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Информация о владельце:  
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Должность: Ректор  
Дата подписания: 05.07.2022 14:19:59  
Уникальный программный ключ:  
ca953a0120d891083f939673078ef1a989dae18a

**Federal State Autonomous Educational Institution for Higher Education  
PEOPLES' FRIENDSHIP UNIVERSITY OF RUSSIA  
(RUDN University)**

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LAW INSTITUTE

Educational Division

COURSE SYLLABUS

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European System of Human Rights

(Course title)

**Recommended by the Didactic Council for the Education Field**

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40.04.01 Jurisprudence / Юриспруденция

(Code and Name of the Field of Education / Specialty)

**Courses (modules) are Taught as Part of the Educational Program of Higher Education**

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International Protection of Human Rights

(name (profile/specialisation))

**2022**

## 1. COURSE GOAL

The aim of the course is to familiarize students with the historical and political contexts, the stages and motivating reasons for the emergence and evolution of the European system of human rights protection; to consider the mechanisms for the protection of human rights in the framework of the Council of Europe; to analyze the activities of the Commissioner for Human Rights, the European Court of Human Rights (ECtHR), focusing on the organization and competence of the latter to consider individual complaints; to study the conditions of complaint procedure of the ECtHR, the procedure for reviewing complaints and executing the decisions of the ECtHR made on the merits of the case, the amendments made by Protocol No. 14 to the Convention on Human Rights of 1950 and the directions for further reform of the ECtHR (Interlaken and Izmir Declarations); to assess the process of the European Union's accession to the 1950 Convention on Human Rights.

The main objectives of the course include the following: to instill skills of independent analysis of the content of applicable international legal sources; to give basic knowledge about the European system of human rights protection; to explain the essence, subject, meaning of the discipline "European system of Human Rights protection", as well as the main trends in the development of this discipline at the present stage; to study the norms of the legislation of the Council of Europe; to study the activities of the European Court of Human Rights; to analyze the activities of the European Court of Human Rights; to analyze the activities of the institutions of the European Union; to analyze the impact of the activities of the European Court of Human Rights and its decisions on the national legal order.

## 2. LEARNING OUTCOMES

The course is aimed at building and enhancing the following target competencies (parts of competencies):

*Table 2.1. List of target competencies (parts of competencies)*

| <b>Шифр</b><br>Code<br>(UC, GPC,<br>PC) | <b>Компетенция</b><br>Competence   | <b>Индикаторы достижения компетенции</b><br>(в рамках данной дисциплины)<br>Competence indicators   |
|---|--|---|
| GPC-7                                   | Able to apply information technology and use legal databases to solve professional problems, taking into account information security requirements   | GPC-7.1. OPC-7.1. Knows basic information technologies and legal databases to solve problems in various fields of legal activity;                       |
|   |  | GPC-7.2. Applies information technology and uses legal databases to solve professional problems, taking into account information security requirements; |
|   |  | GPC-7.3. Have skills of information maintenance and data processing to solve professional tasks taking into account information security requirements.  |
| PC-5                                    | Able to participate in the legal review of draft domestic and international legal acts and to interpret the relevant acts in the light of the 1969 Vienna Convention on the Law of Treaties and other fundamental international legal acts | PC-5.3. Performs qualified interpretation of normative acts of domestic and international character from the position of international treaty law;      |

## 3. COURSE IN ACADEMIC PROGRAMME STRUCTURE

The course belongs to the obligatory part of Block 1 of the curriculum.

As part of the curriculum, students also study other courses and/or internships that contribute to the achievement of expected learning outcomes.

Table 3.1. The list of components of the Educational Program of Higher Education that contribute to the achievement of the expected results of the development of the course

| Шифр<br>Code<br>Code<br>(UC,<br>GPC, PC) | Наименование<br>компетенции<br>Competence  | Предшествующие<br>дисциплины/модули,<br>практики*<br>Previous<br>courses/internships*   | Последующие<br>дисциплины/модули,<br>практики*<br>Subsequent courses/internships*   |
|--|--|---|---|
| GPC-7                                    | Able to apply information technology and use legal databases to solve professional problems, taking into account information security requirements   | History and Methodology of Law / История и методология юридической науки<br>Comparative Law Research / Сравнительное правоведение | Educational Internship (Teaching) / Учебная практика (педагогическая)<br>Internship / Производственная практика, в т.ч. преддипломная |
| PC-5                                     | Able to participate in the legal review of draft domestic and international legal acts and to interpret the relevant acts in the light of the 1969 Vienna Convention on the Law of Treaties and other fundamental international legal acts | International Law and Development / Международное право и развитие (актуальные проблемы)  | Internship / Производственная практика, в т.ч. преддипломная  |

