

7,358: Empirical Analysis of International Human Rights Law

Fall 2019

Instructor: Professor Tilmann Altwicker	Time: M 14:15 – 18:00
Email: tilmann.altwicker@rwi.uzh.ch	Place: Seminarraum 01-113

Course Page: <http://tiny.cc/dsj9bz>

Office Hours: On Mondays, before class by appointment.

Main References:

- D. Moeckli, S. Shah, S. Sivakumaran (eds.), *International Human Rights Law*, 3rd ed., OUP 2018 (MSS).
- L. Epstein, A.D. Martin, *An Introduction to Empirical Legal Research*, OUP 2014 (EM).
- J.E. Monogan, *Political Analysis Using R*, Springer 2015 (MON).
- A. Field, J. Miles, Z. Field *Discovering Statistics Using R*, Sage 2012 (FIE).

Schedule: Note that the schedule is provisional and subject to change. In particular, not necessarily all texts will be covered during the seminar. Complexity is roughly indicated by * (low) to *** (high).

September 23, 2019 Course Overview / Introduction: Empirical Turn in International Legal Scholarship

- *Required Readings:* MSS Chapters 4, 6; EM Chapter 1
- *Recommended Readings:* T. Altwicker, International Legal Scholarship and the Challenge of Digitalization, ChineseJIL 18 (2019), forthcoming.

October 10, 2019 Commitment to International Human Rights Law / Exploring Data about Human Rights

- *Required Readings:* MSS Chapter 24; EM Chapter 2
- *Recommended Readings:* FIE Chapter 2.1.-2.4.; Chapter 4; Chapter 6
- *Student-Assigned Texts:*
 - *German Federal Constitutional Court, Judgment of the First Senate of 15 February 2006 - 1 BvR 357/05: Authorisation to shoot down aircraft
 - *T. Landman, Rigorous Morality: Norms, Values, and the Comparative Politics of Human Rights, *Human Rights Quarterly* 38 (2016) 1
 - ***O. Hathaway, Why Do Countries Commit to Human Rights Treaties? *Journal of Conflict Resolution* 51 (2007) 588
 - *R. Cichowski, The European Court of Human Rights, Amicus Curiae, and Violence against Women, *Law Society Review* 50 (2016) 890
 - **L. Conant, Who Files Suit? Legal Mobilization and Torture Violations in Europe, *Law Policy* 38 (2016) 280

October 21, 2019 The Rights to Non-Discrimination and Freedom of Religion in Practice / Hypothesis Testing and Comparison of Means

- *Required Readings:* MSS Chapter 8; EM Chapter 6-7
- *Recommended Readings:* FIE Chapter 1.7.5.; Chapter 9
- *Student-Assigned Texts:*
 - *ECtHR, Case of DH and others v. Czech Republic, no. 57325/00, 13 November 2007
 - *ECtHR, S.A.S. v. France, no. 43835/11, 1 July 2014
 - *S. Dothan, A Virtual Wall of Shame: The New Way of Imposing Reputational Sanctions on Defiant States, *Duke Journal of Comparative and International Law* 27 (2017) 141
 - **D. Koev, Not Taking it on Faith: State and Religious Influences on European Court of Human Rights Judges in Freedom of Religion Cases, *Journal of Human Rights* 18 (2019) 184

November 18, 2019 Does International Human Rights Law Matter? / Correlation, Regression, Logistic Regression

- *Required Readings:* EM Chapter 8-9
- *Recommended Readings:* FIE Chapters 6-8
- *Student-Assigned Texts:*
 - **S. Altwicker-Hamori, T. Altwicker, A. Peters, Measuring Violations of Human Rights: An Empirical Analysis of Awards in Respect of Non-Pecuniary Damage Under the European Convention on Human Rights, *Heidelberg Journal of International Law* 76 (2016) 1
 - **O. Hathaway, Do Human Rights Treaties Make a Difference? *Yale Law Journal* 111 (2002) 1935
 - **R. Sulitzeanu-Kenan, M. Kremnitzer, S. Alon, Facts, Preferences, and Doctrine: An Empirical Analysis of Proportionality Judgment, *Law and Society Review* 50 (2016) 348
 - **J. Davis, Justice Without Borders: Human Rights Cases in U.S. Courts, *Law and Policy* 28 (2006) 60

December 2, 2019 International Human Rights Law in Special Contexts (terrorism; social rights) / Prediction, text mining, machine learning

- *Required Readings:* MSS Chapter 7; 29; 30
- *Recommended Readings:* <https://www.datacamp.com/community/tutorials/machine-learning-in-r>
- *Student-Assigned Texts:*
 - *ECtHR, El-Masri v. the former Yugoslav Republic of Macedonia, no. 39630/09, 13 December 2012
 - *ECtHR, Konstantin Markin v. Russia, no. 30078/06, 22 March 2012
 - ***A. Dreher, M. Gassebner, L.-H. Siemers, Does Terrorism Threaten Human Rights? Evidence from Panel Data, *Journal of Law and Economics* 53 (2010) 65
 - ***A. Chilton, M. Versteeg, Rights Without Resources: The Impact of Constitutional Social Rights on Social Spending, *Journal of Law and Economics* 60 (2017) 713
 - ***N. Aletras et al., Predicting Judicial Decisions of the European Court of Human Rights: A Natural Language Processing Perspective, *Peer J Comput. Sci.* (2016)

December 16, 2019 Presentation of Student Projects