

Terms of Reference
Visiting Professorship at Peking University Law School
2008-2010

INTRODUCTION

The Raoul Wallenberg Institute of Human Rights and Humanitarian Law (RWI) is an independent academic institution, based at Lund University in Sweden and dedicated to promote universal respect for human rights and humanitarian law by means of research, academic education, dissemination and institutional development. Established in 1984, RWI is a charitable trust under Swedish private law, governed by a board of trustees. In addition to research and academic education, RWI has since 1990 been implementing a wide range of human rights capacity development programmes for institutions in developing countries, mainly with the support of the Swedish International Development Cooperation Agency (Sida).

RWI initiated cooperation with China in the mid-nineties. A series of seminars and training courses were then launched with the aim of strengthening the awareness of the international system for the protection of human rights within different public authorities and later also within Chinese academic institutions. Starting in 1999, two parallel tracks were developed with regard to the RWI programme in China: one in cooperation with academics at law schools across China, and the other in cooperation with the Supreme People's Procuratorate. These two tracks were maintained during the 2004-2007 RWI Human Rights Capacity Building Programme in China complemented by a component regarding support to lawyers and non-governmental legal aid centres.

During 2008-2010, RWI will seek to consolidate previous achievements and activities in China during what will be the last period of Swedish development cooperation financed by Sida with China. The intention of the 2008-2010 RWI China Programme is to further strengthen institutions that can enhance the protection and promotion of human rights and contribute to the goal of improving access to justice for human rights holders in China. With this aim, the 2008-2010 China Programme consists of four components:

1. Cooperation with the academic sector
2. Cooperation with the justice sector
3. Support to the establishment of a National Human Rights Institution; and
4. Interventions related to the Swedish-Chinese Human Rights Consultations.

RWI's projects in China have since 2001 been coordinated by a field office, based in Beijing.

BACKGROUND

A three-semester Research Direction in Human Rights for master students (hereinafter referred to as the Programme), the first of its kind in China, was launched by Peking University in February 2004 in cooperation with RWI with financial support from Sida. Technically, the Research Direction in Human Rights is an addition within the current Master of International Law programme at Peking University.

The programme aims at addressing some of the problems that compromise the quality of human rights education in China. Human rights in China are usually taught as a separate Western ideology, mainly as a concern within diplomatic/international relations, and more

seldom with linkages to Chinese domestic law and practice. Teachers of human rights are still relatively few in numbers and often teaching on an on/off basis, leaving little potential for institutional capacity development regarding human rights education. The Programme is therefore seen as an important step towards institutionalising human rights education at Chinese universities, a good foundation for other local human rights education activities and a potential model for similar initiatives at other universities in China.

Three groups of students have so far graduated from the Programme with a fourth group having commenced its studies in February 2007 and a fifth group enrolled in the Programme in February 2008. Postgraduate students already taking different programmes at Peking University can enrol in the Programme.

The duration of the Programme is three semesters. The Programme is composed of eight courses, four of which are compulsory. Of the four optional courses, two have to be selected. The following courses are taught at the Programme during 2008:

First semester

- International Bill of Human Rights, compulsory course, 2 credits
- International Human Rights Protection Mechanisms, compulsory course, 2 credits
- Human Rights and the Rule of Law, compulsory course, 2 credits
- Business and Human Rights, optional course, 2 credits

Second semester

- European Human Rights System, optional course, 2 credits
- Human Rights from Comparative Perspectives, optional course, 2 credits
- International Humanitarian Law, optional course, 2 credits
- Series of Lectures on Human Rights Protection, compulsory course, 2 credits

All courses are taught in the first two semesters. In the third semester, students write their thesis. The requirements for the thesis have been set in accordance with the rules at Peking University Law School (PULS). In order for the students to obtain a Programme certificate, 12 of the 36 credits required for a master degree at Peking University must be credits from the Programme.

RWI has supported the implementation of the Programme since its inception by *inter alia* providing: advice on Programme development; literature; funds for the local administration (at the Research Centre for Human Rights (RCHR) at PULS) of the Programme; and a foreign Visiting Professor to teach at the Programme and to strengthen the competence and capacity at PULS for human rights education and teaching. Since 2004, three different foreign academics have had the latter position for different time periods. Their contributions have been seen as particularly important to ensure sufficient teaching capacity for the Programme at PULS and make the Programme more attractive and offer the students an international perspective on human rights.

Support to PULS and the Programme will remain a feature of RWI's China Programme 2008-2010. A particular focus of the support during this period will be on ensuring the sustainability of the Programme beyond the funding period. Having established the Programme and ensured that it is generally well functioning, RWI and RCHR/PULS will, as a logical step during the coming Programme period, ensure its sustained operation and increase

its efficiency by focusing on the capacity of RCHR/PULS to administer and carry out programmes of this kind and related activities.

A Sida-funded review of the Research Direction was conducted by independent consultants in March 2007. The review advised that the Research Direction remains a relevant and effective approach to building an academic environment and human rights community in China. The review was positive to the idea of extending the support to the Research Direction beyond 2007, but recommended certain adjustments and improvements to ensure greater effectiveness and sustainability.

In line with these recommendations and the above-mentioned considerations, it has been considered important to continue to provide the Research Direction with a Visiting Professor to draw in important human rights knowledge and facilitate comparative discussions, which will increase the relevance and the quality of the Programme. Steps will be taken to increase the Visiting Professor's involvement in the development of the curriculum, syllabi and teaching methods and in the selection of materials to be used in the courses. Depending on the needs of the Programme, the Visiting Professor might also be involved in other matters that concern the academic education and research at Peking University. The aim of the Visiting Professor's involvement in the Programme would not only be to produce high-quality educational products, but should also be seen as capacity development for RCHR/PULS.

