

GEOS5501

Human Rights and the Environment

Semester 2, 2009

Course Outline

Lecturers

Course Coordinator:

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Professor Philip Hirsch

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Tutor:

Naomi Carrad

Lectures:

4-6 Thursdays

Eastern Avenue Room 405

Course Introduction

This unit of study addresses the connections between human rights and the environment.

Human rights and environmental concerns intersect in diverse and complex ways. Rights to a healthy environment and rights to resources for subsistence livelihoods among the world's poor and indigenous peoples can forge a common cause between human rights advocates and environmental activists. Yet concern for human rights and concern for the environment do not always sit together easily. For example, the right of individuals to

live in and from a healthy environment and to access natural resources competes with conservation agendas that remove local people from protected areas. More generally, the regulation and wider societal and sustainability considerations implied by environmentalism imposes restrictions on individual freedom of action. Competing and conflicting rights claims in regard to environmental issues thus pose questions over the universality or absolute nature of rights.

Working through human rights issues in the environmental arena presents some specific challenges. One issue is that the broad field of human rights tends to emphasise individual rights, whereas environmental issues are often about third-party impacts. A related point is that human rights tend to be thought of in universalistic terms while in issues related to the environment they tend to be context bound. This unit of study addresses some of the dilemmas and debates raised by these tensions.

The unit is structured around key issues and is primarily based on a case study approach. It explores some of the varied contexts of human rights and environment connections, including specific issues about the impacts of mining and dams on human rights, human rights issues associated with climate change, the fate of South Pacific islanders and environmental refugees. It also deals with public and private access to urban space, which is bound up with rights around race, sexuality and class. The case-based and issue-oriented approach reflects the context-specific way in which human rights and environmental issues tend to be conflated.

Finally, the course explores ways that rights can be made to come into effect, going beyond simply claiming or asserting rights. The importance of procedural rights will be discussed in terms of the rights-based approach to conservation.

Course Schedule

The course will consist of 13 weekly classes focusing on particular topics within the overall course theme. Several readings will be suggested for each week, and among these one common compulsory reading should be read before the session. For most weeks the sessions will be divided into two parts. The first part will be a lecture/seminar session. During the second hour the class will split into two discussion groups.

Date	Topic	Lecturer
Week 1 30 July	Introduction: Human Rights and the environment	Bob Fisher
Week 2 6 August	Environmental refugees	Bob Fisher
Week 3 13 August	Greenhouse and rights	Bob Fisher
Week 4 20 August	Forests and Rights	Bob Fisher

Week 5 27 August	Mining, environmental impact and human rights	Bob Fisher
Week 6 3 September	Green Black and red: The politics of human rights in Northern Australia	Bob Fisher
Week 7 10 September	Protected areas and human rights	Bob Fisher
Week 8 17 September	Rights based approaches to conservation	Bob Fisher
Week 9 24 September	Dams, environmental impact and human rights	Phil Hirsch
28 September- 2 October	Non-teaching period	
Week 10 8 October	Class and environmental rights	Phil Hirsch
Week 11 15 October	Indigenous rights and the environment	Phil Hirsch
Week 12 22 October	Human rights and the right to the city	Kurt Iveson
Week 13 29 October	Slums and the right to the city	Kurt Iveson

Course Reading

All students will be expected to read widely during the course.

For each weekly topic 3-4 readings will be suggested. One of these readings is compulsory and should be read before the session. The compulsory readings are listed first in the readings for each week and are marked with asterisks.

A course reader will be available for purchase from the University Copy Centre. It will contain the compulsory readings. Other listed literature will be available on closed reserve.

Some book-length readings are provided as overall course background. Of these, we strongly recommend that everyone reads at least selections from these. The book edited by Campese et al (Policy Matters 15) is strongly recommended for an overview of the range of issues covered in the course.

