



## Syllabus

### Subject

<b>Subject / Group</b>	20434 - International Protection of Human Rights / 3
<b>Degree</b>	Degree in Law - Fourth year Double Degree in Business Administration and Law (2013 syllabus) - Fifth year
<b>Credits</b>	6
<b>Period</b>	2nd semester
<b>Language of instruction</b>	English

### Professors

Lecturers	Office hours for students					
	Starting time	Finishing time	Day	Start date	End date	Office / Building
Valentina Milano - <i>Responsible</i> <a href="mailto:valentina.milano@uib.es">valentina.milano@uib.es</a>						
	You need to book a date with the professor in order to attend a tutoring session.					

### Context

This subject aims at providing students with:

1. A good understanding of the systems established at the international level for the protection of human rights, which includes the main international conventions in this area, as well as their control mechanisms (judicial and non-judicial). The focus will be on the universal mechanisms established at the UN level and on the systems established at the regional level: mainly at the European, Inter-American and African level.
2. A good knowledge of a number of specific substantive rights or issues, such as the right to life, non-discrimination on the ground of race, gender, sexual orientation etc., the right to food, housing etc., as well as the specific protection afforded to certain groups such as minorities, indigenous people, asylum-seekers, migrants, victims of trafficking etc.
3. The ability to apply the acquired knowledge to concrete situations: in a number of practical classes, the professor and students in small groups will discuss and resolve concrete cases.

The professor will share with students her 10 years experience in the UN, including in the Office of the High Commissioner for Human Rights. This course uses both a theoretical and a practical-participatory teaching method: the latter consists in learning through analysis and discussion of relevant case-law, case studies, debates, as well as writing an essay (individually or in small groups) on a specific topic to be chosen by students, which will be followed by an oral presentation. This methodology aims at allowing students to develop both a solid theoretical knowledge and the capacity to examine human rights issues practically and critically, both orally and in writing.

### Requirements



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### Essential

1. Having passed "International Public Law"
2. Good command of English, written and spoken (min. B1 level): students should do the "Language level test for subjects taught in English" which is available on the intranet (enter "Campus Extens", go to "Informació dels Estudis de Grau en Dret" where you will find the test under "Informació útil"). We recommend that you do not enroll in the subject if you don't pass the test (except if you take concrete action to improve your English during the first semester in order to be able to pass the test before the start of the second semester).

### Skills

#### Specific

- \* International law sources. Students will learn to recognize and find legal texts, reports, judgments and other documentation of an international character, through the databases available on the websites of the major international organizations that have a human rights protection system, such as the United Nations, the Council of Europe and the Organization of American States.
- \* Understanding and analysis of legal texts - international conventions, resolutions, reports of international organizations: understand, systematize and interpret legal texts of an international character
- \* Understanding and analysis of international human rights case law - judgments and statements from international courts and quasi-judicial bodies: learn to understand the structure and reasoning in judgments and other pronouncements issued by international bodies and tribunals and get a general overview of the main trends in the case-law of these human rights bodies on the most debated and relevant topics

#### Generic

- \* Oral communication, through participation in class, in debates and through delivering a short oral presentation of the essay
- \* Criticism. Being able to analyze and contrast legal texts and documents as well as the political, social and other consequences of a decision of a legal character

#### Basic

- \* You may consult the basic competencies students will have to achieve by the end of the degree at the following address: <http://www.uib.eu/study/grau/Basic-Competences-In-Bachelors-Degree-Studies/>

### Content

At the beginning of the course a detailed program of the course will be provided.

#### Range of topics

1. International human rights law and protection mechanisms at the universal and regional level  
This first part will introduce students to the systems established at the international level for the protection of human rights, which include the main international conventions in this area, as well as their implementation mechanisms (judicial and non-judicial). The focus will be on the universal mechanisms established at the UN level and on the systems established at the regional level: mainly at the European, Inter-American and African level.

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2. Substantive human rights law: evolution and current debates on fundamental topics  
Substantive human rights law will be analyzed based on the main international treaties, main pronouncements by judicial, quasi-judicial and non judicial bodies, and the main soft law instruments. It will include:
  - the right to non-discrimination (based on race, gender, sexual orientation ...);
  - civil and political rights (right to life, arbitrary detention, torture ...);
  - economic, social and cultural rights (right to housing, education, health ...);
  - collective rights (right to self-determination, rights of indigenous people ...);
  - the protection to be afforded to particularly vulnerable groups (minorities, asylum-seekers, migrants, victims of trafficking ...)
  
