Background

The adoption of the Declaration of Basic Principles of Justice for Victims of Crime and Abuse of Power, by the General Assembly of the United Nations, in 1985, has been of monumental importance for the recognition of victims’ rights. In a span of fifty years, victims have gone from mere witnesses of crimes, or objects in criminal law being recognized as persons before the law. The Declaration triggered the introduction of victims’ rights legislation by domestic governments as well as regional and international bodies. An important milestone in the evolution of victims’ rights was the inclusion of specific rights for victims in the Rome Statute of the International Criminal Court (ICC). The ICC provides victims with a right to legal representation, participation and reparation. The complementarity principle of the ICC means that international crimes are also tried in domestic courts, where national victims’ bills of rights apply. Besides the permanent court, special tribunals, such as the Extraordinary Chambers in the Courts of Cambodia (ECCC), have also included victims’ rights. While each forum gives expression to victims’ rights in a different way, participation and reparation are key rights, which can be found across many different fora. These rights can even be found in non-criminal responses to international crimes, such as truth commissions. This offers a unique opportunity for comparative study of victims and their rights.

However, the introduction of victims’ rights in criminal law has been highly contested. Many lawyers, in particular those trained in the adversarial legal tradition, do not recognize victims as persons before the law. They consider victims a threat to the balance or fairness of the justice system, and, therefore, insist on limiting victims’ rights in criminal justice procedures. As a result, victims’ rights have been one of the most hotly contested topics in domestic and international criminal law.

The dawn of enforceable rights for victims, like those found at the ICC, has created a new reality in which those working with victims of international crimes are increasingly required to understand the needs and rights of
victims. However, currently many students and professionals, particularly those in law, have little to no training in victimology and victims’ rights. Such knowledge is vital in order to ensure that as they evolve, victims’ rights remain connected to the needs of the victims of international crimes and that they do not develop into empty legal concepts, alienated from the reality of victims.

**Objectives**

The main goal of this summer school is to provide comprehensive training on victims' rights. In an interdisciplinary approach, it will bring together renowned experts in criminology, victimology, law and philosophy from the Université de Montréal and other universities in Quebec, Canada, the United States and Europe, as well as human rights organizations, in order to discuss and reflect on issues surrounding victims’ rights and international justice. The course aims to provide students with specialized training on victims’ legal rights in a comparative perspective as well as raise awareness about victims’ needs and foster insight into the how the law impacts victims. Finally, the scientific documentary support proposed may also denote excellence in international research offered by the school and the University. Indeed, the guest speakers will use various educational methods such as presentations with digital support and case studies to encourage learning and dynamic thinking.

**Specific objectives:** Through the course readings and active participation in lectures online, students will:

- Be able to analyse and compare key concepts, the perspectives, the debates and the issues concerning the rights of victims in the different mechanisms of transitional justice, including national, regional and international tribunals;

- Examine the consequences of victimization, victims’ needs and the effects of the justice process on victims;

- Become familiar with the work of human rights organizations and their significance for victims.

**Students**

The course is intended for graduate and exceptional undergraduate students in the areas of law, criminology, and related disciplines at the Université de Montréal, as well as other universities in Quebec, Canada and abroad. It is also intended for interested professionals, including lawyers working in the field of international criminal law.

Students have the option of the following the course for credit. Undergraduate students may enrol in this course; however, they require permission from the director of their program before enrolling and they must have a GPA of at least 3.5/4.3 and have completed 60 university credits.

Professionals will receive a certificate of participation rather than credits. Members of the Quebec Bar Association and the Quebec Order of Criminologists may have their participation in this course accredited by their professional organization.

**Language**

This is a bi-lingual course (French-English) and, therefore, students are expected to be fluent in French or English and have at least a passive understanding of the other language.

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1 Conditions may apply.
Evaluation

- Online course attendance and active and informed participation in exchanges (10%)

- Summaries of course notes and readings (maximum 1 page) for each of the online recordings (total of 12 syntheses). To be sent to the course professor (jo-anne.m.wemmers@umontreal.ca) and the teaching assistant (ismehen.melouka@umontreal.ca) by 17:00 the day before the seminar to which the recorded course relates. Must include, in separate file, 3 questions / discussion topic for the guest speaker. Students should also send 3 questions after having viewed the film by Joseph Bitamba. (50% total).