Recommended Background Reading

Campese, Jessica, Grazia Borrini-Feyerabend, Michelle de Cordova, Armelle Guigner and Gonzalo Oviedo (eds) (2007) *Conservation and Human Rights*, Policy Matters 15, IUCN Commission on Environmental, Economic and Social Policy.

[This book can be downloaded as a pdf file from

http://www.iucn.org/about/union/commissions/ceesp/ceesp_publications/pm/

Howitt, Richard with John Connell and Philip Hirsch (1996) *Resources, Nations, and Indigenous Peoples: Case studies from Australasia, Melanesia and Southeast Asia*. Melbourne and New York: Oxford University Press.

Martinez-Alier, Joan (2002) *The environmentalism of the poor: A study of ecological conflicts and valuation*. Northampton, MA: Edward Elgar Publishing.

Peet, Richard and Michael Watts (1996) *Liberation Ecologies: environment, development, social movements*. London, New York: Routledge.

Zarsky, Lyuba (ed) (2002) *Human Rights and the environment: Conflicts and norms in a globalizing world*. London and Sterling VA: Earthscan.

Zerner, Charles (ed) (2000) *People, Plants, and Justice: The Politics of Nature Conservation*. New York: Columbia University Press.

Weekly topic readings

Week 2 Environmental refugees

**Black, R. (2001) "Environmental refugees: myth or reality?" UNHCR Working Paper No. 34. *New Issues in Refugee Research*. UNHCR, Geneva.
<http://www.unhcr.org/research/RESEARCH/3ae6a0d00.pdf>

Castles, Stephen (2002) "Environmental Change and Forced Migration: Making Sense of the Debate." UNHCR Working Paper No. 70. *New Issues in Refugee Research*. UNHCR, Geneva.
<http://www.unhcr.org/research/RESEARCH/3de344fd9.pdf>

Renaud, Fabrice, Jonos J. Bogardi, Plivia Dun and Koko Warner (2007) "Control, Adapt or Flee: How to face environmental migration." *Intersections*, No 5/2007, UNU-EHS (United Nations University and Institute for Environment and Human Security: Bonn).
<http://www.ehs.unu.edu/file.php?id=259>

Week 3 Greenhouse and Rights

**Human Rights and Equal Opportunity Commission (2008) *Human Rights and Climate Change*. Background Paper. Human Rights and Opportunity Commission, Australian Government.

Download from:

http://www.hreoc.gov.au/pdf/about/media/papers/hrandclimate_change.pdf

Smith, Dan and Janani Viviknanda (2007) "A Climate of Conflict: The Links between climate change, peace and war." *International Alert*.
http://www.international-alert.org/pdf/A_Climate_Of_Conflict.pdf

Watt-Cloutier, Sheila (2004) "Climate Change and human Rights." *Human Rights Dialogue*. Special Issue on Environmental Rights. Series 2, No 11, pp 10-11.
http://www.cceia.org/resources/publications/dialogue/2_11/index.html

Week 4 Forests and Rights

**Singh, Neera M (2001) "Women and Community Forests in Orissa: Rights and Management." *Indian Journal of Gender Studies*, Vol 8, pp257-270.

Fisher, R.J. (2003) "Community Forestry in Southeast Asia and South Asia: Devolution or Persistence of State Control." Politics of the Commons Conference, Chiang Mai 11-14 July 2003.

Ganjanapan, Anan (1998) "The politics of conservation and the complexity of local control of forests in the Northern Thai Highlands." *Mountain Research and Development*, Vol 18(1), pp 71-82.

Wily, Liz Alden (2007) "Summary" in *So Who Owns the forest: An Investigation into forest ownership and customary land rights in Liberia*. Sustainable Development Institute, Monrovia and FERN, Brussels.

Downloadable from:

http://www.rightsandresources.org/publication_details.php?publicationID=102

Week 5 Mining, environmental impact and human rights

**Howitt, Richard (2001) "Reconciliation, respect and reconciliation: Changing relations between Aborigines and mining interests in Australia", Chapter 8 in *Rethinking Resource Management: Justice, Sustainability and indigenous peoples*. London and New York: Routledge. Pp 202-265.

