider the current debate around torture, its relevance to soldiers active in the field, and the reasoning to ban torture in the future.

Jessica Wolfendale, “The Myth of Torture Lite,” *Ethics and International Affairs* 23:1 (Spring 2009), pp. 47-61

The author addresses the phrase “torture lite” that appeared within the public discourse at the beginning of the US War on Terror. The author argues that the “lite” designation is a false distinction that is not actually addressed in any of the international conventions related to torture or any of the legislation that distinguishes torture from other kinds of punishment.

Jessica Wolfendale, “Training Torturers: A Critique of the Ticking Bomb Argument,” *Social Theory and Practice* 32:2 (2006), pp. 269-287

The author addresses the commonly cited “ticking time bomb” argument used to justify torture by advocates at the beginning of the Bush administration. These advocates argue that the war on terror is a new operational environment in which traditional moral considerations do not apply. Torture is justified in order to prevent a scenario that can kill millions, like a ticking time bomb. The author

responds by arguing that allowing torture requires us to allow torturers and then investigates the implication of institutionalizing and training torturers.

Regional Human Rights Issues in Latin America

Introduction and Overview

Paolo Carozza, “From Conquest to Constitutions: Retrieving a Latin American Tradition of the Idea of Human Rights,” *Human Rights Quarterly* 25:2 (May 2003), pp. 281-313

The author addresses the historical origins for the strong commitment to the idea of universal human rights in Latin America. He specifies four particular events: the Spanish conquest, the regional Republican revolutions, the Mexican Constitution of 1917, and the Universal Declaration of Human Rights. He argues that the global discourse of human rights should recognize a specific Latin American tradition of universal human rights.

Sonia Cardenas, *Human Rights in Latin America: A Politics of Terror and Hope* (Philadelphia: University of Pennsylvania Press, 2009)

The book provides an overview of human rights in Latin America through organization around three central topics: human rights violations, reform, and accountability. It discusses the legacy of human rights abuses from the many civil wars, dictatorships, and other conflicts experienced over the past half-century. It also discusses the dramatic, although uneven, human rights experiences on the continent.

Mary Ann Glendon, “The Forgotten Crucible: The Latin American Influence on the Universal Human Rights Idea,” *Harvard Human Rights Journal* 16 (2003), pp. 27-39

The author argues that the provisions of the 1948 Universal Declaration of Human Rights related to the family and social and economic justice are routinely ignored by international human rights organizations. Yet, those provisions, built upon a Latin American model, played a key role in the Declaration’s acceptance among non-western cultures. She states that the influence of Latin American officials on the development of the universal human rights idea was critical to its articulation and implementation in 1948.

Washington Office on Latin America, *Latin America Policy Research Guide, Spring 2007* (Washington: Washington Office on Latin America, 2007)

The authors provide an overview of the main public policy issues, organized by country that Latin America as a region will face in the coming years. It also connects those issues with current elements of US foreign policy and provides recommendations for reform.

Democracy and Governance

John Booth and Mitchell Seligson, *The Legitimacy Puzzle in Latin America: Political Support and Democracy in Eight Nations* (Cambridge: Cambridge University Press, 2009)

The authors argue for a new model on the relationship between political legitimacy and civic participation. Through an analysis of six modes of legitimacy for eight Latin American nations, they propose a U-shaped model in which citizens will participate at high levels in a democracy with both high and low levels of political legitimacy.

Margarita Corral, *The State of Democracy in Latin America: A Comparative Analysis of the Attitudes of Elites and Citizens*, Boletín PNUD & Instituto de Iberoamerica, January 2011

The author presents a description of the responses of both citizens and legislators to a group of questions appearing in two surveys on support for democracy, satisfaction with the system, and trust in the principal political and social institutions within the country.

Michael Dodson and Donald Jackson, “Horizontal Accountability in Transitional Democracies: The Human Rights Ombudsman in El Salvador and Guatemala,” *Latin American Politics and Society* 46:4 (Winter 2004), pp. 1-27

The article analyzes the efforts of a horizontal accountability agency, the human rights ombudsman, to improve the judiciary systems of both countries as they transitioned from authoritarian rule into a functioning democracy. The authors discuss the establishment and development of these offices but conclude that they fall prey to the same weaknesses that plague other institutions within the two countries.

Isabel Inguanzo, “Indigenous Peoples, Democracy, and Representation: The Cases of Bolivia and Guatemala,” *Boletín PNUD and Instituto de Iberoamérica Volumen 2*, February 2011

The author discusses the effective and legitimate representation of indigenous groups in the domestic legislatures of their countries. He describes the attitudes, behaviors, and political preferences of indigenous voters within Bolivia and Guatemala.

