

CIPL Public Lecture

The Globalization of Hatred: Incitement to Genocide and the Migration of Transnational Legal Norms

Professor Noah Novogrodsky

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Law Theatre Bldg 5, ANU College of Law, Fellows Road, The Australian National University

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The talk uses the case of *Citizenship and Immigration Canada v. Mugesera* as a lens into the adjudication of incitement to genocide and the migration of transnational legal norms. The case, in which Prof. Novogrodsky and students appeared as interveners, required the Canadian Supreme Court to evaluate the content of a 1992 Kinyarwanda speech delivered in Rwanda to determine the deportability of a landed immigrant. In the process, the Court overturned Canada's crimes against humanity standard and engaged in a remarkable dialogue with the jurisprudence of the International Criminal Tribunals for Rwanda and the Former Yugoslavia. The talk offers a theory of horizontal adoption to explain the convergence and resistance to international criminal law in domestic proceedings.

Noah Novogrodsky is the Director of the International Human Rights Program at the Faculty of Law, University of Toronto and a Visiting Scholar at Georgetown University Law Center. He has lived and worked in the United States, England and South Africa. In September 2003, Professor Novogrodsky founded Canada's first international human rights clinic at the Faculty of Law, University of Toronto. In addition to *Mugesera*, the clinic was granted intervener status in *Charkaoui*, the Canadian Supreme Court case striking down the use of security certificates. Outside of Canada, the clinic has actively litigated an aboriginal title case in Belize, an educational equality case in Singapore, the criminality of recruiting child soldiers before the Special Court of Sierra Leone and a minority rights claim before the European Court of Human Rights.