\* - filled in based on the competency matrix

#### 4. COURSE WORKLOAD AND ACADEMIC ACTIVITIES

Course workload is 3 credits (108 academic hours)

Table 4.1. Types of academic activities for **full-time** education

| Types of academic activities                                 | TOTAL,<br>academic<br>hours | Semester / Module |            |   |   |
|--|-----------------------------|-------------------|------------|---|---|
|  |                             | 5                 | 6          | 7 | 8 |
| <i>Classroom learning, academic hours</i>                    | 108                         | 32                |            |   |   |
| including:   |                             |                   |            |   |   |
| Lectures (LC)  | -                           | -                 |            |   |   |
| Lab work (LW)  | -                           | -                 |            |   |   |
| Seminars (workshops/tutorials) (S)                           | 32                          | 32                |            |   |   |
| <i>Self-study (ies), academic hours</i>                      | 74                          | 74                |            |   |   |
| <i>Evaluation and assessment (exam or pass/fail grading)</i> | 2                           | 2                 |            |   |   |
| <b>Course Workload</b>                                       | academic hours              | <b>108</b>        | <b>108</b> |   |   |
|  | credits                     | <b>3</b>          | <b>3</b>   |   |   |

Table 4.2. Types of academic activities for **part-time** education\*

| Types of academic activities                                 | TOTAL,<br>academic<br>hours | Semester / Module |   |   |   |
|--|-----------------------------|-------------------|---|---|---|
|  |                             | 5                 | 6 | 7 | 8 |
| <i>Classroom learning, academic hours</i>                    |                             |                   |   |   |   |
| including:   |                             |                   |   |   |   |
| Lectures (LC)  |                             |                   |   |   |   |
| Lab work (LW)  |                             |                   |   |   |   |
| Seminars (workshops/tutorials) (S)                           |                             |                   |   |   |   |
| <i>Self-study (ies), academic hours</i>                      |                             |                   |   |   |   |
| <i>Evaluation and assessment (exam or pass/fail grading)</i> |                             |                   |   |   |   |
| <b>Course Workload</b>                                       | academic hours              |                   |   |   |   |
|  | credits                     |                   |   |   |   |

\* - must be completed in case of implementation of the program in part-time form

Table 4.3. Types of academic activities for extramural form of study

| Types of academic activities                                 | TOTAL,<br>academic<br>hours | Semester / Module |   |   |   |
|--|-----------------------------|-------------------|---|---|---|
|  |                             | 5                 | 6 | 7 | 8 |
| <i>Classroom learning, academic hours</i>                    | 108                         | 108               |   |   |   |
| including:   |                             |                   |   |   |   |
| Lectures (LC)  |                             |                   |   |   |   |
| Lab work (LW)  |                             |                   |   |   |   |
| Seminars (workshops/tutorials) (S)                           | 32                          |                   |   |   |   |
| <i>Self-study (ies), academic hours</i>                      | 74                          |                   |   |   |   |
| <i>Evaluation and assessment (exam or pass/fail grading)</i> | 2                           |                   |   |   |   |
| <b>Course Workload</b>                                       | academic hours              | 108               |   |   |   |
|  | credits                     | 3                 |   |   |   |

\* - must be completed in case of implementation of the program in extramural of study