MMSD (Mining, Minerals and Sustainable Development) (2002) Report of the Experts Meeting on Human Rights Issues in the Mining and Minerals Sector, Offices of Transparency International, Berlin, September 6, 2001. IIED and World Business Council for Sustainable Development.

http://www.iied.org/mmsd/mmsd_pdfs/222_human.pdf

Walton, Abigail Abrash (2004) "Mining a Sacred Land." *Human Rights Dialogue*. Special Issue on Environmental Rights. Series 2, No 11, pp 24-25.

http://www.cceia.org/resources/publications/dialogue/2_11/index.html

Week 6 Green, black and red: The politics of human rights in Northern Australia

**Langton, Marcia (1998) "Science Fictions", in *Burning Questions: Emerging Environmental Issues for Indigenous Peoples in Northern Australia*, Darwin: Centre for

Indigenous Natural and Cultural Resources Management, Northern Territory University, pp18-37.

[Note: The whole book *Burning Questions* is highly recommended – it's only short.]

Howitt, R. (2005) "The importance of process in social impact assessment: Ethics, methods and process for cross-cultural engagement", *Ethics, Place and Environment*, vol. 8, no. 2, pp. 209-221.

Jackson, S. (2006) "Compartmentalising culture: the articulation and consideration of indigenous values in water resource management", *Australian Geographer*, vol. 37, pp. 19-31.

Week 7 Protected areas and Human rights

**Brockington, Daniel and James Igoe (2006) "Eviction for conservation: A global overview", *Conservation and Society* Vol 4 (3): 424-470.

http://www.conservationandsociety.org/cs_4_3_7-424.pdf

Brockington, Dan (2003) "Injustice and Conservation: Is 'local support' necessary for sustainable protected areas?" *Policy Matters* 12: 22-30.

Igoe, Jim (2006) "Measuring the Costs and Benefits of Conservation to Local Communities." *Journal of Ecological Anthropology*, Vol 10: 72-77.

Krueger, Linda (2007) "Protected Areas and Human Displacement: International Conventions, Policy and Discourse." In Kent H. Redford and Eva Fearn (eds) *Protected Areas and Human Displacement: A Conservation Perspective*. Working Paper No 29, Wildlife Conservation Society, New York, pp 96-102.

Veit, Peter G. and Catherine Benson (2004) "When Parks and People Collide." *Human Rights Dialogue*. Special Issue on Environmental Rights. Series 2, No 11, pp 13-14.

http://www.cceia.org/resources/publications/dialogue/2_11/index.html

Week 8 Rights based approaches to conservation

**Castillo, Gina E. and Marjolein Brouwer (2007) "Reflections on integrating a rights-based approach in environment and development", in Jessica Campese, Grazia Borrini-Feyerabend, Michelle de Cordova, Armelle Guigner and Gonzalo Oviedo (eds), *Conservation and Human Rights*, *Policy Matters* 15, IUCN Commission on Environmental, Economic and Social Policy, pp 153-167.

Colchester, Marcus (2008) "Beyond Tenure: Rights-based Approaches to Peoples and Forests." In Bob Fisher, Cor Veer and Sango Mahanty (eds) *Proceedings of International Conference on Poverty Reduction and Forests: Tenure, Market and Policy Reforms, 3-7 September 2007, Bangkok Thailand*. Regional Community Forestry Training Center for Asia and the Pacific (RECOFTC), Bangkok. CD-Rom.

Download from:

http://www.recoftc.org/site/fileadmin/docs/Events/RRI_Conference/Proceedings/Paper_2_Colchester.pdf

IUCN (2008) “Rights-based approaches to forest conservation”. *ArborVitae* Issue 36 (Special issue).

http://cmsdata.iucn.org/downloads/av_36_english.pdf

Week 9 Dams, environmental impact and human rights

** Hirsch, Philip (2002) “Global Norms, Local Compliance and the Human Rights-Environment Nexus: A Case Study of the Nam Theun II Dam in Laos”, in Lyuba Zarsky, ed, *Human rights and the environment: conflicts and norms in a globalizing world*, London, Earthscan.