Arturo Maldonado, “Insecurities Intensify Support for Those who Seek to Remove Government by Force,” *Americas Barometer Insights* 48 (2010)

The author investigates attitudes for those seeking to overthrow an elected government by force. In part, this attitude speaks to the depths of an individual’s commitment to the democratic system. He argues that men, younger citizens, and the less educated are more likely to support the forced overthrow of a government and that measures of insecurity related to corruption, crime, and the economy also influence a person’s support for government removal by force.

Harold Muñoz trans. Mary D'Leon, "The Right to Democracy in the Americas," *Journal of Inter-American Studies and World Affairs* 40:1 (Spring 1998), pp. 1-18

The author applies a dynamic interpretation of international law and uses it as a tool to analyze the growing importance of democracy as a global entitlement in the inter-American system. He argues that the existing doctrine on the defense and promotion of democracy in the inter-American system has evolved into a normative obligation and, more important, is being implemented or exercised through peaceful collective action.

Jose Thompson, "Participation, Democracy, and Human Rights: An Approach Based on the Dilemmas Facing Latin America," Woodrow Wilson International Center for Scholars, Washington, DC, 2 June 2009

The author analyzes the relationship between democracy and human rights with a particular emphasis on the various aspects of political representation. It also analyzes recent conditions in Latin America in these areas in order to frame a modern day approach to the implications of the complex nature of human rights and their potential as a tool to assess the quality and strength of a democracy.

Marcelo Varela-Erashava, "Strengthening of Democracy and Human Rights in Latin America: Current Situations and Challenges," Woodrow Wilson International Center for Scholars, Washington DC, 2 June 2009

The author reviews the current situation in Latin America in regards to the transition from authoritarianism to democracy, the respect for human rights in Latin American countries, and the prosecution of human rights violations in states with a history of human rights abuses. He also discusses several historical trends and contemporary challenges of that process.

Human Trafficking

Louise Shelly, *Human Trafficking: A Global Perspective* (Cambridge: Cambridge University Press, 2010)

The author uses historical and comparative analysis to investigate different forms and models of human trafficking. She argues that human trafficking will grow in the twenty-first century as a result of economic and demographic inequalities...the rise of conflict, and possibly global climate change. It includes analysis of the practice, its consequences, its relationship with crime, and its practices as a business model.

Alison Siskin and Liana Sun Wyler, *Trafficking in Persons: US Policy and Issues for Congress*, Congressional Research Services, 27 February 2013

The author addresses the structural conditions that can lead to human trafficking and the practices that can sustain it as well as the implications of human trafficking for the United States and the

international community. It discusses current US policies related to human trafficking, policy options to consider, and recommendations for Congress to enact in order to minimize and prevent the scale of trafficking in persons.

Law Enforcement

Donald Campbell and Kathleen Campbell, “Soldiers as Police Officers/Police Officers as Soldiers: Role Evolution and the Revolution in the United States,” *Armed Forces & Society* 36:2 (2010), pp. 327-350

The authors address the role convergence of the police and the military in the United States, given that the two forces serve two very different functions that share common facets. They then examine how this convergence occurs and considers the political and legal implications of this shift. They also discuss the differences and points of convergence between the two roles.

Rebecca Bill Chavez, “Human Rights and Public Security: The Challenges Posed by the Militarization of Law Enforcement,” *Joint Forces Quarterly* 64:1 (2012), pp. 67-74

The author discusses the way that public security crises throughout Latin America and the Caribbean have caused governments to rely on militaries for domestic law enforcement policies in order to combat transnational organized groups. She argues that the reconciliation of human rights and citizen security is crucial to the security and stability of the Americas and that the United States should provide assistance to ensure human rights training.

Gino Costa, “Citizen Security in Latin America,” *Inter-American Dialogue Working Paper* (February 2012)

The author presents a study on citizen security across countries in Latin America. He presents several of the indicators used to evaluate citizen security within a country and then analyzes the relationship between each variable and the provision of security. In particular, he focuses on homicide, victimization, perceptions of insecurity, police competence, and prison systems.

Juan Carlos Gomez, “Twenty-First Century Military Challenges: The Use of Military Forces to Combat Criminal Threats,” in *International Law Studies, Volume 88: Non-International Armed Conflict in the Twenty-First Century* eds. Kenneth Watkin and Andrew Norris (Newport, RI: Naval War College, 2012)

The author argues that the use of military forces by democratic states in the fight is necessary and viable against the new criminal threats created by globalization. In order for the legitimate use of force in these settings, officers must understand that the threat posed by armed groups has switched to financial from political motives.

Stephen Johnson, Johanna Mendelson Forman, and Katherine Bliss, “Police Reform in Latin America: Implications for US Policy,” *CSIS Americas Program* (February 2012)

The authors address the question of police reform in Latin America and its implications for US policy. They argue that police reform is a complicated undertaking and that reform is often contemplated only when governments are helpless to reduce high crime rates. As a result, the United States should provide support for its neighbors to develop institutional law enforcement capabilities in a democratic setting before the crime rate gets too high in the security interests of itself and partner nations in Latin America.

