



uOttawa

COURSE OVERVIEW

THE JURIDICAL-POLITICAL ORDER IN LATIN AMERICA AND ITS RELATIONS WITH CANADA

EL ORDEN JURÍDICO-POLÍTICO EN AMÉRICA LATINA Y SUS RELACIONES CON CANADÁ

L'ORDRE JURIDICO-POLITIQUE EN AMÉRIQUE LATINE ET SES RELATIONS AVEC LE CANADA

DRC4513

SUMMER COURSE/ CURSO DE VERANO



**JUNE 25TH – JULY 6TH 2018
OTTAWA**

COURSE DIRECTOR:
**PIERRE GILLES
BÉLANGER**

ASSISTANT:
ARIANE RÉMY

MAIN PROFESSORS:
**PIERRE GILLES
BELANGER,
SERGIO FUENZALIDA,
JAIME SANDOVAL**



uOttawa



Table of contents

	Page
SUMMARY	2
INTRODUCTION	3
OUTLINE OF THE COURSE	6
OBJECTIVES	7
ASSESSMENT	8



uOttawa

COURSE OVERVIEW

SUMMARY

The University of Ottawa (Civil Law Section) in collaboration with the Universidad Central de Santiago de Chile and Santo Tomas of Colombia are pleased to welcome you to the 6th edition of the Summer School in Chile on *The juridical-political order in Latin America and its relations with Canada*. The goal of this Course is to offer students a general overview about the impact of the law in the recent development of Latin American societies and Canada, their interactions/influences and impacts upon each other.

This year, the Course is offered in Ottawa with 10 Canadian students attending, as well as 7 students from Chile and 2 from Colombia. Those who successfully complete the Course will receive a Certificate, three (3) academic credits and an alpha note.

The Course features professors from la Universidad Central de Santiago de Chile, la Universidad Santo Tomas de Colombia. In addition there will be guest lecturers from the hemisphere and from Latin American embassies.

L'ordre juridico-politique en Amérique Latine et ses relations avec le Canada
The Juridical-Political Order in Latin America and its Relations with Canada
El orden jurídico-político en América Latina y sus relaciones con Canadá

Syllabus



uOttawa

COURSE OVERVIEW

INTRODUCTION

Since the 1980s, Latin America has experienced a gradual transition to democracy, as well as political and economic liberalization characterized by multiparty politics, free elections and openness to globalization. A number of elected governments are attempting - some with success others with great difficulties - to meet the strict rules of democratic governance and overcome the extreme inequality of social or economic conditions.

In addition, for some countries, the residue of the Cold War and the war against the production of and illegal trade in drugs provokes military operations that have caused civilians to become victims of various armed groups. The “war on terror” and counter-terrorist laws and new security arrangements present additional challenges for democratic governance and respect for human rights under the rule of law. As a result of some of these challenges, the last decade has witnessed a trend towards new ideas and left-leaning elected governments throughout the region, as well as the emergence of new social movements, featuring, among others, representatives of Indigenous, human rights or equality organizations. These trends have shaken the institutional foundations of the rule of law that were either excessive or feeble and subjected them to, e.g., various amnesty agreements or new demands. Existing models may not provide solutions.

Can Canadian jurists have a role in the area of law and development theory?

L'ordre juridico-politique en Amérique Latine et ses relations avec le Canada
The Juridical-Political Order in Latin America and its Relations with Canada
El orden jurídico-político en América Latina y sus relaciones con Canadá

Syllabus



uOttawa

COURSE OVERVIEW

Canada is very much present in the Americas. As a simple example, an important percentage of mining exploitation in Latin America is undertaken by Canadian owned corporations, some of which receive criticism from human rights organizations.

Also, since Canada is not part of the entire Inter American Human Rights system, how can we legitimately have a role in the development of the Americas?

There are important legal issues and discussions that may benefit both our country and Central and South America. Some examples where Canada and Canadian jurists may gain experience include: different study perspectives on society and the Law, such as the way to treat assisted suicide and aboriginal issues; best practices on how to properly consult or to simply learn about the recent efforts and gains that Latin America is making in confronting several social and legal challenges. Jurists from Canada have to look more seriously at Latin America as an important legal geographic source and examine, in particular, the American court of Human Rights, which is an important source of law and development. We also have a lot to contribute, namely in the way to approach more vulnerable population such as in the immigrants, education, alternative justice and penal legitimate legal procedures.