Hirsch Philip (1999) “Dams in the Mekong Region: scoping social and cultural issues”, *Cultural Survival Quarterly*, 37-40.

McCully, Patrick (1996) Chapter 3, “Temples of Doom: the Human Consequences of Large Dams” in *Silenced Rivers: the ecology and politics of large dams*, London, Zed Books, pp 65-100.

World Commission on Dams (2000) *Dams and Development: A New Framework for Decision-Making*. London: Earthscan. See Chapter 7 Enhancing Human Development: Rights, Risks and Negotiated Outcomes pp 197-212 (also see Executive Summary for context).

Week 10 Class and environmental rights

**Guha, Ramachandra and Juan Martinez-Alier (1997) *Varieties of environmentalism: essays North and South*. London: Earthscan, Chapter 1: “The environmentalism of the poor”, pp3-21.

Alier, Juan Martinez (2002) *The environmentalism of the poor: a study of environmental conflicts and valuation*. Cheltenham: Edward Elgar. Chapter 8: “Environmental justice in the United States and South Africa”, pp168-194.

Peet, Richard and Michael Watts (2004) “Liberating Political Ecology”, in Richard Peet and Michael Watts (eds) *Liberation ecologies: environment, development and social movements*, London: Routledge, 2nd edition, pp 3-47.

Week 11 Indigenous rights and the environment

**Howitt, Richard, Philip Hirsch and John Connell (1996) “Resources, Nations and Indigenous Peoples” in Richard Howitt, Philip Hirsch and John Connell (eds) *Resources, Nations and Indigenous Peoples: Case Studies from Australasia, Melanesia and Southeast Asia*. Melbourne: Oxford University Press. pp 1-31.

Brosius, J.P. (1997) "Endangered forest, endangered people: environmentalist representations of indigenous knowledge", *Human Ecology*, 25 (1)pp 47-69

Hirsch, Philip and Andrew Wyatt (2004) "Negotiating local livelihoods: scales of conflict in the Se San River Basin", *Asia Pacific Viewpoint*, 45 (1) pp 51-68.

Week 12: Human rights and the right to the city:

**Harvey, David (2008) "The Right to the City", *New Left Review*, 53: 23-40.

Holston, J. and A. Appadurai (1999) "Introduction: Cities and Citizenship", Holston, J. and A. Appadurai (eds) *Cities and Citizenship*, Durham, Duke University Press.

Isin, E. (1999) "Introduction: Democracy, Citizenship and the City" in Isin, E. (ed) *Democracy, Citizenship and the Global City*, London, Routledge: 1-22.

Lefebvre, H (1996) "The Right to the City", Chapter 14 in *Writings of Cities*, Oxford, Blackwell.

Week 13: Slums and the right to the city:

**Davis, Mike (2004) "Planet of Slums", *New Left Review*, 26: 5-34

Appadurai, Arjun (2002) "Deep Democracy: Urban Governmentality and the Horizon of Politics", *Public Culture*, 14(1), 23.

Neuwirth, Robert. (2005) *Shadow cities: a billion squatters, a new urban world*, New York: Routledge.

Satterthwaite, David (2001) "From professionally driven to people-driven poverty reduction: reflections on the role of Shack/Slum Dwellers International", *Environment and Urbanisation*, 13(2): 135-138.

United Nations Human Settlements Programme (2003) *The challenge of slums: global report on human settlements*, London and Sterling VA, UN-Habitat and Earthscan Publications.

Assessment

There will be three elements in the course assessment:

- A short essay on tensions involved in integrating claims about human rights and the environment. (Details on precise essay question to be provided in Week 2.)

Length: 1000 words. This will be worth 20% of total course marks.