3. Practical classes and oral presentations  
These classes will focus on developing student's ability to apply the acquired knowledge in concrete situations: in a number of practical classes, students will work on the resolution of practical cases. Moreover, students will deliver a short oral presentation of their essay.

### Teaching methodology

This is a "Campus Extens 50" subject, which means that it has a lower number of face-to-face classes and therefore requires more distance work by students in order to study the subject of each class, prepare the essay and the oral presentation and study for the final exam. In order to facilitate the distance work, the teacher provides students with a virtual space (the Campus Extens subject page) in which she will post study and consultation material: this includes the program, PowerPoint presentations used during the course, links to conventions, resolutions and other documents, hyperlinks to websites of relevant international organizations, tribunals and bodies, articles on topics of interest, photos and other multimedia materials. The Campus Extens subject page will also be used for certain evaluation activities, including self-evaluation tests, and students can use it to communicate electronically with the professor through the individualized tutorials forum.

### In-class work activities (1.28 credits, 32 hours)

Modality	Name	Typ. Grp.	Description	Hours
Theory classes	Lectures	Large group (G)	In these classes the main theoretical contents will be presented and explained, always making reference to practical cases and situations, current case-law and recent reports and pronouncements relevant to each topic.	18
Practical classes	Practical classes	Large group (G)	In practical classes, students will work in groups on practical cases prepared by the professor, in order to analyze the case and resolve it. These classes will allow students to exercise their ability to apply their knowledge to practical situations. In one of these practical classes, the professor will also show students how to research a human rights topic: where to find information? how to use a number of international human rights databases? what is relevant in order to be included in an essay? how should a human rights essay be structured and what should be the main sources?	6

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Modality	Name	Typ. Grp.	Description	Hours
Assessment	Written exam	Large group (G)	The written exam will allow the professor to assess the theoretical knowledge, understanding and critical ability acquired by each student. The written exam is worth 50% of the final mark.	2
Assessment	Presentations	Large group (G)	The professor will assess the oral presentation of the essay by the student and the use of multimedia material to that effect (PowerPoint presentation, pictures etc.): it is worth 10% of the final mark.	6
Assessment	Participation in theoretical and practical classes	Large group (G)	The active participation of the student in theoretical and practical classes, as well as their participation in the debate that follows all students' presentations, will be assessed by the professor (10% of the final mark).	0

At the beginning of the semester a schedule of the subject will be made available to students through the UIBdigital platform. The schedule shall at least include the dates when the continuing assessment tests will be conducted and the hand-in dates for the assignments. In addition, the lecturer shall inform students as to whether the subject work plan will be carried out through the schedule or through another way included in the Aula Digital platform.

### Distance education tasks (4.72 credits, 118 hours)

Modality	Name	Description	Hours
Individual self-study	Individual study of the course content	Students must study individually in order to assimilate the content of the course, in order to be in a position to draft the essay, present it and pass the written exam.	64
Group self-study	Preparation of the oral presentation of the essay	Students will work individually or in small groups in order to prepare the oral presentation of the essay, using multimedia material, in particular a PowerPoint presentation which may include photos, videos etc.	14
Group self-study	Essay to be prepared individually or in small groups and to be handed-in online	Students will choose and research on a specific case/topic, individually or in small groups. In this context, they will write an essay where they will analyze international human rights standards applicable to the case/topic, in particular in light of the analysis and interpretation of these standards by international tribunals and monitoring bodies, and reach conclusions on the level of protection to be afforded to individuals and/or groups in that specific case.  This exercise will allow students to develop their capacity to apply their knowledge to a concrete situation and, when relevant, to practice their ability to work and reach results in a team. The essay is to be handed-in online on the Campus Extens subject page before the established deadline, and is worth 30% of the final mark.	40

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### Specific risks and protective measures

The learning activities of this course do not entail specific health or safety risks for the students and therefore no special protective measures are needed.

