



**LUND**  
UNIVERSITY

Faculty of Law

## **JAMR15, Procedural Law of Human Rights in National and International Law, 7.5 credits**

*Procedural Law of Human Rights in National and International Law, 7,5 högskolepoäng*  
Second Cycle / Avancerad nivå

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### **Details of approval**

The syllabus was approved by Educational Committee of the Law Faculty Board on 2008-09-19 to be valid from 2008-09-19, autumn semester 2008.

### **General Information**

The course Procedural Law of Human Rights in National and International Law is a compulsory course within the Master's Programme in International Human Rights Law.

*Language of instruction:* English

Lectures and course material are in English.

The course is scheduled to require 5 weeks of full time studies.

*Main field of studies*

Human Rights

*Depth of study relative to the degree requirements*

A1F, Second cycle, has second-cycle course/s as entry requirements

### **Learning outcomes**

#### **Knowledge and understanding**

To pass the examination the student shall show:

- an understanding of the contents and implementation of the right to a fair trial
- insight into major approaches in theorizing issues in procedural law

- a thorough understanding of how the concept of fair trial impacts on the implementation of human rights in general
- an understanding of how the concept of a fair trial interacts with political decision-making and democracy.

## **Competence and skills**

To pass the examination the student shall show:

- mastery of legal tools and techniques allowing for the identification of *lex lata*
- capability to criticize *lex lata* and current theories in order to be able to propose alternative solutions to complex legal problems *de lege ferenda*
- be able to present an intricate legal issue orally and to convincingly present a case before a critical audience.

## **Judgement and approach**

To pass the examination the student shall

- demonstrate an understanding of basic procedural principles; norms and the implementation of a fair trial
- show an understanding of the theories underpinning the concept of a fair trial and their ramifications for the implementation of human rights in general
- display a scientific ethos in working with procedural law.

## **Course content**

The course explores the concept of a fair trial and puts it in a theoretical as well as practical context. Towards that end the students are taught how to claim a right in court, what to expect when facing a trial and how various rights are balanced in court as well as out of court. These issues are highlighted using concrete examples such as when deciding the limit of free speech and the limit of personal security in court. Issues of national sovereignty versus international requirements are dealt with as well as the states double role as the provider of a fair trial and at the same time occasionally acting as the defending party.

## **Course design**

Instruction is in the form of lectures and seminars (moot courts) as well as individual feedback and mentoring. In order to pass, the student has to attend all of the moot courts, and give an oral presentation during the moot court.

## **Assessment**

Final examination is in the form of a written paper, 10-15 pages, at the end of the course.

Active participation in lectures and moot court has an impact on grading in borderline cases.

*Subcourses that are part of this course can be found in an appendix at the end of this document.*

## **Grades**

Marking scale: Fail, Pass, Pass with credit, Pass with distinction.

## **Entry requirements**

Passed examination in the first year of the programme equivalent to 52.5 credits.

## **Further information**

The University views plagiarism as a very serious academic offence, and will take disciplinary actions against students for any kind of attempted malpractice in connection with examinations and assessments. The penalty that may be imposed for this, and other unfair practice in examinations or assessments, includes suspension from the University.

Subcourses in JAMR15, Procedural Law of Human Rights in National and International Law

Applies from H08

0801 Procedural Law of Human Rights in National and Intern. Law, 7,5 hp  
Grading scale: Fail, Pass, Pass with credit, Pass with distinction