Due Date: 4 pm Friday 21 August

- Book review either on one of the books provided as “Recommended Background Reading” (or another book identified by the student and agreed with the Course Coordinator). The book review should relate the themes of the book to two of the topics covered in weekly sessions.

Length: 1000 words. This will be worth 20% of course marks.

Due Date: 4pm Friday 18 September.

- One main essay. Students will pick a case or issue that interests them and then discuss it in relation to the relevant literature.

Length 4000 ± 500 words. The essay will be worth 60% of total course marks.

Due Date: 4 pm Friday 30 October

All assignments should be submitted in hard copy (placed in the assignment box near the Geosciences office in Madsen Building) and by email addressed to the course coordinator.

Participation

Each student will be expected to take a lead in one thematic discussion once during the course. This will involve preparing leading questions ahead of time, to be mounted on WebCT by the Monday prior to the Thursday session, to guide reading and to help orient discussion during the tutorial based on the week’s compulsory reading. As there will be more students than tutorial sessions, some students will undertake this task jointly. This is requisite component of participation in the unit of study, although no marks will be given. While students will give the leading input, a tutor will help facilitate and guide the discussion.

Grades

Note: “Human Rights and the Environment” is a course provided by the School of Geosciences within the Faculty of Science. The policy in the School is to provide only grades and not actual marks for assessment tasks.

Plagiarism

Academic Policy

The University of Sydney is opposed to and will not tolerate Plagiarism. It is the responsibility of all students to ensure that they do not commit or collude with another person to commit Plagiarism; report possible instances of Plagiarism; and comply with this Policy and Procedure.

Plagiarism

- (1) Plagiarism for the purpose of this Policy and Procedure (which applies to students enrolled in course work degrees) means presenting another person's Work as one's own Work by presenting, copying or reproducing it without Acknowledgement of the Source.
- (2) Plagiarism includes presenting Work for assessment, publication, or otherwise, that includes:
 - a. sentences, paragraphs or longer extracts from published or unpublished Work (including from the Internet) without Acknowledgement of the Source; or
 - b. the Work of another person, without Acknowledgement of the Source and presented in a way that exceeds the boundaries of Legitimate Cooperation.
- (3) Plagiarism can be negligent (Negligent Plagiarism) or dishonest (Dishonest Plagiarism).

Negligent Plagiarism

- (1) Negligent Plagiarism means innocently, recklessly or carelessly presenting another person's Work as one's own Work without Acknowledgement of the Source.
- (2) Negligent Plagiarism often arises from a student's fear of paraphrasing or writing in their own words, and/or ignorance of this Policy and Procedure. It arises from:
 - a. failure to follow appropriate referencing practices;
 - b. failure to determine or verify and acknowledge the source of the Work.

Dishonest Plagiarism

- (1) Dishonest Plagiarism means knowingly presenting another person's Work as one's own Work without Acknowledgement of the Source.
- (2) Alleged Plagiarism will be deemed to be alleged Dishonest Plagiarism where:
 - a. substantial proportions of a student's Work have been copied from the Work of another person, in a manner that clearly exceeds the boundaries of Legitimate Cooperation;
 - b. a student's Work contains a substantial body of copied material (including from the Internet) without Acknowledgement of the Source,

- and in a manner that cannot be explained as Negligent Plagiarism;
- c. there is evidence that the student engaged another person to produce or conduct research for the Work, either partly or wholly, for payment or other consideration; or
- d. the student has previously received a Written Warning.

*Preventing Plagiarism
Compliance Statements*

- (1) All students are required to submit a signed statement of compliance with all Work submitted to the University for assessment, presentation or publication. A statement of compliance must be in the form of:
 - a. a University assignment cover sheet;
 - b. a University electronic form; or
 - c. a University written statement;

certifying that no part of the Work constitutes a breach of this Policy.

For further information, this policy can be viewed in full at the following link:

<http://www.usyd.edu.au/senate/policies/Plagiarism.pdf>