Max G. Manwaring, *Security and Civil-Military Relations in the New World Disorder: The Use of Armed Force in the Americas* (Carlisle, PA: Strategic Studies Institute, 1999)

The author has edited an anthology from the proceedings of a conference cosponsored by the US Army War College, the Chief of Staff of the US Army, and the George Bush School at Texas A&M University. The essays examine the major political, economic, and social trends in Latin America, including the strategic issues that relate to the use of US armed force in the Americas and the future of civil-military relations.

Jose Miguel Cruz, “Police Abuse in Latin America,” *Latin American Public Opinion Project Insights No. 11* (2009)

The author provides the findings of a survey that assesses police behavior in the Americas from the perspective of voting age citizens. It finds that Argentina, El Salvador, Bolivia, and Colombia report the highest levels of police abuse and that Honduras, Paraguay, and Panama report the lowest levels of police abuse.

Jose Miguel Cruz, “Police Misconduct and Democracy in Latin America,” *Latin American Public Opinion Project Insights No. 33* (2010)

The author empirically explores the impact of perceptions of police misconduct on public support for democracy. According to the study, over 44 percent of participants reported that their local police were involved in some form of crime. He concludes that the more people see police involved in crime, the less they think democracy is the best possible form of government.

Jose Miguel Cruz, “Should Authorities Respect the Law when Fighting Crime,” *Latin America Public Opinion Insights No. 19* (2009)

The author presents the findings of a public opinion survey that examines public support of authorities’ respect for the law when fighting criminal violence. He found that the majority of the population in most countries stated that authorities should show respect for the law at all times. Many also had slight variations on their particular conception of the law.

Robert Perito and Madeline Kristoff, “Fighting Corruption in Security Sector Reform,”
United States Institute for Peace Brief 32 (20 May 2010)

The author investigates the need and ability of security sector reform efforts to fight internal corruption. He concludes that corruption in the security sector damages society’s trust in government and that effective donors must coordinate a highly political and context-specific campaign that engages corruption in both high and low levels in the government.

George Withers, Lucila Santos, and Adam Isacson, “Preach What You Practice: The Separation of Military and Police Roles in Latin America,” *Washington Office on Latin America* (November 2010)

The authors emphasize US practices that encourage Latin America’s armed forces to take on internal security roles that the US military cannot legally do at home. They argue that the United States needs to stop this practice and recommend that the military should not be used for internal security and law-enforcement roles.

Legal Systems and Judicial Reform

Ellen Lutz and Kathryn Sikkink, “International Human Rights Law and Practice in Latin America,” *International Organization* 54:3 (Summer 2000), pp. 663-659

The authors analyze the cause for improvement of human rights practices in Latin America during the nineties. They examine state compliance in the region with three norms of international humanitarian law: the prohibition against torture, the prohibition against disappearance, and the right to democratic governance. They argue that states have improved in all three of the issue areas, although the least amount of change has occurred with the prohibition against torture. They conclude that the improvements stem from a change in regional norms that has increased the consensus around these norms.

Luis Pasara, “International Support for Justice Reform in Latin America: Worthwhile or Worthless?” *Woodrow Wilson Center Update on the Americas*, September 2012

The author examines the current state of international support for judicial reform in Latin America. He identifies the key international actors and the scope of their involvement as well as general rationales of international support for judicial reform. He also analyzes several potential projects for reform and addresses current issues that prevent their implementation.

Elizabeth Salmon, “Reflections on International Humanitarian Law and Transitional Justice: Lessons to be Learnt from the Latin American Experience,” *International Review of the Red Cross* 88:862 (June 2006), pp. 327-353

The author argues that compliance with international humanitarian law influence the perception of the post-conflict judiciary system and seeks to determine the exact influence of international

humanitarian law on the transitional justice process, particularly in regards to the experience of states in Latin America.

Transnational Organized Crime

Max G Manwaring, *Street Gangs: The New Urban Insurgency* (Carlisle, PA: Strategic Studies Institute, 2005)

The author examines the most salient characteristics of contemporary criminal street gangs and to explain its linkage to insurgency. He argues that gang-related crime, in conjunction with the instability it wreaks upon governments, is now a serious national security and sovereignty problem in important parts of the global community. He concludes that the gang phenomenon is a mutated form of insurgency.

Mark Ungar, “Crime Society, and the Challenge to Human Rights Protection,” Woodrow Wilson International Center for Scholars, 2 June 2009

The author discusses the reform process by countries in Latin America to face an epidemic of crime in the region. He argues that criminal justice has not yet sufficiently engaged with human rights in the region and supports that thesis with a discussion of criminal policy and the judiciary, societal fragmentation, and state accountability.

