

PEOPLES' FRIENDSHIP UNIVERSITY OF RUSSIA

(RUDN University)

Law Institute

Department of International Law

Recommended by methodological council

COURSE PROGRAMME

PROTECTION OF HUMAN RIGHTS IN THE UN SYSTEM

Specialty "Jurisprudence"

40.04.01, Master Degree

"International Protection of Human Rights"

Goals and objectives of course

The course “International Protection of Human Rights” is developed for the full-time students specialized in law. Its goal is to teach basic terminology and categories which are used in the international human rights law, basic human rights treaties etc.

The main objective is to familiarize students with such issues as establishment and development of basic principles and norms of international human rights law, development, elaboration and adoption of key human rights treaties and the activities of the human rights treaty bodies, activities of main and subsidiary bodies of the United Nations, different suggestions on the improving the functioning of the UN human rights machinery, develop skills of unassisted analysis of international treaties and practical application of the knowledge received.

Position of course in *curriculum*

The course is delivered as a core subject in the first semester. The volume of the course is 5 ESTC credits.

Requirements for the results of the course

The graduate should have the following professional competences (PC):

ability to develop normative legal acts (PC-1);

the ability to competently apply legal acts in specific areas of legal activities, to implement the norms of substantive and procedural law in professional activities (PC-2);

able to carry out a comprehensive legal analysis of legally significant situations of varying degrees of complexity with the development of independent conclusions and practical proposals (PC-3);

able to draw up an expert opinion reflecting the progress and results of the study on the issues raised by the initiator of the expert task (PC-4);

able to give qualified legal opinions and advice in specific areas of legal activity within the framework of the profile of the educational program (PC-5).

As a result, student must:

To know:

- The degree of negative impact of globalization on the international legal order;
- Benefits of globalization in the world of unity, interrelatedness and interdependence of nations;
- The basic theoretical problems of modern international law, including international human rights law;
- The basic doctrinal approaches to various theoretical problems of modern international human rights law;
- Ways and means to prevent, overcome and resolve international legal problems of a global nature, adversely affecting the international legal order.

To be able to:

- operate the basic categorial apparatus of international law;
- Assess the effectiveness of the UN human rights bodies;
- To propose concrete steps for the application of regulatory and institutional capacity of the UN human rights system to solve global problems;
- Specify the path to improve the national mechanisms for the implementation of international human rights law.

Be skilled in:

- Working with the system of websites UN, OHCHR, the UN Library, UN University, UN specialized agencies, regional intergovernmental organizations;
- Working with international legal acts adopted on important aspects of human rights protection;
- Analysing recent court decisions of the International Court of Justice, the European Court of Human Rights, legal positions of human rights treaty bodies, UN subsidiary human rights bodies;
- Solving the problems of interpretation or implementation of international obligations of States on the fundamental international human rights agreements.

The volume of course and types of activities

| Type | Total hours | Semesters | |
|------------------------|-------------|-----------|--|
| | | I | |
| Total classes workload | 32 | 32 | |
| Lectures | | | |
| Classes | 32 | 32 | |
| Homework | 76 | 76 | |
| Volume, hours | 108 | 108 | |
| Volume, credits | 3 | 3 | |

Contents of course**Section 1. Human rights in the history of international relations and international law**

The notion of human rights. The origins of human rights. Classification of human rights. Generations of human rights. National law on protection of human rights and international human rights law: interdependence and interrelation.

Section 2. UN Charter and the principle of respect for and protection of human rights. International Bill of Human Rights: legal content. International Covenant on Civil and Political Rights (ICCPR).

From the Statute of the League of Nations to the UN Charter. Drafting and adoption of the UN Charter. Purposes and principles of the Charter. Powers of main and subsidiary UN bodies in the field of human rights. Binding nature of the UN Charter provisions.

Decision to elaborate the Universal Declaration of Human Rights (UDHR) and Covenant on human rights. Preparation and adoption of the UDHR. Legal content of the UDHR, basic rights and freedoms enshrined there. Binding nature of the UDHR. UDHR's significance for the development of international law. The influence of the UDHR on the consolidation of fundamental human rights and freedoms in national law.

General Assembly's decision to elaborate two international covenants on human rights. Elaboration and adoption of International Covenant on Civil and Political Rights (ICCPR) and International Covenant on Economic, Social and Cultural Rights (ICESCR).

Basic civil and political rights stipulated in the ICCPR. Obligations imposed by the Covenant on State Parties. Human Rights Committee as monitoring body of the ICCPR. Elaboration and adoption of Optional Protocols to the ICCPR.

Section 3. International Bill of Human Rights: legal content. International Covenant on Economic, Social and Cultural Rights (ICESCR).

Economic, social and cultural rights in the system of main human rights. The list of economic, social and cultural rights enshrined in the ICESCR. Obligations imposed by the Covenant on State Parties. The Committee on Economic, Social and Cultural Rights as a monitoring body of the ICESCR. Elaboration and adoption of the 2008 Optional Protocol to the International Covenant on Economic, Social and Cultural Rights.

Section 4. The International Conferences on Human Rights and their outcomes.

International Conference on Human Rights, Teheran, 22 April to 13 May 1968. Final Act of the International Conference on Human Rights, Teheran, 22 April to 13 May 1968. World Conference on Human Rights, Vienna, 14-25 June 1993. Millennium Summit (6-8 September 2000). Millennium Development Goals (MDGs).