- Among the 12 summaries, choose 1 and develop it into a blog post (40%). Submit the blog post (between 1,500 and 2,000 words) by email to the teaching assistant (ismehen.melouka@umontreal.ca) before June 19 at 5:00 p.m. The best blogpost will be published in the blog of the International Criminal and Humanitarian Law Clinic. There will be a Zoom briefing on June 8, 8:30 am, to answer questions from students on the blog post. The blog post guidelines can be found in the Studium "Blog Post Guidelines".

Pedagogy

The course follows a new formula in which each class is broken up into two parts: 1) knowledge transfer and 2) comprehension. The transfer of knowledge consists of the course readings for the particular class, as well as a 90-minuted pre-recorded video by the guest speaker. These materials will be available on Studium in advance of the second block of 90 minutes, which is geared towards comprehension of the material. This second 90 block will take place live via zoom with the guest speaker and the students. The questions prepared in advance by the students will be addressed in the live discussion.

The seminars will be held on Mondays, Wednesdays and Fridays in the morning. The recorded courses will be available at least 24 hours before the seminar.

Late policy

The delay penalties are applicable to all the assessments provided for in this course. Any request to extend the deadline for submitting a work must be submitted to the course leader. Work submitted late without just cause will be penalized by 10% on the first day and 5% each of the following four days. The deadline cannot exceed five days.

Plagiarism

The university pays particular attention to the fight against plagiarism, copying or fraud during exams. Plagiarism is the total or partial use, literal or disguised, of another person's text as a reference or a reference in the context of a paper, an examination or any activity that is subject to evaluation. This fraud is heavily sanctioned. For further information see the Disciplinary Regulations in the General Directory of the Faculty of Arts and Sciences p. II.

Readings

Required readings are available on the Studium website.

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2 See appraisal review conditions in the appendix.
3 See schedule on page 12 for the times of the live sessions
Plan of the sessions

For an overview of the course, see the schedule at the end of this document.

**Day 1 / week 1: Monday, May 25, 2020 VIA ZOOM**

- Recorded course available by 10:30 Sunday May 24, 2020 on Studium

9h15-10h00 : Introductory remarks and session to discuss the evaluation methods, the syllabus and so that questions can be answered.

10h30-12h00 : Seminar #1

**Title of the seminar:** La réparation des victimes de crimes contre l’humanité (Seminar in French).

Lecture by **Jo-Anne Wemmers**, Professor, School of Criminology, International Centre for Comparative Criminology (ICCC), University of Montreal.

Prof. Jo-Anne Wemmers is an international expert on victimology and Head of the Research Team Victims, Rights and Society at the ICCC. She has published widely on victims in the criminal justice system, including domestic and international crimes (e.g. Crimes against humanity) as well as retributive and reparative justice. In 2015, she was awarded a Certificate of Appreciation by the World Society of Victimology for her contribution to victimology. Her publications include *Reparation for Victims of Crimes Against Humanity: The healing role of reparation* (Routledge, 2014) and *Victimology: A Canadian Perspective* (University of Toronto Press, 2017).

**Required readings:**


**Day 2/ Week 1 : Wednesday, May 27, 2020 VIA ZOOM**

- Recorded course available by 10:30 on Tuesday May 26, 2020 on Studium

10h30-12h00 : Seminar #2

**Title of the seminar:** Les espoirs et les limites de la juridiction universelle pour les victimes (Seminar in French).

Lecture by **Fannie Lafontaine**, Professor, Law Faculty, Université Laval.