## 5. COURSE UNITS AND CONTENTS

Table 5.1. The content of the course and types of academic activities

| Course Units / Sections   | Topics   | Type of academic activity* |
|---|--|----------------------------|
| Section 1. Respect for human rights and freedoms in the activities of the Council of Europe | Topic 1.1. The Council of Europe (CoE) as a forum for intergovernmental cooperation: history of creation, competence, structure.   | S                          |
|   | Topic 1.2. Respect for human rights as a value, principle and priority of the CoE. The Strasbourg Declaration of 1997, the Warsaw Declaration of 2005 and its Action Plan: Promotion and enforcement of human rights as a long-term goal of the Council of Europe, Madrid Declaration of 2010. Mechanisms of control of the CoE over the promotion and | S                          |

| Course Units / Sections  | Topics   | Type of academic activity* |
|--|--|----------------------------|
|  | protection of human rights. Reform of the CoE and improvement of mechanisms for the protection of human rights of the Council of Europe.   |                            |
| Section 2. The European Court of Human Rights: organization of activities and competence           | Topic 2.1. Convention for the Protection of Human Rights and Fundamental Freedoms of 1950: structure and legal content.  | S                          |
|  | Topic 2.2. History of the establishment, powers and jurisdiction of the European Court of Human Rights (ECtHR) and the domestic law of the States parties to the Convention 1950. The procedure for filing a complaint with the ECtHR.   | S                          |
| Section 3. Mechanisms of the Council of Europe for the protection of human Rights                  | Topic 3.1. European Social Charter, 1961, and Protocols: history of adoption, structure and legal content. The monitoring mechanism of the European Social Charter. Russia as a participant of the European Social Charter of 1996: a list of selected human rights and freedoms. The "introductory" report of Russia.   | S                          |
|  | Topic 3.2. CoE mechanisms to ensure access to social human rights. The right to health in CoE. CoE mechanisms ensuring social human rights in biomedical research. Steering Committee on Bioethics.  | S                          |
| Section 4. Monitoring system for the promotion and protection of the rights of national minorities | Topic 4.1. National minority issue in the Framework Convention for the Protection of National Minorities, 1995: the history of adoption, structure and content. Advisory Committee of the 1995 Convention: functions, activities and competence. Committee of Experts on the Protection of the Rights of National Minorities.  | S                          |
| Section 5. Protection of human rights under the law of the European Union                          | <p>Topic 5.1. Promotion and protection of human rights in the EU: history of the formation and evolution. Core documents in the field of human rights in EU: EU Guidelines on Human Rights; The EU Charter of Fundamental Rights 2000; the EU Treaty as amended by the Lisbon Treaty.</p> <p>Mechanisms for the protection of human rights in the EU: the EU Agency for Fundamental Rights; European Initiative for Democracy and Human Rights; EIDHR Strategy for 2011-2013; European Data Protection Inspector; the EU Court of Justice.</p> | S                          |
| Section 6. OSCE human rights protection mechanisms   | Topic 6.1. The role and importance of the OSCE in ensuring and protecting human rights in Europe. Helsinki Final Act of 1975. The concept of "human dimension". The mechanisms provided for by the Vienna, Copenhagen,   | S                          |

| Course Units / Sections | Topics  | Type of academic activity* |
|-------------------------|---|----------------------------|
|                         | Moscow, Helsinki documents on the Human Dimension of the CSCE. Mechanisms in the field: Institute of the High Commissioner for National Minorities, Bureau for Democratic Institutions and Human Rights, Representative for ensuring freedom of the Media; OSCE cooperation with the Council of Europe and the European Union in the field of human rights. |                            |

\* - filled in **only for full-time** education: LC - lectures; LW - laboratory work; S - seminars.

## 6. CLASSROOM EQUIPMENT AND TECHNOLOGY SUPPORT REQUIREMENTS

*Table 6.1. Classroom Equipment and Technology Support Requirements*

| Classroom for Academic Activity Type | Classroom Equipment   | Specialized hardware and software (if necessary)  |
|--------------------------------------|---|---|
| Lecture                              | Classroom for lectures, equipped with a set of specialized furniture; a set of devices including portable multimedia projector, laptop, projection screen, stable wireless Internet connection.   | Multimedia projector, laptop, projection screen, stable wireless Internet connection.<br>Software: Office 365 (MS Office, MS Teams), Chrome |
| Lab                                  | Classroom for lab work, group and individual consultations, evaluation and assessment, equipped with a set of specialized furniture; a set of devices including portable multimedia projector, laptop, projection screen, stable wireless Internet connection.                                  | Multimedia projector, laptop, projection screen, stable wireless Internet connection.<br>Software: Office 365 (MS Office, MS Teams), Chrome |
| Seminars                             | Classroom for seminars, group and individual consultations, evaluation and assessment, equipped with a set of specialized furniture; a set of devices including portable multimedia projector, laptop, projection screen, stable wireless Internet connection.                                  | Multimedia projector, laptop, projection screen, stable wireless Internet connection.<br>Software: Office 365 (MS Office, MS Teams), Chrome |
| Computer classroom                   | Computer classroom for academic activity, group and individual consultations, evaluation and assessment, equipped with a set of specialized furniture; a set of devices including portable multimedia projector, 30 personal computers, projection screen, stable wireless Internet connection. | Multimedia projector, laptop, projection screen, stable wireless Internet connection.<br>Software: Office 365 (MS Office, MS Teams), Chrome |
| Self-studies Classroom               | Classroom for Self-studies, equipped with a set of specialized furniture; a set of devices including portable multimedia projector, laptop, projection screen, stable wireless  | Multimedia projector, laptop, projection screen, stable wireless Internet connection.   |

