



LUND
UNIVERSITY

Faculty of Law

JAMR36, Democratic Policing and Human Rights, 7.5 credits *Polisarbeta och mänskliga rättigheter, 7,5 högskolepoäng* Second Cycle / Avancerad nivå

Details of approval

The syllabus is an old version, approved by Faculty of Law Board of education at undergraduate and postgraduate levels on 2018-02-28 and was last revised on 2020-10-20. . The revised syllabus applied from 2020-10-20. , autumn semester 2020.

General Information

The course Democratic Policing and Human Rights is an elective course within the Master's Programme in International Human Rights Law at the Faculty of Law. The course is open to students on the programme leading to a Swedish Professional Law degree with a specialization in European Business Law. The course is also open to international students participating in exchange programmes with the Faculty of Law.

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

Language of instruction: English

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 be able to demonstrate

- an in-depth knowledge of the issues of policing in democratic and undemocratic environments, especially when it comes human rights issues in the combatting of terrorism and serious crime
- a thorough understanding of the sources of international human rights law that govern policing and human rights in as well as understanding practical issues and formal limits that govern the police
- an understanding of the moral basis of responsibility under international human

- rights law and the exercise of criminal responsibility at the international level
- an in-depth knowledge of the core crimes constituting terrorism and serious crime
- knowledge of a range of crimes under or pursuant to international law, including terrorism, organized crime and gender-related crime
- general awareness of the current development of the technological tools available to combat serious crime and terrorism.

Competence and skills

To pass the examination the student shall be able to demonstrate

- the ability to identify legal problems dealing with human rights and the combatting of serious crime and terrorism
- adequate research skills including the search, processing and analysis of sources of law and other sources of knowledge, including compiling of empirical facts
- the ability to make use of the legal-technical knowledge and perspectives acquired through the course
- the ability to discuss and analyze cases dealing with the topics of the course from various perspectives and present the results orally and in writing
- the ability to critically assess and comment constructively on arguments and theories in the field of human rights law
- the ability to engage in focused research on a specific topic and to present the result in scholarly writing.

Judgement and approach

To pass the examination the student shall be able to demonstrate

- the ability to articulate the theoretical justification and normative basis of international human rights law in the field of fighting serious crime and terrorism
- the ability to distinguish between legal arguments and arguments based on political or other considerations
- insight into the constraints on the practice of international human rights law such as the problem of objectivity, selectivity, human rights protection and political influence.

Course content

The course will cover the central areas of international human rights law structured under the following main headings:

The history of fighting serious crime and terrorism and attached case law and the legal and moral considerations while doing so

The course examines the concept of terrorism and serious crime in national and international law, mainly European. The course also examines what technological possibilities exist in the fight and how they can be used by private and public actors.

General part of International Human rights Law and good policing

The course examines what parts of human rights law are affected by using advanced technology in the combat of serious crime and terrorism. In connection with this the use of technology and methods in democracies and totalitarian states will be examined.

The role of the police in democratic and undemocratic environments

The course focuses on the role of the police in democratic and undemocratic

environments and what role, in practice and in theory, human right law must play in societies faced with challenges of, inter alia, violence and terror.

Course design

Instruction is given in the form of lectures and seminars. Active participation is expected.

Assessment

The students are assessed on the basis of a take home exam.

Active participation during the classes can impact the final grade in borderline cases.

The examiner, in consultation with Disability Support Services, may deviate from the regular form of examination in order to provide a permanently disabled student with a form of examination equivalent to that of a student without a disability.

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.

All grading criteria rest on the baseline set up for the grade B. Criteria for the grade BA are additional to those for the grade B. Criteria for the grade AB are additional to those for the grade BA. Each grade criterion consists of a qualitative and a quantitative dimension. To be awarded a specific grade, the grade criterion must be satisfied in its qualitative as well as its quantitative dimension.

Grading criteria are applied to all dimensions listed as "Learning outcomes" in this syllabus. By way of example, an AB would presuppose that the student's examination reflect her or his mastery with regard to knowledge and understanding, skills and abilities and values and attitudes as laid down in the syllabus as "learning outcomes". Grading is done primarily using Qualitative and Quantitative criteria. The Quantitative criterion reflects how well read the student is whereas the Qualitative criterion reflects how well the student can use their knowledge to make a well structured critical and analytical argument and put it in a proper context.

B – Basic command

In order to pass the student must be able to demonstrate a solid ability independently to search for and to evaluate legal and other sources in the field of international human rights law, the ability to conduct satisfactory analysis of a legal question in relation to different sources, good knowledge of substantive international human rights law as well as having a good knowledge of the challenges facing police as well as human rights law in the fight against serious crime and terrorism.

A general awareness of the development of technology and law is required as well as an adequate understanding of the theoretical underpinning of international human rights law. The ability to convey the knowledge both orally and in written form is also required.

BA – Advanced command

In order to achieve BA, the student must, in addition to what is required to achieve the grade of B, show a broad as well as deep knowledge of substantive international human rights law and have a grasp of general police procedure, the ability to conduct deep and nuanced analyses of a legal question in relation to different sources, a good awareness of the development of international human rights law at different levels and the ability to articulate the normativity of international human rights law, a good understanding of the theoretical underpinning of international human rights law, the ability to respond to questions and interact with other students at presentations and seminars, the ability to carry out assignments in a timely manner and a good command of presentation and communication skills.

AB – Mastery

To achieve the highest grade, the student must, in addition to the general knowledge and skill in the overall subject of international human rights law required for the grade of B and BA, be able to demonstrate in-depth knowledge of an aspect of international human rights law showing a deep awareness of the historical, systematic and theoretical underpinnings of the particular aspect of international human rights law being studied. The student's independent choice of the specific aspect for in-depth study should be scientifically motivated and must demonstrate a very good ability in identifying an interesting legal topic relevant to the study of international human rights law.

Entry requirements

Passed examination in courses corresponding to the first term of the Master's programme equivalent to 30 credits.

Admission requirements for international exchange students include relevant undergraduate studies corresponding to three years at a university level, and basic knowledge of public international law.

For students on the Professional Law Degree Programme the entry requirements for semesters 7 and 8 are outlined in the Programme syllabus (utbildningsplanen).

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 JAMR36, Democratic Policing and Human Rights

Applies from H18

1801 Democratic Policing and Human Rights, 7,5 hp
Grading scale: Fail, Pass, Pass with credit, Pass with distinction