Fannie Lafontaine is professor at the Law Faculty of Laval University, a lawyer and a Regular Member of the Institut québécois des hautes études internationals, where she also acts as researcher for the International Peace and Security Program. She is also co-director of the Center for International and Transnational Law at Laval University. Ms. Lafontaine is the founder and co-director of the International Criminal and Humanitarian Law
Clinic, recipient of the "Hommage aux innovations sociales" award from Laval University. Her research themes include international criminal and humanitarian law, armed conflict, as well as the field of culture and First Nations peoples. In 2015, she was appointed independent observer by the Government of Quebec during the investigation by the City of Montreal Police Service into allegations against police officers from the Sûreté du Québec concerning abuses against Aboriginal women in Val-d'Or and elsewhere.

**Required readings: To confirm.**

**Day 3/ Week 1**: Friday, May 29, 2020 VIA ZOOM

Film by Joseph Bitamba available on Studium by 8:30 on Thursday May 28th

8h30-10h00 : Conference #1

**Titre de la conférence**: To confirm (Conference in French).

Conference by Joseph Bitamba, director, producer and screenwriter.

Originally from Burundi, he followed several internships in Belgium, France and Burkina Faso and he obtained a scriptwriting certificate at the International School of Bordeaux, as well as a certificate in cinema production management in Paris, at National Institute of Audio-Visual (INA). In 2003, Joseph Bitamba moved to Toronto, where he wrote, directed and followed screenwriting and documentary workshops organized by the NFB in Toronto. He makes documentaries, broadcast on Radio Canada, TFO, TV5 and works as a director and journalist for TFO (http://lelabo.ca/fr/membre/josephbitamba/).

**Required reading**: None, but you must have watched the film before participating in the session. The link will be available on Studium.

10h30-12h00 : Seminar #3

- Recorded course available by 10:30 on Thursday May 28, 2020 on Studium

**Title of the seminar**: The Complex Status of Children Born of War: A Case Study of Northern Uganda. (Conference in English)

Lecture by Myriam Denov, Professor, School of Social Work, McGill University.

Dr. Myriam Denov is a Full Professor at McGill University and holds the Canada Research Chair in Youth, Gender and Armed Conflict (Tier 1). Her research and teaching interests lie in the areas of children and youth in adversity, and international child protection, with an emphasis on war and political violence, children in armed conflict, and gender-based violence. A specialist in participatory research, she has worked with war-affected children in Asia, Africa, and the Americas and has conducted research on the reintegration experiences of former child soldiers in Sierra Leone and Colombia, and war-affected youth living in Canada. She has authored five books, including Child Soldiers: Sierra Leone’s Revolutionary United Front (Cambridge University Press) and Children’s Rights and International Development (Palgrave Macmillan). In 2014, she was awarded a Trudeau Fellowship to address the realities of children born of wartime sexual violence in Northern Uganda.

**Required readings**:
Syllabus PLU6111A – 1.5 credits


**Day 4/ Week 2** : Monday, June 1, 2020 VIA ZOOM

- Recorded course available by 8:30 Sunday May 31, 2020 on Studium

8h30-10h00 : Seminar #4

**Titre de la conférence** : Victims of sexual and gender-based violence : How well do international tribunals meet victims’ needs? (Seminar in English).

Lecture by **Valerie Oosterveld**, Associate Dean (Research), Western Law. Associate Director, Western University's Center for Transitional Justice and Post-Conflict Reconstruction

Former Legal Counsel of the Office of Legal Affairs of the Department of Foreign Affairs and International Trade of the Government of Canada, including the development of the Rome Statute from a gender perspective and focused on the needs of victims. Professor Oosterveld has worked with the International Criminal Court, the Special Court for Sierra Leone and the International Criminal Tribunals for Rwanda and the former Yugoslavia. Currently her teaching specializes in international criminal law, international human rights law, international public law and international organizations. Her current research focuses on sexual violence in Libya and Syria.

**Required readings** :

10h30-12h00 : Seminar #5

- Recorded course available by 10:30 Sunday May 31, 2020 on Studium

**Title of the seminar** : Tragic perpetrators and imperfect victims (Seminar in English).

Lecture by **Mark A. Drumbl**, Alumni Professor of Law, Director, Transnational Law Institute, School of Law, Washington and Lee University.