OVERALL OBJECTIVES AND EXPECTED RESULTS

In line with general objective of RWI's cooperation with the academic sector in China, the support to the Research Direction at Peking University aims at increasing the quality and quantity of human rights education and research at Chinese academic institutions. It is expected that increased quality and quantity of human rights education and research at Chinese academic institutions will, in the long-term, lead to increased access to justice in China.

As for the support to the Research Direction and RCHR/PULS, it is expected that it will result in improved ability at RCHR/PULS to design, administer and implement human rights education programmes as well as improved human rights skills among graduates from the Research Direction. As a consequence, there would be increased ability of PULS/RCHR to influence and contribute to the human rights debate in China as well as an increased human rights resource base employed in public institutions in the field of administration of justice and other public/private institutions addressing human rights in China.

TASK AND DUTIES OF THE VISITING PROFESSOR

In general and within the context of the above-mentioned objectives and expected results, the Visiting Professor shall seek to strengthen the competence and capacity at RCHR/PULS for human rights education and teaching. In particular, the Visiting Professor shall perform the following main tasks:

- Review and make recommendations for the revision of the curriculum for the Research Direction, in close cooperation with RCHR/PULS and RWI. This should be undertaken to ensure that the curriculum is of international standard in terms of a post-graduate programme in human rights, while being China- and problem-oriented.

- Provide advice and support regarding the development of the Research Direction into a master programme, in close consultation with RCHR/PULS;
- Teach part of the courses at the Research Direction. In the current curriculum, it is foreseen that the Visiting Professor should assist in teaching the courses “International Bill of Human Rights”, “European Human Rights System” and “International Humanitarian Law”. Courses are usually taught for a minimum of two hours twice a week. It is foreseen that the teaching part of the tasks will decrease during the three-year period of the assignment as RCHR/PULS assumes greater teaching responsibilities. In relation to courses taught, the Visiting Professor is also expected to prepare and correct exam questions;
- Supervise Programme students’ work with papers and theses;
- Assist RCHR/PULS in developing reading material and syllabi for the courses in the Programme as per the revision of the Programme curriculum;
- Review and, as appropriate, introduce pedagogical methods and tools at RCHR/PULS that would further the usefulness and impact of the Research Direction;
- Discuss and, as appropriate, introduce human rights research methodologies with RCHR/PULS staff;
- Assist in finding internship and work opportunities for the Programme students and in finding appropriate external teachers for the Programme courses as necessary and in close consultation with RCHR/PULS;
- Assist, as appropriate, in developing fundraising for the Programme in particular and for RCHR’s activities in general in close consultation with RWI and RCHR/PULS;
- Assist RCHR/PULS with networking in the human rights field in China and beyond seeking to establish mutually beneficial partnerships with likeminded institutions in close consultation with RCHR/PULS;
- Participation in human rights related meetings and seminars organised at Peking University as agreed with RCHR/PULS; and
- Participate, as appropriate, in other RCHR/RWI human rights education activities held in China as agreed with RWI and RCHR/PULS.

In performing the above-mentioned tasks and duties, the Visiting Professor shall at all times maintain a close cooperation with RWI and PULS, including:

- Regularly liaising with RWI’s Beijing Office as well as RCHR Programme staff for purposes of relaying the work done and receiving additional information as appropriate;
- Having weekly meeting with RCHR/PULS staff to discuss Programme implementation, obstacles encountered, new developments, etc;
- Participating in monthly RWI-PULS Programme meetings discussing progress achieved towards Programme objectives and results;
- Providing narrative reports in writing to RWI every six months accounting for activities undertaken, results achieved, obstacles encountered etc;
- Providing, in December 2010, an end of assignment report assessing overall results achieved, obstacles encountered, etc.

In general, the Visiting Professor shall exercise all reasonable skill, care and diligence in the performance of her/his tasks and shall carry out all responsibilities in accordance with recognised professional standards.

TIMEFRAMES

The Visiting Professorship will begin in June 2008 with a seminar in Beijing with participation of the Visiting Professor, PULS and RWI to further define the tasks of the Visiting Professor, results to be achieved and cooperation modalities between the parties involved during 2008-2010. Thereafter, it is expected that the Visiting Professor, starting in autumn 2008, shall spend one to three months each semester at Peking University School performing the above duties. It is expected that time in residence in Beijing will gradually decrease starting from 2009 and that work then partly also can be carried out via long distance. Details for the arrangement will be set during the seminar in late spring 2008.

EXPECTED RESULTS

Through the work carried out by the Visiting Professor and the completion of the tasks mentioned above, it is expected that the following results will be achieved:

- The existence of a curriculum of international standard while at the same time reflecting the Chinese context for the Research Direction;
- The existence of appropriate syllabi and reading material for courses at the Research Direction;
- Advice provided for continued and sustained human rights education at post-graduate level at Peking University;
- Increased knowledge at RCHR/PULS of fund-raising and existing funding sources;
- Advice provided on human rights teaching and research methodologies to RCHR/PULS;
- Contacts and partnerships established between RCHR/PULS and likeminded human rights institutions established; and
- Increased internship and work opportunities for students at the Research Direction;

The above-mentioned expected results shall all contribute to enhanced abilities of PULS for developing relevant human rights curricula and carrying out research as well as using new teaching methodologies and lead to a generally less need for external academic support to RCHR/PULS for human rights education activities. They are also expected to contribute to improved human rights skills among graduates from the Research Direction and students' opportunities to pursue human rights related professional careers.