Knowing about each other's legal systems and challenges would certainly enhance our countries' ability to build bridges and make a difference in our search for increased prosperity and protection of our citizens.

L'ordre juridico-politique en Amérique Latine et ses relations avec le Canada
The Juridical-Political Order in Latin America and its Relations with Canada
El orden jurídico-político en América Latina y sus relaciones con Canadá

Syllabus



“The juridical-political order in Latin America and its relations with Canada” will discuss several of these important topics, with special emphasis on relations between Canada and some specific countries of Latin America (notably Peru, Mexico, Argentina, Brazil, Chile, and Colombia) and the implications for the rest of Latin America. In doing so, through their lectures, our speakers will explore the possible areas for mutually beneficial collaboration.



uOttawa

COURSE OVERVIEW

OUTLINE OF THE COURSE

This Course is designed to provide basic knowledge for a better understanding of Latin America and relations with Canada.

The Course begins with preliminary reflections on the Canadian, Chilean, Colombian and Argentinean systems of justice. Throughout the Course, students will discuss key topics regarding the rule of law and economic and social issues affecting Latin-American and Canada.

Participants will also familiarize themselves with Canadian, Chilean, Colombian, Brazilian, Argentinean and Mexican institutions, with some visits scheduled to achieve that objective.

As a complement, a case study will offer students the possibility to apply their knowledge about the situation in Latin America and its relation with foreign investment and companies.

This Course is conducted through lectures, discussions, assigned readings, case studies and, where appropriate, audio-visual materials. (**our Facebook group page** will be the main course platform.)

L'ordre juridico-politique en Amérique Latine et ses relations avec le Canada
The Juridical-Political Order in Latin America and its Relations with Canada
El orden jurídico-político en América Latina y sus relaciones con Canadá

Syllabus



OBJECTIVES

This Course aims to help each student accomplish the following learning objectives:

1. Develop skills in critical, logical and structured socio-legal reasoning generally and within the context of Latin America and its relations with some Canadian industries (notably through the Case study);
2. Obtain a basic understanding of the social reality in some Latin American countries and in Canada, especially from a legal perspective;
3. Acquire the ability to follow and analyse, on one's own, contemporary events and discourses involving Latin America and Canada.



ASSESSMENT

- **25% - Participation and attendance**

- Class participation: Mandatory participation to **all classes** and **activities** inside the curriculum. Also in order to gain all your points, students must ask a minimum of 10 questions throughout the duration of the course (2 weeks).

- **35% - Case study**

- Group Work including a one pager report
- Oral Presentation

- **40% - Final paper**

- Evaluation criteria for this examination will be the following:
 - Quality of the legal arguments and the issues raised;
 - Incorporate references that contain information from the course notes and readings together with opinions based on facts and scientific sources;
 - Show a proper understanding of the elements covered during the Course (in the vocabulary used, in the understanding of the topic, etc.);
 - The quality of the language;
 - **Format:** double spaced, 20 pages or 5000 words – not to exceed 6000 words (bibliography and references not included);
 - Previous **discussion with professor Bélanger is required**
 - All papers must be submitted by **August 29th, 2018¹ before 3h00pm** at the University, 57 Louis-Pasteur Street, Fauteux Hall, Room 201.
- Students participating in this Course are bound by the University of Ottawa policy on fraud (see: <http://www.uottawa.ca/academic-regulations/academic-fraud.html>).

¹ Any delay in the delivery of work will not be tolerated unless illness or other serious reason accepted by the teacher. Unauthorized delays will be penalized. The university regulations provide that absence from an examination or test, or late submission of assignments due to illness must be justified by the presentation of a medical certificate, if the person will be penalized. The Faculty reserves the right to accept or refuse the reason advanced if it is not a medical reason. Reasons such as travel, work and errors in reading the exam schedule are not usually accepted. In case of illness or discomfort, only the counselling service and the campus clinic (located at 100 Marie-Curie) may issue valid certificates to justify a delay or absence.