Having taught intensive courses in law at Oxford University and in several world-renowned schools, Prof. Drumbl's research interests include international criminal law, international public law, global environmental governance, post-conflict justice and transnational legal processes. Recent articles include how the law should approach victims who victimize others during times of atrocity, as well as transnational justice. He is the author of Reimagining Child Soldiers in International Law and Policing (Oxford University Press, 2012), contributing to the prevention of recruitment and the reintegration of child soldiers through law. His first book, Atrocity, Punishment, and International Law (Cambridge University Press, 2007) received several awards, including the 2007 Book of the Year Award by the International Association of Criminal Law.

**Required readings** :
Day 5/ Week 2: Wednesday, June 3, 2020 VIA ZOOM

- Recorded course available by 8:30 Tuesday June 2, 2020 on Studium

8h30-10h00: Seminar #6

Title of the seminar: La réparation des victimes de crimes contre l’humanité (Seminar in French).

Lecture by Bilkis Vissandjée, Professor, Faculty of Nursing, Université de Montréal

Dr. Vissandjée is a full professor in the Faculty of Nursing of the Université de Montréal. Her principal fields of study are healthcare in the contest of migration, particularly for women, and global-health issues. Dr. Vissandjée has conducted research on fundamental health issues of women from both Canada and other countries. She has lectured and presented papers in Canada and internationally to raise the awareness of researchers and care providers about the crucial issue of gender in healthcare services. Dr. Vissandjée is also involved in educational projects and currently heads a program to reinforce nursing skills in Morocco. The project seeks to enhance nursing skills and raise the nursing profession to a level of excellence that will have a positive impact on the quality of care for the Moroccan population.

Required readings:

10h30-12h00: Seminar #7

- Recorded course available by 10:30 Tuesday June 2, 2020 on Studium

Title of the seminar: La recherche de la vérité historique dans les contextes post-conflituels : l’expérience d’ASFC (au Mali et ailleurs) (Seminar in French).

Lecture by Philippe Tremblay, Lawyers Without Borders Canada.

Philippe Tremblay, L.L.M. in International Law, is the Senior Legal Adviser of Lawyers Without Borders. He was the Director of Legal Services of the same body between 2012 and 2014. Also, he was the Director of Programs and Development of the International Bureau for Children's Rights. He has worked as Program Officer for the Association for the Prevention of Torture, as well as Research and Evaluation Officer for Rights and Democracy. He was also a delegate for the International Committee of the Red Cross in Colombia and Afghanistan, protection officer within the mission of the United Nations High Commissioner for Refugees in Rwanda.
Required readings: To be confirmed

Day 6/ Week 2: Friday, June 5, 2020 VIA ZOOM

There will not be pre-recorded session by this guest

8h30-10h00: Conference #2

Title of the conference: A Progress Report: The Canadian Victims Bill of Rights (Conference in English).

Conference by Heidi Illingworth, Federal Ombudsman for Victims of Crime.

Heidi Illingworth was the full-time Executive Director of the Canadian Resource Centre for Victims of Crime and was employed at the Centre since 1999. Heidi holds a B.A. Honours in Law with a concentration in Criminal Justice from Carleton University. She has assisted many victims and survivors at various stages of the criminal justice system, met with Federal Ministers on issues of importance to crime victims and made presentations before numerous Parliamentary committees. She was involved with curriculum development for the Victimology Graduate Certificate Program at Algonquin College, taught as a Part-Time Professor in the program and sat on the Program Advisory Committee. Heidi has also developed training materials for victim services staff and volunteers in Ontario. In 2012, Heidi was privileged to receive the Queen Elizabeth II Diamond Jubilee Medal in honour of her work for victims of crime. (https://www.victimesdabord.gc.ca/apd-abt/bio.html).

Required reading: Students are invited to visit the website of the Federal Ombudsman prior to the lecture (https://www.victimsfirst.gc.ca/)

10h30-12h00: Seminar #8

- Recorded course available by 10:30 Thursday June 4, 2020 on Studium

Title of the seminar: Les droits procéduraux des victimes devant la Cour pénale internationale (Seminar in French).

