



Linnéuniversitetet

Kalmar Växjö

Kursplan

Fakultetsnämnden för ekonomi och design
Ekonomihögskolan

1RV014 European Human Rights Law, 15 högskolepoäng
European Human Rights Law, 15 credits

Huvudområde

Rättsvetenskap

Ämnesgrupp

Juridik och rättsvetenskap

Nivå

Grundnivå

Fördjupning

G1N

Fastställande

Fastställd av Organisationskommittén 2009-06-17

Kursplanen gäller från och med vårterminen 2010

Förkunskaper

INGET VÄRDE ANGIVET

Förväntade studieresultat

The general objective of this course is to enable students to develop the ability to understand the norms of European Human Rights Law and be able to apply these norms professionally in private and public life.

Other learning outcomes from this course are:

- Be able to understand the historical and philosophical development of human rights norms in Europe
- Having the ability to comprehend the importance of human rights
- Be able to develop and expand their theoretical knowledge of different European Human Rights Conventions
- Be able to become familiar with the practical implementation procedures and institutions (European Court of Human Rights) etc
- Having the ability to analyse critically, scientifically and independently, the discriminatory and abusive social, political, religious and cultural values and attitudes and to reformulate, interpret and translate them in accordance with the spirit and meanings of human rights legal norms

Innehåll

The main theme of this course concerns learning basic legal norms of European Human Rights Law (including European Union and other European IGOs and NGOs).

The following topics will be explored:

- Basic aspects of International Law related to human rights norms
- Historical and philosophical aspects and development of human rights in Europe
- Analyse and criticize issues in human right from a perspective of equality between the sexes
- Organisation of the Court of European Human Rights, jurisdiction, proceeding of the Court and the effects of a judgement of the Court
- Established mechanisms and procedures to protect social, economical and cultural rights in Europe
- Concepts of human dignity and nondiscrimination, right to life, prohibition of slavery and forced labour, protection of property, prohibition of torture and degrading treatment, right to liberty and security, right to a fair trial, right to respect for private and family life, freedom of thought, conscience and religion, freedom of assembly, freedom of expression and right to a effective remedy
- Welfare rights, consumer rights, women rights, children rights, discrimination against women and racial discrimination
- Intellectual property rights
- Right to peace, environmental rights, right to sustainable development and social justice
- The difference between human right from a traditional perspective and from a perspective between the sexes

The main theme and topics mentioned above shall be taught in three stages:

1. International law, development and philosophical aspects of human rights in Europe: In this first stage students shall learn the basic principles of international law related to human rights. Different philosophical aspects and ideologies related to human rights and the concepts of universality and cultural relativism.

2. European regional organisations and legal norms of human rights in Europe: Institutional structure of the Council of Europe, the European Court of Human Rights, the European Union, OSCE and NGOs in Europe.

- Civil and political rights: The European Convention for the protection Human Rights and Fundamental Freedoms and other conventions
- Economical, social and cultural rights: The European Social Charter and other conventions in this field
- Minority rights: The Framework convention for the Protection of National Minorities
- Case studies: The European court of Human Rights has created massive jurisprudence through judgements.

Students shall learn to analyse critically the cases concerning the mentioned topics.

3. Implementation of human rights at National level: How has Sweden implemented European norms of human rights in their laws and policy documents? Students (Swedish and from other countries) shall learn, independently and together, to understand the difference and similarities between human rights implementation procedures and strategies in different countries.

Undervisningsformer

Lectures, seminars, discussions and simulations and role-play (Moot court). Lectures are compulsory.

Examinationsformer

Kursen bedöms med betygen Underkänd, Godkänd eller Väl godkänd.
Writing a seminar paper and oral presentations of it.

The grades are Pass with Distinction (80%-100%), Pass (60%-79%) or Failure (0%-59%).

Students at Linnaeus University are entitled to have the course grade translated into the 7-step ECTS scale. A request to have the grades translated must be made to the teacher at the start of the course.

Kursvärdering

A written course evaluation is performed and compiled into a report to be kept in the university school archives. The result and any measures taken are communicated to the course co-ordinator and presented to the students participating the next time the course is offered.

Kurslitteratur och övriga läromedel

Obligatorisk litteratur

Ovey, Clare, White, Robin CA, European Convention on Human Rights, 2002 or latest edition, Oxford University Press, ISBN 0-19-876-5800, 500 pages

Dembour, Marie-Benedict, Who believe in Human Rights: Reflections on the European Convention, 2006 or latest edition, ISBN 13-978-0521-68307, 310 pages

Articles, rapports, international conventions and cases, 700 pages