Human Rights Issues by Country

Argentina

Leonardo Filippini, “Criminal Prosecutions for Human Rights Violations in Argentina,” *International Center for Transitional Justice Briefings*, November 2009

The report emphasizes Argentina as a positive model for the prosecution of human rights violations that occurred during the military dictatorship in the late seventies and early eighties. It profiles the abuses of the military regimes and various obstacles to prosecution that occurred in the eighties and nineties. It then explains the model of transitional justice employed in Argentina and its recent success in the prosecution of perpetrators for human rights violations.

Rebecca Lichtenfeld, “Accountability in Argentina: 20 Years Later, Transitional Justice Maintains Momentum,” *International Center for Transitional Justice Case Study Series* (August 2005)

The report discusses the history of transitional justice efforts after the Argentine military dictatorship between 1976 and 1983. In particular, it focuses on the increased efforts within Argentine civil society and the particular responses by the democratic governments that followed the dictatorship.

Kathryn Sikkink, “From Pariah State to Global Protagonist: Argentina and the Struggle for International Human Rights,” *Latin American Politics and Society* 50:1 (Spring 2008), pp. 1-22

The author details the history of human rights innovations that originated in Argentina given the human rights movement after the post-dictatorship democratization in the mid-eighties. She analyzes in particular why these developments originated within the Argentine human rights community and how the government and civil society have developed to address the current human rights issues.

Brazil

Kai Michael Kenkel, “South America’s Emerging Power: Brazil as a Peacekeeper,” *International Peacekeeping* 17:5 (2010), pp. 644-661

The author analyzes Brazil as a regional emerging power through its contribution to peacekeeping operations. He argues that Brazil’s peacekeeping policies stem from its position as an emerging power and several structural factors endemic to South America and places these findings in relation to Brazilian peacekeeping operations in Haiti.

Lucila Bandeira Beato, “Inequality and Human Rights of African Descendants in Brazil,” *Journal of Black Studies* 34:6 (July 2004), pp. 766-786

The author analyzes race and gender inequalities in Brazil through the context of international human rights laws and standards, including measurements on the right to life, individual health, individual dignity, and living conditions. She argues, on the basis of quantitative analysis, that the human rights of African descendants, particularly women, are violated on a daily basis.

Caribbean

Amnesty International, “Death Penalty in the English Speaking Caribbean: A Human Rights Issue,” *Working Paper 05/001/2012* (December 2012)

The report discusses the maintenance of the death penalty in the English speaking Caribbean in contrast with trends in other regions of the world. It analyzes current international human rights standards and treaties in relation to the death penalty and how the countries of the region have failed to live up to those expectations. It also provides recommendations for these countries to further comply with those norms and standards.

Colombia

William Aviles, “Institutions, Military Policy, and Human Rights in Colombia,” *Latin American Perspectives* 28:1 (January 2001), pp. 31-55

The author examines Colombian military policy in the eighties and nineties with a particular focus on Colombia’s power structure and its relationship with the United States. He argues that landowning elites and the United States have penetrated the power structure of the state and the decision-making powers of elected officials.

Frank Bajak, “Colombian Military Reform Law Slammed by Rights Groups,” *Associated Press*, 11 December 2012

The article discusses a recent law in the Colombian legislature that significantly expanded the jurisdiction for Colombian military courts. Given the human rights record of the Colombian military, the legislation has incurred significant criticism from various human rights organization about the potential protections afforded to those who would come under the jurisdiction of the military court.

Javier Guerrero Baron, “Is the War Ending? Premises and Hypotheses with Which to View the Conflict in Colombia,” *Latin American Perspectives* 28:1 (January 2001), pp. 12-30

The author discusses the potential peace processes in Colombia. He argues that Colombia is on the verge of a wide-spread civil war or a significant deepening of the conflict given that the country

was simultaneously experiencing crises in economics, politics, foreign relations, and the armed forces. He also predicts very limited capabilities for the peace negotiations.

Lisa Haugaard, Adam Isacson, and Jennifer Johnson, “A Cautionary Tale: Plan Colombia’s Lessons for US Policy toward Mexico and Beyond,” *Washington Office on Latin America Joint Publications* (November 2011)

The authors address the legacy of Plan Colombia at the beginning of the decade and evaluate its implications for US-Mexican relations in relation to the launch of the Merida Initiative. It provides several recommendations for a US-Mexican policy that overcomes the failure of Plan Colombia to address insecurity and instability.

Adam Isaacson, “Don’t Call it a Model,” *Washington Office on Latin America*, 14 July 2010

The author evaluates Plan Colombia ten years after its implementation and its general reputation as a success since the country has improved internal security by several measures. The author argues, however, that these security gains are partial, possibly reversible, and weighed down by collateral damage and that progress is stagnant, despite a great loss in lives and resources.

