

**JAMR43, International Labour Law: The Protection of
Workers' Human Rights, 7.5 credits**
*International Labour Law: The Protection of Workers' Human
Rights, 7,5 högskolepoäng*
Second Cycle / Avancerad nivå

Details of approval

The syllabus was approved by Faculty of Law Board of education at undergraduate and postgraduate levels on 2020-05-28 to be valid from 2020-07-01, autumn semester 2020.

General Information

The course International Labour Law: The Protection of Workers' 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 and who follow the Master's programme in International Human Rights Law in their second-cycle 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 must be able to show:

- in-depth knowledge concerning the circumstances in which international law on labour rights is created and applied
- in-depth knowledge of the scientific foundations of this branch of law
- knowledge about current international law on labour rights research and methodology

- awareness of the role of international labour law in sustainable development
- knowledge about the role of states and international organizations in international law on labour rights, in particular the International Labour Organisation
- insight into the legal framework in which international and regional human rights operate within the field of international labour rights law.

Judgement and approach

To pass the examination the student must be able to show:

- ability to make an assessment regarding societal aspects of national and international law on labour rights and its role in development
- insight regarding the role which international labour rights law plays in the interaction between states and individuals/groups, including employers and workers and in the international community as a whole
- insight regarding the role of international and regional organizations in the international labour rights law-making processes
- ability to realize the advantages and disadvantages of international labour rights law and its impact on the state organization and legislation.

Course content

This course provides an overview of the labour rights component of international human rights. Labour rights were in many ways at the origins of international human rights law – e.g., the anti-slavery movement and the fight against child labour during the industrial revolution – though many courses and text books on international human rights neglect this vital part of the broader subject. It has become obvious that neither economic nor social development is sustainable without systematic attention to the rights of working people and the world of work, and international development and legal agendas are increasingly focusing on labour rights. See, e.g., the Social Development Goals adopted in 2015. This course is therefore intended to inform students about labour rights as a component both of international human rights law, and as an indispensable part of the rights-based approach to development.

Students will learn: (1) the content and implementation of fundamental labour rights in international human rights law and practice; (2) the necessary protections of workers' rights for healthy economies; and (3) the supervision of these rights by international bodies and organizations, including the history, structure and procedures of the International Labour Organization, the principal international organization for this subject. It will examine in particular the labour components of international human rights contained in 'general' international human rights law, as well as international labour standards, and the mechanisms used by the ILO to adopt, supervise and promote standards through development cooperation programmes.

Lectures will not only focus on the principles of law but also on the practical use of international labour law in national law-making, tribunal cases, CSR programmes, local negotiations, and other project related work, taking into account differing views of stakeholders. Students will also learn about: (1) emerging issues in labour rights (the evolving nature of work relationships, labour standards and trade, etc.); (2) the roles of the social partners and implementation of labour rights at the national level; and (3) labour rights as a policy instrument for development by international financial and development institutions. The crisis resulting from the COVID-19 outbreak and its impact on workers' rights will be given due attention. The major emphasis will be on the use of international and national labour law as practical tools for the implementation of human rights.

Course design

The course will combine lectures, discussions and group work, provided by experts in international labour law, on the basis of suggested reading. Student participation in class discussions will be a normal part of the course. There will be a take-home examination at the conclusion of the course.

Assessment

The students obtain knowledge and competences as indicated above by individual studies of course literature and other course material, and by taking an active part in lectures and seminars. Students will be expected to use the course materials as a basis for wider research in this area.

Examination is in the form of a take home exam.

In order to pass, and in view of the concentrated nature of this course, students are required to have 80% attendance in the lectures.

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.

B – Pass

In order to pass the student must show good knowledge of international human rights and international labour law; and good knowledge of the history of, basic elements included in, and core current debates surrounding, international labour law and human rights.

BA – Pass with credit

In order to pass the student must show good command of international human rights and international labour law; and good knowledge of the history of basic elements included in, and core current debates surrounding, international labour law and human rights. The student must be able to demonstrate basic knowledge of core concepts and standards related to human rights in the world of work. The student must be able to demonstrate familiarity with international institutions and mechanisms of particular relevance to international labour law and the implementation of human rights in this field. The student must show familiarity with the central contemporary debates concerning the application of the concept of

human rights at work to national and international policy and programming. The student must be able to draw on his or her broad knowledge of human rights law and mechanisms, in combination with the materials offered in the course, to analyse the implementation of national and international labour law within the broader context of international human rights law and practice.

AB – Pass with distinction

In order to achieve the highest grade the student must be able to draw on multiple sources, including non-legal sources, to analyze cogently the rights-based approach to labour in the light of contemporary human rights and development practice.

The student must be able to explore independently a particular aspect of labour law and practice from a human rights perspective, drawing not only on the course materials but also on other relevant sources, including for instance other international legal documents or scholarship or reports in the fields of human rights and labour, as a basis for discussion and analysis.

The student must be able to express his or her ideas clearly and concisely in writing.

Entry requirements

Passed examination in courses corresponding to the first year of the Master's programme equivalent to 52.5 credits.

Students on the Swedish Professional Law degree programme should have completed courses equivalent to 150 credits within semesters 1-6.

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 JAMR43, International Labour Law: The Protection of Workers' Human Rights

Applies from H20

2001 International Labour Law: The Protection of Workers' HR, 7,5 hp
Grading scale: Fail, Pass, Pass with credit, Pass with distinction