

JAMR24, Advanced Human Rights, 15 högskolepoäng

Advanced Human Rights, 15 credits

Avancerad nivå / Second Cycle

Fastställande

Kursplanen är fastställd av Juridiska fakultetsstyrelsens utbildningsnämnd 2008-12-09 att gälla från och med 2009-01-20, vårterminen 2009.

Allmänna uppgifter

The course in Advanced Human Rights is a compulsory course within the Master's Programme in International Human Rights Law at the Faculty of Law. It is compulsory for all the three specializations of the Masters programme.

Huvudområde

Mänskliga rättigheter

Fördjupning

A1F, Avancerad nivå, har kurs/er på avancerad nivå som förkunskapskrav

Kursens mål

Knowledge and understanding

To pass examination the student shall show

- in-depth knowledge concerning the circumstances in which international human rights obligations are created and applied
- in-depth knowledge of the scientific foundations of this branch of law
- knowledge about international human rights law research and methodology within this field
- knowledge about the role of states and international organizations in respecting and ensuring human rights
- insight in the legal framework in which international and regional human rights, including intellectual property rights and labour standards, operate
- knowledge about the evolving case law on the European Convention on Human Rights and other monitoring bodies.

Skills and abilities

To pass examination the student shall show

- ability, on an advanced level, to critically and systematically assess and integrate knowledge in the area civil and political rights, including the European Convention on Human Rights
- ability to independently, critically and creatively identify legal problems and to systematize arguments, and to analyze, compare and assess theoretical and practical problems within the context of civil and political rights, as well as relating them to economic, social and cultural rights
- awareness of procedure of international human rights monitoring mechanisms
- ability to understand horizontal effects of international human rights on all legally relevant fields of domestic law
- ability to write legal memos and to show a sound knowledge of legal analysis and argumentation skills (written and orally)
- ability to solve cases concerning civil and political rights within a limited period of time, both in an oral and a written form
- ability to work both individually and in smaller and larger groups.

Judgement and approach

To pass examination the student shall show

- ability to make an assessment regarding societal aspects of human rights
- insight in the different and main strands of criticism towards human rights
- insight regarding the role which international human rights law in this field plays in the interaction between states and individuals/groups and in the international community as a whole
- insight regarding the role of international and regional organizations in the law making processes related to human rights
- ability to realize the advantages and disadvantages of international human rights law and its impact on state organization and domestic legislation.

Kursens innehåll

The course covers the development of first generation human rights towards third generation of human rights, when looking in-depth at the catalogue of civil and political rights as well as social and economic rights provided for in the international and regional instruments. The focus of the course rests on the development and creation of these rights within a region. The course covers the evolution of the scope and content, current character of the rights and their enforceability in international law. The course provides a comparative approach between international and regional systems, including the developments in relevant jurisprudence.

Kursens genomförande

The students obtain knowledge and competences as above by individual studies of course literature and other course material, and by taking an active part in lectures and seminars. The students will analyse case law with regard to the legal questions, the legal arguments and solutions proposed, to strengthen their legal analytical skills.

Instruction is given in the forms of lectures and seminars. Each main topic of the course begins with an introductory lecture and continues with a seminar aiming at a deeper understanding and application of the legal framework in question.

The problem-based seminars involve examination of decisions and cases, both real

and fictional, concerning central and current issues in international law, mainly the European Court of Human Rights. The students will formulate arguments on different legal perspectives, both written as well as orally. The students are encouraged to work in study groups and to prepare for each seminar in these groups. They are required to write and present case memos distributed to the rest of the students in the class to enable the compilation of a case digest on the European Convention on Human Rights, in order to get more in-depth knowledge on the recent central themes of civil and political rights protection. Special attention is drawn to the students' legal argumentation skills. The final seminar will be a moot court where the students shall apply their trained knowledge from the course.

Examination is in the form of a 48-hour take home exam (50% of the grade) at the end of the course. The individual case memo constitutes 25% of the grade. The student performance in the moot court covers 25% of the grade.

Active class participation has an impact on the result of the final mark in borderline cases.

In order to pass, students are required to attend at least 80% of the classes.

Kursens examination

Prov/moment för denna kurs finns i en bilaga i slutet av dokumentet.

Betyg

Betygsskalan omfattar betygsgraderna Underkänd, Godkänd, Icke utan beröm godkänd, Med beröm godkänd.

One of the following grades is given: Pass with Distinction (AB), Pass with Credit (BA), Pass (B) or Fail (U).

Förkunskapskrav

Passed examinations in JAMR23 International Law, 15 credits and attendance in JAMR02 Human Rights and Humanitarian Law, 15 credits.

Övrigt

The course is open for students within the programme leading to a Swedish professional degree Master of Laws within the specialization in International Human Rights Law. The course is also open to international students participating in exchange programmes with the Faculty of Law.

Lectures and course material are in English.

The course is scheduled to require 10 weeks of full time studies.

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.

Prov/moment för kursen JAMR24, Advanced Human Rights

Gäller från V09

0801 Advanced Human Rights, 15,0 hp

Betygsskala: Underkänd, Godkänd, Icke utan beröm godkänd, Med beröm godkänd