Ecuador

Amnesty International, “So That No One Can Demand Anything: Criminalizing the Right to Protest in Ecuador,” *Working Paper 28/002/2012* (July 2012)

The report follows an investigation by Amnesty International between 2009 and 2011 into the arrest, detention, and charges against Indigenous protestors in Ecuador. It focuses on demonstrations from the period as well as seven prominent cases with 24 different community leaders. The report concludes that most charges stem from politically motivated actions.

Guatemala

James A. Goldston, “Guatemala and Latin America’s Struggle for Justice,” *Open Society Justice Initiative*, 15 March 2013

The author discusses the trial of former Guatemalan President Efraín Ríos Montt for crimes against humanity committed during the country’s civil war. He presents it as a pinnacle for the human rights movements in Latin America and catalogues developments in the Latin American human rights community within the past twenty five years that made those goals possible.

International Crisis Group, “Police Reform in Guatemala: Obstacles and Opportunities,” *Latin America Reports No. 43*, 20 July 2012

The report argues that the president of Guatemala must reboot and revitalize police reform as part of an overall effort to strengthen justice and law enforcement with financial support from the US

and other countries interested in preventing Guatemala from becoming a haven of organized crime. The report addresses several of the difficulties facing the reform process and provides policy recommendations to overcome those obstacles.

Susan C. Peacock and Adriana Beltran, *Hidden Powers in Post-Conflict Guatemala: Illegal Armed Groups and the Forces Behind Them*, Washington Office on Latin America, 2003

The authors investigate the rise of illegal armed groups in post-conflict Guatemala and argue that these groups do not act on their own, but at the behest of members of an inter-connected set of powerful Guatemalans. It investigates the actions of these groups and the forces that encourage and sustain them. It also addresses recommendations on how to address the problem.

Mexico

June S. Beittel, *Mexico's Drug Trafficking Organizations: Source and Scope of Rising Violence*, Congressional Research Services, 8 June 2012

The author addresses the unprecedented and brutal violence generated by Mexican drug trafficking organizations in recent years. It provides background on drug trafficking and identifies the major drug trafficking organizations. It also addresses the role of fragmentation on the landscape of organized crime with an analysis on the context and scope of the violence. It also addresses policy prospects for the future and compares the situation to that of Colombia.

Ted Galen Carpenter, "Mexico is Becoming the Next Colombia," *CATO Institute Foreign Policy Briefing 87*, 15 November 2005

The author argues that the policy of drug prohibition by the United States has inherently created a black-market premium for trafficking in illegal drugs. This premium has contributed to corruption and violence that has created political instability within Mexico. He concludes that this process may cause Mexico to descend into civil war based on drug-trafficking but can be prevented through a reversal of American policy on drug prohibition.

Maureen Meyer, "Abused and Afraid in Ciudad Juarez: An Analysis of Human Rights Violations by the Military in Mexico," *Washington Office on Latin America Publications* (September 2010)

This report focuses on the victims of human rights violations by government security forces fighting against drug cartels and organized criminal violence in Mexico. It argues that the failure to hold soldiers accountable for human rights violations has led to more abuses, caused mistrust to grow, and eroded the support for the military by civilian forces.

Daniel Zizumbo-Colunga, “Explaining Support for Vigilante Justice in Mexico,” *Latin American Public Opinion Insights* No. 39 (2010)

The author examines a recent survey he conducted on citizen perceptions of vigilante justice, conducted outside the realm of official state-controlled law enforcement, in Mexico. He concludes that support for vigilante justice is fueled by a combination of law confidence in state law enforcement institutions and high levels of interpersonal trust.

Peru

Jo-Marie Burt, “Grave Step Backward for Efforts to Achieve Truth and Justice in Peru,” *Washington Office on Latin America Commentary*, 25 July 2012

The author discusses the implications of a Peruvian Supreme Court decision to emit the sentence of a highly controversial case involving the alleged Colina Group death squad. She severely criticizes the judgment that reduced the sentences for three decisions involving the squad in 1991 and 1992. She also discusses reactions to the judgment and its implications for transitional justice in Peru.

Jo-Marie Burt, “Guilty as Charged: The Trial of Former Peruvian President Alberto Fujimori for Human Rights Violations,” *The International Journal of Transitional Justice* 3 (2009), pp. 384-405

The author argues that the 2009 conviction and the resulting sentence of 25 years in prison against Alberto Fujimori for human rights violations marked a watershed in efforts to achieve accountability for atrocities in post-conflict societies throughout the world. She explores the factors that made the Fujimori trial possible and analyzes the outcome as a precedent for both Peruvian politics and transitional justice mechanisms throughout the world.

Juan E. Mendez, “The Trial of Fujimori: Implications for US Policy, Global Justice, and Democracy,” *Project on Human Rights, Global Justice, & Democracy Working Paper No. 1*, Spring 2009

The author addresses the historical significance of the Fujimori trial to hold the former President responsible for actions undertaken under his leadership in Peru in the mid-nineties. He concludes that success for the trial does not depend on Fujimori’s conviction, but whether or not such a politically complex and difficult trial can be conducted in full compliance of due process and fair trial guarantees.

