

International Protection of Human Rights

Code: 102255
ECTS Credits: 3

Degree	Type	Year	Semester
2500786 Law	OB	4	1

Errata

Warning. Teaching in English. The group in English will be group 2, not group 1.

Contact

Name: Encarnación Bodelon Gonzalez

Email: encarna.bodelon@uab.cat

Use of Languages

Principal working language: catalan (cat)

Some groups entirely in English: Yes

Some groups entirely in Catalan: Yes

Some groups entirely in Spanish: Yes

Other comments on languages

Grup 2. Adrián Pascale

Teachers

Noelia Igareda Gonzalez

Marta Isern

Patricia Toro Lozano

Luisa Pilar Moreno Cuerva

Paula Arce Becerra

Sonia Güell Peris

Adrian Pascale

Marc Abraham Puig Hernandez

Prerequisites

Prerequisites: monitoring this subject requires good knowledge of public international law

Group 1. English Sebastian Preller i Paula Arce.

Group 2. Catalan and spanish. Marta Isern i Adrian Pascale.

Group 3. Catalan: Sonia Güell Peris i Marc Puig

Group 51. spanish: Patricia Toro Lozano i Luisa Moreno

Objectives and Contextualisation

- Develop tools for a reflection on the role of HRH, its consecration and its guarantees in the face of possible violations.
- Acquire knowledge of mechanisms for the protection of human rights as a form of expression of equality before the law.
- Familiarization with the theoretical instruments necessary to understand the importance and impact of HRH and its link with the rule of law.
- Acquire knowledge of basic theoretical questions of international and constitutional human rights law to provide instruments that address its practical aspect.
- Acquire basic knowledge about the concepts of human rights, historical evolution, justification and evolution from a critical and reflective perspective.
- To know examples of judicial issues in which the characteristics and scope of the protection of human rights have been debated.
- Know the limits and opportunities of HRH and its protection as an instrument of legal equality.
- Familiarization with the mechanisms of International Protection of Human Rights.
- Knowledge of practice in the field of International Protection of Human Rights.

Competences

- Apprehending the necessary mechanisms in order to know, assess, and apply the legislative reforms as well as to follow the changes produced in a concrete subject.
- Arguing and laying the foundation for the implementation of legal standards.
- Demonstrating a sensible and critical reasoning: analysis, synthesis, conclusions.
- Identifying and solving problems.
- Identifying the underlying conflicts of interest in disputes and real cases.
- Identifying, assessing and putting into practice changes in jurisprudence.
- Identifying, knowing and applying the basic and general principles of the legal system.
- Integrating the importance of Law as a regulatory system of social relations.
- Managing bibliographic and documentary resources: databases, browsing, etc.
- Memorising and utilising legal terminology.
- Present information in a way that is appropriate to the type of audience.
- Students must be capable of demonstrating the unitary nature of the legal system and of the necessary interdisciplinary view of legal problems.
- Students must be capable of learning autonomously and having an entrepreneurial spirit.
- Using the main constitutional principles and values as a working tool in the interpretation of the legal system.
- Working in multidisciplinary and interdisciplinary fields.

Learning Outcomes

1. Applying an interdisciplinary and integrated vision of the legal problems in an international environment.
2. Assessing legislative changes and reforms in a context of plurality of systems.
3. Assessing the underlying conflicts of interest in the legal problems proposed in an international environment.
4. Building a legal reasoning or discourse in the field of Public International Law, Private International Law and European Union Law.

5. Demonstrating a sensible and critical reasoning: analysis, synthesis, conclusions.
6. Identifying and assessing the changes and evolution of jurisprudence in a context of plurality of systems.
7. Identifying and knowing the basic contents of every stipulated speciality.
8. Identifying and solving problems.
9. Integrating the importance of Law as a regulatory system of social relations, and the contextualisation of the legal phenomenon in the international environment.
10. Managing bibliographic and documentary resources: databases, browsing, etc.
11. Memorising and using the specific terminology of Public International Law, Private International Law and European Union Law.
12. Present information in a way that is appropriate to the type of audience.
13. Students must be capable of learning autonomously and having an entrepreneurial spirit.
14. Using the constitutional values as a criterion for interpretation and solution of conflicts, specially in case of a contradiction between the main fundamental principles of several legal systems.
15. Working in multidisciplinary and interdisciplinary fields.