Lecture by Gilbert Bitti, Senior Legal Advisor to the International Criminal Court.

Gilbert Bitti has been an Assistant Professor at the University of Paris II (Pantheon-Assas) (1991-1993) and counsel for the French Government before the ECtHR (1993 until 2001). He was a member of the French delegation during the negotiations on the Rome Statute, the Rules of Procedure and Evidence and other texts related to the ICC from 1995 until 2002; he has been successively at the ICC, Chief of the Victims Participation and Reparations Section in 2003, Deputy to the Chief of the Legal Advisory Section in the Office of the Prosecutor in 2004-2005. Since 2005, he is Senior Legal Adviser of the Pre-Trial Division. He also teaches in a number of universities in France (Limoges, Lille and Paris) and in Spain (Barcelona).

Required reading:
**Day 7/ Week 3**: Monday, June 8, 2020 VIA ZOOM

- Recorded course available by 10:30 Sunday June 7, 2020 on Studium

10h30-12h00 : Seminar #9

**Title of the seminar**: Réparation pour les victimes des crimes environnementaux (Seminar in French).

Lecture by **Amissi Manirabona**, Associate Professor, Faculty of Law, International Centre for Comparative Criminology, University of Montreal.

Specialist in criminal law and international criminal law, Amissi Manirabona is a professor at the Faculty of Law of the University of Montreal. The doctoral thesis he defended in 2010 earned him the 2010 Minerve Prize and the Quebec Association of Law Teachers Award. Before joining the faculty, Mr. Manirabona was a lecturer at the Faculty of Law and postdoctoral researcher at the International Center for Comparative Criminology at the Université de Montréal. He has also been a Visiting Scholar at the University of Ottawa and Aisenstadt Fellow at McGill University.

**Required reading**:

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**Day 8/ Week 3**: Wednesday, June 10, 2020 VIA ZOOM

- Recorded course available by 10:30 Tuesday June 9, 2020 on Studium

10h30-12h00 : Seminar #10

**Title of the seminar**: La trajectoire socio-judiciaire des enfants victimes d’agression sexuelle et son influence sur leur rétablissement (Seminar in French).

Lecture by **Isabelle Daignault**, Assistant Professor, School of Criminology, University of Montreal

Holding a doctorate in clinical psychology, Prof. Daignault’s research is conducted in a clinical setting with children and adolescent victims of crime, aimed at improving psychological and socio-judicial interventions for young people exposed to sexual assault and other forms of intra and extra family violence. She is a member-researcher of the Sexual Violence and Health Team and a research associate at the Marie-Vincent Inter-University Chair on Child Sexual Abuse.

**Required readings**:

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**Day 9/ Week 3**: Friday, June 12, 2020 VIA ZOOM

- Recorded course available by 8:30 Thursday June 11, 2020 on Studium
8h30-10h00 : Seminar #11

**Title of the seminar** : Les autochtones et la justice (Seminar in French).

Lecture by **Mylène Jaccoud**, Professor, School of Criminology, University of Montreal.

Mylène Jaccoud is an associate researcher at the Research Center in Public Law at the University of Montreal. She holds a bachelor's degree in sociology and anthropology from the University of Lausanne in Switzerland and a doctorate in criminology from the University of Montreal. Her main areas of research focus on alternative criminal justice policies and practices (mediation and restorative justice) as well as the analysis of the relationship between the administration of criminal justice and First Nations and Inuit in Quebec. Her work focuses on the development and implementation of a program to rebuild social regulation with Inuit communities in Nunavik and the development of training tools in the criminal mediation and social mediation sector.

**Required readings**:

10h30-12h00 : Seminar #12

- Recorded course available by 10:30 Thursday June 11, 2020 on Studium

**Title of the seminar** : Reparative justice (Seminar in English).

Lecture by **Miriam Cohen**, Professor, Law Faculty, Université de Montréal.