Rafael Barrantes Segura, “Reparations and Displacement in Peru,” *Case Studies on Transitional Justice and Development* (July 2012)

The author addresses the national system to provide reparations and displacement support in post-conflict Peru. He analyzes the agenda, design, management, and evaluation of the program and argues that displacement is given a lower priority than recipients of reparations.

United States

Amnesty International, “In Hostile Terrain: Human Rights Violations in Immigration Enforcement in the US Southwest,” *Amnesty International Reports* 51/018/2012

The report profiles the findings of a study conducted in 2010 and 2011 to evaluate the role of human rights for immigration enforcement in Arizona and Texas. It documents particular cases of abuse and then provides four key recommendations for greater human rights compliance.

Venezuela

Human Rights Watch, *Tightening the Grip: Concentration and the Abuse of Power in Chavez’s Venezuela* (New York: Human Rights Watch, 2012)

The report follows on two previous reports on the consolidation of power by the late Venezuelan president Hugo Chavez and his fraught relationship with human rights in the country. It argues that, in the past few years, the human rights situation has grown even more precarious through the passing of legislation that restricts free speech and political dissent. It also profiles the ways in which Chavez has removed institutional safeguards and greatly expanded executive power.

The Future of Human Rights

Human Rights in a Globalized World

Antenor Hallo de Wolf, “Modern Condottieri in Iraq: Privatizing War from the Perspective of International and Human Rights Law,” *Indiana Journal of Global Legal Studies* 13:2 (Summer 2006), pp. 315-356

The author analyzes the use of private military contractors in Iraq and applicable norms of international humanitarian law and international human rights law. He concludes that their use is troubling because, given their status as non-combatants, they are not bound by the applicable legal frameworks applied to state forces. He then addresses potential solutions to hold them accountable and correct for civilian abuses at the hands of private contractors.

Global Governance and Domestic Sovereignty

Daniel E. Lee and Elizabeth J. Lee, *Human Rights and the Ethics of Globalization* (Cambridge: Cambridge University Press: 2010)

The authors analyze human rights in the context of developing trends in globalization, namely the integration of economic markets, the rise of multinational corporations, and the development of information technologies like the Internet. They analyze the main issues at the intersection between human rights and economic globalization through theoretical analysis and case studies.

John H. Herz, “Rise and Demise of the Territorial State,” *World Politics* 9:4 (July 1957), pp. 473-493

In one of the original articles to address changes in territorial sovereignty, the author addresses several uncertainties within international politics created by fundamental changes within the structure of international relations, particularly nuclear weapons, which will change the nature of the way in which states interact and conceive of independent statehood.

Supplementary Materials

Reference and Reports

Amnesty International, “Death Sentences and Executions 2012,” *Amnesty International Reports* 50/001/2013

The report, published annually, covers the judicial use of the death penalty throughout 2012. It provides summaries on sentences and executions by country as well as global and regional trends over the past few years.

David P Forsythe, *the Encyclopedia of Human Rights* (Oxford: Oxford University Press, 2009)

The encyclopedia represents a five-volume edited reference anthology on more than 325 topics in the field of human rights. It covers four major sections of human rights: rights, organizations, persons, and situations. It also acts as a baseline for research that includes extensive bibliographies.

Human Rights Watch, *Human Rights Watch World Report 2013*,

The annual report provides an overview of human rights practices around the globe. It analyzes events from the end of 2011 through November 2012 in more than 90 countries and territories worldwide. It includes essays, photo essays, and specific chapters by country.

Dan Snodderly, *Peace Terms: Glossary of Terms for Conflict Management and Peace Building*, United States Institute for Peace, 2011

The volume serves as a reference material to articulate and define all of the necessary terms relevant to conflict management and peace building. It intends to standardize language in order to create clearer communications on related issues.

UN Economic and Social Commission for Asia and the Pacific, *What is Good Governance*, United Nations Economic and Social Commission for Asia and the Pacific

The article provides a summary of good governance and the criteria to define good governance. It defines governance as the decision making process and the process by which those decisions are implemented. It then provides 8 defining characteristics of good governance.

UN Human Rights Council, *Report of the Special Representative of the Secretary-General on the Issue of Human Rights and Transnational Corporations and Other Business Enterprises*, John Ruggie, 21 March 2011

The report addresses the findings by the special representative on his findings from a six year investigation on the relationship between human rights and transnational corporations. He develops

a series of guiding principles on the relationship between business and human rights, as well as recommendations to implement a proposed “protect, respect, and remedy” framework.