Content

I Part: HUMAN RIGHTS AND JUSTICE. FOUNDATION PROBLEMS

1. Classical theories of justice: utilitarianism and Kantian critiques
2. Liberal egalitarianism and equal opportunities.
3. Communitarianism and the multiculturalism debate

II Part: CURRENT PROBLEMS THE PROTECTION OF HR:

1. Neoliberal theories and human rights violations
2. Anti-discrimination law : legal framework against the treatment of multiple discrimination and intersectionality

III Part: THE MECHANISMS OF UNIVERSAL PROTECTION OF HUMAN RIGHTS:

- 1.- Non-jurisdictional universal mechanisms for the protection of Human Rights
- 2.- Universal jurisdictional mechanisms for the protection of Human Rights
- 3.- The performance of the International Criminal Tribunals

IV Part: THE MECHANISMS OF REGIONAL PROTECTION OF HUMAN RIGHTS

- 1.- Non-jurisdictional regional mechanisms for the protection of Human Rights. Inter-American System for the Protection of Human Rights and other regional systems
- 2.- Jurisdictional regional Mechanismes for the protection of Human Rights. The action of the European Court of Human Rights, the performance of the Inter-American Court of Human Rights
- 3.- The protection of Human Rights within the framework of the European Union

Methodology

Statement

The sessions of blocks I and II will be both theoretical and practical, always starting from the basis of some compulsory readings. The sessions of blocks III and IV will be structured based on previously prepared studies and cases that will be the subject of presentation, debate and comments in class. That is why class attendance is an essential requirement to evaluate and when calculating the course load, the student must take into

account that, in addition to the prerogatives classroom hours, he will have to devote part of his time also to the reading of texts and preparation of the sessions; the study of the contents and at least one or two tutorials throughout the course.

Annotation: Within the schedule set by the centre or degree programme, 15 minutes of one class will be reserved for students to evaluate their lecturers and their courses or modules through questionnaires.

Activities

Title	Hours	ECTS	Learning Outcomes
Type: Directed			
Practice session	9	0.36	1, 4, 5, 10, 7, 6, 8, 15, 14, 3
master class	13.5	0.54	1, 5, 10, 6, 9, 15, 2, 3
Type: Supervised			
Tutorials	10	0.4	1, 4, 5, 10, 8, 13
Type: Autonomous			
Assessment	5	0.2	4, 9
Study	9	0.36	4, 7, 9, 11, 12, 8, 13, 14
previous working for sessions	14.34	0.57	4, 7, 6, 11, 8, 15, 2
reading texts and documents	14.16	0.57	7, 6, 13, 15, 2, 3

Assessment

A student who cheats or try to cheat an exam will have a 0 as a mark. A Student who submits a paper o practical in which there is evidence of plagiarism will have a 0 as a mark and will receive a warning. In case of repetition, the students will fail the subject.

The sessions of I and Part II will be both theoretical and practical, always starting from the basis of some compulsory readings. The sessions of Part III and IV will be structured based on previously prepared studies and cases that will be the subject of presentation, debate and comments in class.

That is why class attendance to the seminars face- to face is an essential requirement to evaluate and when calculating the course load, the student must take into account that, in addition to the prerogatives classroom hours, he will have to devote part of his time also to the reading of texts and preparation of the sessions; the study of the contents and at least one or two tutorials throughout the course.

The individual final work and the test of theoretical knowledge can be subject to re-evaluation.

Assessment Activities

Title	Weighting	Hours	ECTS	Learning Outcomes
Active participation in class blocks I and II	10%	0	0	1, 4, 5, 10, 7, 8, 14
Delivery of a written work corresponding to blocks I and II	40%	0	0	1, 4, 5, 6, 9, 12, 8, 13, 15, 2, 3

Practical work	20%	0	0	1, 4
knowledge test block III and IV	30%	0	0	4, 5, 10, 7, 6, 11, 8, 14, 3

Bibliography

First Part

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Second Part

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Links de interés:

Documentación de naciones Unidas:

<https://www.un.org/Depts/dhl/spanish/resguids/spechrsp.htm>

Cuadro de normas y mecanismos para la Protección de los Derechos Humanos

<http://www.derechoshumanos.net>

Legislación UE

http://europa.eu/legislation_summaries/human_rights/index_es.htm

Software

The course does not require any specific software.