Specialist in international law and human rights, Miriam Cohen holds a PhD in international law from the University of Leiden (Netherlands). She also holds graduate degrees in law from Cambridge University and Harvard University for which she received the Frank Knox and John Peters Humphrey scholarships. Her teaching and research interests therefore relate to international and criminal law, the resolution of international disputes and comparative fundamental rights. Before starting her university career, Ms. Cohen acquired extensive experience, notably as legal counsel to the United Nations International Court of Justice (ICJ) and, previously, to the Appeals Chamber and the Office of the Prosecutor of the International Criminal Court (ICC).

**Required reading** : To confirm
## Presentation schedule

### Seminars:

1. **#1**: 8h30 @ 10h00
2. **#2**: 10h30 @ 12h00

**Course recordings:** available at least 24 hours before the seminar

**Additional lectures:** Viewing of a film and discussion with the director as well as a conference with the Federal Ombudsman for victims of crime.

**Information meetings:** Zoom meeting will be scheduled in order to answer students' questions concerning the assignment of work on Monday June 8 at 8:30 am.

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<tr>
<th>Monday, 25th of May</th>
<th>Wednesday, 27th of May</th>
<th>Friday, 29th of May</th>
<th>Monday, 1st June</th>
<th>Wednesday, 3rd of June</th>
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<tr>
<td><strong>9h15: Intro. session</strong></td>
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<td>8h30 : Joseph Bitamba</td>
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<td>8h30 : Bilkis Vissandjée</td>
<td>8h30 : Heidi Illingworth</td>
<td>8h30 : Information meeting: blog post</td>
<td>8h30 : Mylène Jaccoud</td>
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<td>10h30: Jo- Anne Wemmers</td>
<td>10h30 : Fannie Lafontaine</td>
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**Closing session**
 ANNEXE
SECTION VII – RÉVISION ET RÉVISION EXCEPTIONNELLE DE L’ÉVALUATION
Du Règlement pédagogique de la Faculté des études supérieures et postdoctorales

41. Communication des copies d’examen et révision de l’évaluation
Tout étudiant a droit, dans les quinze jours ouvrables qui suivent la date de communication des résultats, à la consultation de ses copies d'examens et de travaux, selon la forme d'évaluation utilisée. La communication se fait sans déplacement des documents et devant témoin. L'étudiant peut, dans les cinq jours ouvrables suivant la consultation, demander la révision de cette évaluation enadressant une demande écrite et motivée au doyen de la Faculté dont relève le cours.

Si la demande est recevable, le professeur en est immédiatement informé. Ce dernier doit réviser l'évaluation, qui peut être maintenue, diminuée ou majorée. Au plus tard trente jours après avoir reçu la demande, le professeur transmet sa décision écrite et motivée au doyen, qui en informe alors l’étudiant.

Si la demande n’est pas recevable, le doyen ou l’autorité compétente en informe l’étudiant par écrit dans les 20 jours ouvrables suivant la réception de la demande de révision.

42. Révision exceptionnelle de l’évaluation
Tout étudiant qui a des raisons graves de croire qu’une injustice a été commise au moment de la révision de l'évaluation peut, dans les quinze jours qui suivent l'expédition des résultats de cette révision, soumettre une demande de révision exceptionnelle, écrite et motivée, au doyen de la Faculté responsable de son programme.

La décision doit être rendue après consultation de l’enseignant du cours. La décision de rejeter la requête est rendue par écrit avec motifs à l’appui. Lorsque la requête est accueillie, un comité de révision exceptionnelle, formé de trois membres, est constitué. Ce comité peut demander l’avis de toute personne qu’il juge bon de consulter et il doit entendre l’étudiant, l’enseignant du cours, le doyen de la faculté intéressée, le directeur du département ou le directeur du programme, s’ils en font la demande.

Le Comité de révision exceptionnelle peut maintenir l'évaluation, la diminuer ou la majorer. Sa décision est sans appel.

Le Comité de révision exceptionnelle peut aussi faire au doyen de la Faculté responsable du programme toute recommandation qu’il juge pertinente.

La décision est communiquée au doyen de la Faculté responsable du programme au plus quarante-cinq jours après que le comité a été saisi de la demande; le doyen en informe alors l’étudiant.