### Student learning assessment

- The assessment activities will consist of an essay to be prepared individually or in small groups and handed-in online in the Campus Extens subject page (30% of the final mark), an oral presentation of the essay (10% of the final mark) and participation in theoretical and practical classes as well as debates that follow all presentations (10% of the final mark), and a written exam (50% of the final mark).
- For each of these activities, the professor will assess whether the legal concepts have been rightly understood, applied and exposed, also taking into consideration the quality of the written or oral presentation (proper legal reasoning, order, clarity and concision). Evaluation will also be based on the number and quality of references made to relevant international legal texts, judicial and non-judicial pronouncements, reports etc., and the ability to relate these to a specific case/context and reach conclusions on that basis.
- Should a work be copied, the Academic Regulation shall apply and qualification will be reduced between 50 and 100%. Recidivism involves a "0" in the final mark for the course. Is considered fraud, with the same consequences, the fact of using as their own texts of others, taken from reports, other students works or from the Internet (please read the document: "Google: how to use it and not to use it in the Law degree "). The professor will use the Turnitin tool which automatically detects when a text is copied from any text published on paper or in the internet.
- If a student can not perform an assessment activity for an extremely serious and fully unpredictable cause (see the causes provided for in the Academic Regulation) he or she should inform the teacher as soon as possible, to assess the feasibility of alternative solutions.
- In case of not passing the subject, the written examination and the essay are retrievable in the special session (in July), while the oral presentation and the participation in class are not retrievable.

### Frau en elements d'avaluació

In accordance with article 33 of Regulation of academic studies, "regardless of the disciplinary procedure that may be followed against the offending student, the demonstrably fraudulent performance of any of the evaluation elements included in the teaching guides of the subjects will lead, at the discretion of the teacher, a undervaluation in the qualification that may involve the qualification of "suspense 0" in the annual evaluation of the subject".

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### Written exam

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Modality	Assessment
Technique	Extended-response, discursive examinations ( <b>retrievable</b> )
Description	The written exam will allow the professor to assess the theoretical knowledge, understanding and critical ability acquired by each student. The written exam is worth 50% of the final mark.
Assessment criteria	See above under "In-class work activities"

Final grade percentage: 50%with a minimum grade of 3.5

### Presentations

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Modality	Assessment
Technique	Observation techniques ( <b>non-retrievable</b> )
Description	The professor will assess the oral presentation of the essay by the student and the use of multimedia material to that effect (PowerPoint presentation, pictures etc.): it is worth 10% of the final mark.
Assessment criteria	See above under "In-class work activities"

Final grade percentage: 10%

### Participation in theoretical and practical classes

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Modality	Assessment
Technique	Observation techniques ( <b>non-retrievable</b> )
Description	The active participation of the student in theoretical and practical classes, as well as their participation in the debate that follows all students' presentations, will be assessed by the professor (10% of the final mark).
Assessment criteria	See above under "In-class work activities"

Final grade percentage: 10%

### Essay to be prepared individually or in small groups and to be handed-in online

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Modality	Group self-study
Technique	Papers and projects ( <b>retrievable</b> )
Description	Students will choose and research on a specific case/topic, individually or in small groups. In this context, they will write an essay where they will analyze international human rights standards applicable to the case/topic, in particular in light of the analysis and interpretation of these standards by international tribunals and monitoring bodies, and reach conclusions on the level of protection to be afforded to individuals and/or groups in that specific case. This exercise will allow students to develop their capacity to apply their knowledge to a concrete situation and, when relevant, to practice their ability to work and reach results in a team. The essay is to be handed-in online on the Campus Extens subject page before the established deadline, and is worth 30% of the final mark.
Assessment criteria	Assessment will be based on the ability to analyze international human rights standards applicable to the specific case/topic, in particular in light of the analysis and interpretation of these standards by international tribunals and



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monitoring bodies, and the ability to reach conclusions on the level of protection to be afforded to individuals and/or groups in that specific case. See also the criteria outlined above.

Final grade percentage: 30%with a minimum grade of 3.5

### **Resources, bibliography and additional documentation**

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The professor will provide students with the basic texts which they can consult on-line through the Campus Extens subject page, and will refer students to webpages and databases were they will find the rest of the materials that they will need to prepare this subject. Also, the professor will provide her PowerPoint presentations that constitute the basic reference for students on the topics to be studied for the written exam.

#### **Basic bibliography**

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Reference material posted by the professor on the Campus Extens subject page.

Websites and legal databases of the UN and other organizations listed on the Campus Extens subject page.