UN Security Council, “Cross-Cutting Report on the Protection of Civilians in Armed Conflict,” *Security Council Reports 2012 No. 2*, 31 May 2012

The authors systematically track the involvement of the UN Security Council to protect civilians since it first emerged as an independent thematic topic in 1999. They address the Council action in country-specific examples, particularly Syria, and discuss the impact of evolving Council dynamics and outline emerging issues for the future Council’s consideration.

US Department of State, *Country Reports on Human Rights Practices for 2012*, April 2013

This annual report assesses human rights conditions in every country around the globe for the 2012 calendar year. It profiles democratization movements and other optimistic signs of human rights progress throughout the world but also catalogues continuing violence against marginalized groups and other human rights violations.

US Department of State, *2013 Trafficking in Persons Report*, June 2013

This report is the latest installment of the annual evaluation of human trafficking provided by the State Department. It details an overview of the current situation in human trafficking, monitors global trends that have developed in recent years, and provides a detailed analysis of the situation in each country.

Chronological List of Major International Human Rights Treaties

Copies of most treaties available at the UN Office of the High Commissioner for Human Rights, <http://www.ohchr.org>

1945, Charter of the United Nations

1948, Universal Declaration of Human Rights

1949, Geneva Conventions

1951, Convention on the Prevention and Punishment on the Crime of Genocide- CPPCG

1954, Hague Convention

1969, International Convention on the Elimination of All Forms of Racial Discrimination -CERD

1976, International Covenant on Economic, Social and Cultural Rights- CESCR

1976, International Covenant on Civil and Political Rights -CCPR

1976, Optional Protocol to CCPR- CCPROP1

1981, Convention on the Elimination of All Forms of Discrimination against Women-CEDAW

1987, Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment-CAT

1990, Convention on the Rights of the Child-CRC

1991, Second Optional Protocol to the International Covenant on Civil and Political Rights-CCPROP2

1998, International Criminal Court Statute (Rome Statute)

2000, Optional Protocol to the Convention on the Elimination of All Forms of Discrimination against Women-CEDAWOP

2002, Optional Protocol to the Convention of the Rights of the Child on the Involvement of Children in Armed Conflict –CRCOPAC

2002, Optional Protocol To The Convention On The Rights Of The Child On The Sale Of Children, Child Prostitution And Child Pornography -CRCOPSC

2003, International Convention on the Protection of the Rights of All Migrant Workers and Members of their Families- CMW

2008, Convention on the Rights of Persons with Disabilities

2010, International Convention for the Protection of All Persons from Enforced Disappearance

Useful Websites

General Human Rights Resources

Amnesty International, <http://www.amnesty.org/index.html>

Amnesty International consistently provides valuable information about human rights around the world. Visit the AI Library for information about human rights in specific countries or regions, learn more about current Amnesty International campaigns, or read a copy of the most recent AI Annual Report.

Center for the Study of Human Rights, Colombia University, <http://hrcolumbia.org/>

Based at Columbia University, the Center for the Study of Human Rights seeks to promote human rights research and education on a multi-disciplinary basis. This site provides links to other important human rights online resources and information about publications and programs related to human rights issues.

Cultural Survival, <http://www.culturalsurvival.org/>

This web site is dedicated to providing current information about human rights and indigenous populations. Cultural Survival includes a list of action alerts and information about various efforts to preserve cultural identity and awareness that are taking place around the world.

Derechos, <http://www.derechos.org/>

Derechos works with human rights organizations in Latin America and the world to report accurate and timely information on the human rights situation in their countries, as well as opportunities to help. They also coordinate several human rights mailing lists and publish an internet human rights journal.

Global Exchange, <http://globalexchange.org/>

Global Exchange is an international human rights organization dedicated to promoting social, economic and environmental justice around the world. Since its founding in 1988, Global Exchange strives to increase global awareness among the U.S. public while building partnerships around the world.

**Human Rights Center, University of Minnesota,
<http://www.umn.edu/humanrts/center/default.html>**

The University of Minnesota Human Rights Center provides the names of several online resources pertaining to human rights. It also links to University of Minnesota's Human Rights Resource Center and its Human Rights Library, which houses one of the largest collections of more than sixty thousand human rights documents.

Human Rights Education Associates, <http://erc.hrea.org/>

Human Rights Education Associates (HREA) is an online clearinghouse of information and resources related to human rights education. Its Resource Center has links to a library, databases, and several websites concerning human rights.

Human Rights Interactive Network, <http://www.guidetoaction.org/>

Human Rights Interactive Network provides an extensive collection of links to human rights and humanitarian resources and organizations around the world.

Human Rights Internet, <http://www.hri.ca/>

Human Rights Internet (HRI) is a world leader in the exchange of information within the worldwide human rights community. This site features an extensive collection of links to human rights web sites, as well as access to online human rights databases, annual reports, and background information on human rights issues.

Human Rights Watch, <http://www.hrw.org>

Human Rights Watch is one of the most comprehensive online resources for human rights information. The HRW web site features in-depth information and resources concerning human rights issues and abuses worldwide.