The 2005 World Summit. United Nations Sustainable Development Summit 2015 (25 - 27 September 2015). Post-2015 development agenda and Sustainable Development Goals (SDGs).

Section 5. The competence of the principal organs of the UN and of the specialised agencies of the UN to protect human rights.

Competence of principal organs of the UN in the protection of human rights: General Assembly, Security Council, International Court of Justice (the 2010 decision of the Court in the *Ahmadou*

Sadio Diallo case). Economic and Social Council (ECOSOS). Secretariat. Specialised agencies: UNESCO, ILO.

Section 6. The competence of the subsidiary human rights organs of the UN.

Activities of the Commission of Human Rights and Sub-Commission for the Promotion and Protection of human Rights. Legal and political reasons for reforming the UN human rights machinery. Powers and activities of the UN Human Rights Council and its Advisory Committee. Universal Periodic Review Mechanism. Special Procedures. Procedures of the Consideration of Individual Complaints.

Section 7. Core international human rights treaties and their monitoring mechanisms - human rights treaty bodies.

Convention on the Elimination of all forms of Racial Discrimination 1965, CERD Committee; Convention on the Elimination of Discrimination Against Women 1979, CEDAW Committee; Convention against torture and other forms of cruel treatment or punishment 1984, CAT Committee; Convention on the Rights of the Child 1989, CRC Committee; Convention on the Rights of Migrant Workers 1990, CMW Committee; Convention on the Rights of Persons with Disabilities 2006, CRPD Committee; Convention for the protection of all Persons from Enforced Disappearances 2006, CED Committee.

Section 8. Responsibility for violations of human rights.

International crimes: concept and types. International Criminal Court. Concept “Responsibility to protect.” Responsibility of States for human rights violations.

Extraterritorial application of human rights. Application of human rights in armed conflict. Business and human rights.

International fact-finding mechanisms dealing with human rights violations.

Section 9. National mechanisms for the protection of human rights.

The inclusion of the provisions of international human rights instruments in the national legal systems. Domestic remedies. National human rights institutions and the 1993 Principles relating to the Status of National Institutions (The Paris Principles). The role of NGOs in the promotion and protection of human rights at the national level.

Sections of Course and Education forms

| Sections | Lectures | Classes | Independent work | Total hours |
|----------|----------|---------|------------------|-------------|
| 1 | | 4 | 6 | 10 |
| 2 | | 4 | 6 | 10 |
| 3 | | 4 | 6 | 10 |
| 4 | | 4 | 6 | 10 |
| 5 | | 4 | 6 | 10 |

| | | | | |
|---|--|---|----|----|
| 6 | | 4 | 6 | 10 |
| 7 | | 4 | 6 | 10 |
| 8 | | 2 | 18 | 20 |
| 9 | | 2 | 16 | 18 |

Technical equipment

Inter-University Resource Center for Human Rights Master Studies (office 365), OHCHR database, Oxford Journals database, desktop computers, laptop PCs, a bookbinding machine, a projector with a screen, a magnetic board, a flip chart, a laminating machine and a multifunction device.

Additional resources

UN Audiovisual Library of International Law (<http://legal.un.org/avl/>), The Dag Hammarskjöld Library (<http://digitallibrary.un.org/>), Springer (<https://rd.springer.com/>).

Bibliography

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2. Abashidze A. The Complementary Role of General Comments in Enhancing the Implementation of Treaty Bodies' Recommendations and Views (the Example of CESCR) // New Challenges for the UN Human Rights Machinery. What Future for the UN Treaty Body System and the Human Rights Council Procedures? / Edited by: M. Cherif Bassiouni, William A. Schabas - Antwerp: Intersentia Publishers, 2011. - С. 137-148.
3. Alston P. The UN's Human Rights Record: From San Francisco to Vienna and Beyond / P. Alston // Human Rights Quarterly. – 1994. – Vol. 16 (2). – P. 375–390.
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10. Felice, D.G. *A voice not an echo: universal periodic review and the UN treaty body system* / D.G. Felice // *Human rights law review*. – 2007. – Vol. 7 (1). – P. 109–139.
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Guidelines on the organization of the course:

Lectures. Oral systematic and coherent presentation of the material by section discipline. Lectures are held with the support of multimedia and audiovisual and presentation. Classes. The form of training workshops in which students with the assistance of a teacher discussing the reports, reports, essays and other forms of independent work. Seminars are held in the following forms: discussion of lecture material and questions for practical training, analysis and discussion of scientific papers, a list which is contained in this program, and performance with an analytical report on them. Methodological model of the learning process. In framework of classes the following techniques and methods: survey, discussion, interactive. Independent work. In a broad sense, the independent work of master should be understood as the set of all self-employment in the absence of trained teachers and in contact with him in the classroom and beyond (including during the training sessions). Here and also include working with primary sources: note taking, oral presentation with an analysis of the source. Forms of control. Under the two forms of control means in the form of certification testing, writing essays.

Evaluation

Materials for assessing the level of the educational materials of the course (evaluation materials), including questions on the topics of the course, concepts, roles and expected result for each task, examples of test tasks, an example of a hypothetical case, topics of reports / abstracts / term papers are developed in full and are available to students on the course page on esystem.rudn.ru.

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