Human Rights Web, <http://www.hrweb.org/>

Human Rights Web is an excellent resource for general information about human rights, the human rights movement, and human rights documents.

Latin American Network Information Center, <http://lanic.utexas.edu/la/region/hrights/>

The Latin American Network Information Center, or LANIC, is based at the University of Texas and offers extensive information about human rights in Latin America. The LANIC Human Rights site provides links to general human rights resources and a Latin American country index.

Organization of American States, <http://www.oas.org>

The Organization of American States offers an excellent collection of links related to human rights issues. From this site you can also link to the Inter-American Commission on Human Rights website at <http://www.cidh.oas.org>. The IACHR site publishes an annual report on human rights.

Project DIANA Human Rights Cases, Yale Law School, http://avalon.law.yale.edu/subject_menus/diana.asp

This webpage is part of Yale Law School's Avalon Project aimed at collecting documents in law, history, and diplomacy. Project DIANA serves as an online archive and provides information about landmark human rights court cases.

The United Nations Human Rights Home Page, <http://www.un.org/rights/>

The UN Human Rights website is a clearinghouse of information related to the work of the United Nations in the field of human rights. The page provides details about several human rights issues sorted by theme, as well as links to other UN bodies and organizations that deal with human rights.

United Nations Office of the High Commissioner for Human Rights, <http://www.ohchr.org/>

The UNOHCHR website provides current information concerning human rights. Frequently updated, it is a great resource for both specific and general information about human rights.

Children's Human Rights

Child Rights Information Network, <http://www.crin.org>

The Child Rights Information Network (CRIN) is a global network of organizations sharing their experiences and information concerning children's rights. Information is available by country, and a larger glossary of terms gives a great overview of specific concepts.

Children's Rights, Human Rights Watch, <http://www.hrw.org/topic/childrens-rights>

A page on Human Rights Watch's website, Children's Rights offers access to periodic news releases, reports, and commentaries on the subject of children's human rights around the globe.

Child Soldiers International, <http://www.child-soldiers.org/>

Child Soldiers International's website provides general information and recent publications on the issue of children under the age of 18 that take part in violent conflicts worldwide.

Free the Children, <http://www.freethechildren.com/>

Free The Children is an international charity and educational partner that works both domestically and internationally engage and empower youth to become active local and global citizens. Their website offers an overview of their mission and accomplishments in promoting children's human rights thus far.

International Labor Organization, <http://www.ilo.org>

Searching for "child labor" on the International Labor Organization's (ILO) website yields an extensive collection of resources related to the work of the ILO and the UN to combat child labor around the world.

State of the World's Children 2000, UNICEF, <http://www.unicef.org/sowc00/>

The State of the World's Children is an annual report published by UNICEF that outlines challenges that impact children around the world. This site offers access to the 2000 edition broken down into several parts, also including supplemental summaries and videos.

UN Office of the Special Representative of the Secretary General for Children and Armed Conflict, <http://childrenandarmedconflict.un.org/>

This site offers important information about the use of child soldiers and the effects of armed conflict on children. It provides access to official UN documents, background information about the issue, and links to other resources concerning children and conflict.

United Nations Children's Fund, <http://www.unicef.org/>

The United Nations Children's Fund (UNICEF) works to better the conditions of children worldwide. Updated information concerning a range of pressing topics in the area of children's human rights can be easily found on this website.

Women's Human Rights

Global Fund for Women, <http://www.globalfundforwomen.org>

The Global Fund for Women is a granting agency that provides funds to groups outside United States who are working for human rights and equality. This site offers an interesting collection of links to GFW grantees, as well as links to other women's human rights sites.

Women's Rights Division, Human Rights Watch, <https://www.hrw.org/topic/womens-rights>

A page on Human Rights Watch's website, the Women's Rights Division offers access to periodic news releases, reports, and commentaries on the subject of female human rights around the globe.

International Center for Research on Women, <http://www.icrw.org/>

The International Center for Research on Women provides access to reports and publications related to international women's issues. This site offers an extensive collection of links related to international development and human rights.

United Nations Entity for Gender Equality and the Empowerment of Women, <http://www.unwomen.org/>

Dedicated to gender equality and the empowerment of women, UN Women created a website that serves as a great resource for current news and media pertaining to global women's rights.

UN Convention on the Elimination of All Forms of Discrimination against Women, UN Women, <http://www.un.org/womenwatch/daw/cedaw/>

The Convention on the Elimination of All Forms of Discrimination against Women (CEDAW), adopted in 1979 by the UN General Assembly, is often described as an international bill of rights for women. Consisting of a preamble and 30 articles, it defines what constitutes discrimination against women and sets up an agenda for national action to end such discrimination. The convention itself, as well as information surrounding the convention, is available on this website.