| <b>Classroom for Academic Activity Type</b> | <b>Classroom Equipment</b>   | <b>Specialized hardware and software (if necessary)</b>   |
|---|--|---|
|   | Internet connection.   | Software: Office 365 (MS Office, MS Teams), Chrome  |
| Courtroom                                   | Classroom for court hearing simulation equipped with a set of specialized furniture; a set of devices including portable multimedia projector, laptop, projection screen, stable wireless Internet connection. | Multimedia projector, laptop, projection screen, stable wireless Internet connection.<br>Software: Office 365 (MS Office, MS Teams), Chrome |

\* - It is necessary to specify a classroom for self-study of students

## 7. RECOMMENDED SOURCES FOR COURSE STUDIES

### *Main reading (sources):*

1. William A. Schabas. *The European Convention on Human Rights: A Commentary*. Oxford: Oxford University Press, 2015 (Resource Center on Human Rights, RUDN University).
2. Cohen-Jonathan G. "La protection des droits fondamentaux dans l'Union Européenne et la Convention européenne des droits de l'homme", in *Les mutations contemporaines du droit public: mélanges en l'honneur de Benoit Jeanneau*. Paris: Dalloz. 2002.

### *Additional (optional) reading (sources):*

3. European court of human rights. *Opinion of the Court on the Wise Person's Report: (as adopted by the Plenary Court on 2 April 2007)* // European Court of Human Rights. – Strasbourg. Council of Europe. 2007.
4. Fribergh E. *Pilot judgments from the Court's perspective. Towards stronger implementation of the European Convention on Human Rights at national level*. Directorate General of Human Rights. Council of Europe, 2008. - P. 86.
5. Furrerans P. *La contribution du Conseil de l'Europe à la construction européenne in Société française pour le droit international. Les organisations internationales contemporaines: crise, mutation, développement // Colloque de Strasbourg, 21-23 mai 1987*. Paris. 1988.
6. Imbert, Pierre-Henri, *De l'adhésion de l'Union Européenne à la CEDIH. Symposium des Juges au Château de Bourglinster, le 16.09.2002 // Droits fondamentaux. - №2. - janvier-décembre. – 2002. - p.3-8.*
7. Jacobs, G. *Human rights in the European Union // E.L. Rev. – 2001. - Aug. 26. - P. 331-341.*
8. Le Bot, Olivier, *Charte de l'Union Européenne et Convention de sauvegarde des droits de l'homme: la coexistence des deux catalogues de droits fondamentaux, in Revue trimestrielle des droits de l'homme. - № 55/2003. - p.791-799.*
9. Lenaerts Koen *The Court of Justice of the European Communities and the European Court of Human Rights: an old couple in a new setting / by Koen Lenaerts. – In: La Cour de justice des Communautés européennes: 1952-2002: bilan et perspectives: actes de la*

conférence organisée dans le cadre du cinquantième anniversaire de la Cour de justice // Amicale des référendaires et anciens référendaires de la Cour de justice et du Tribunal de première instance des Communautés européennes. - Bruxelles: Bruylant. - 2004. – p. 89-104.

10. Krüger H.C. and Polakiewicz J. Propositions pour la creation d'un système coherent de protection de l'homme en Europe // Revue Universelle des Droits de l'homme. – Vol. 13. – Nos. 1-4. – 2001. – p. 1-9.
11. Scheer Hester The interaction between the ECHR and EC law: a case study in the field of EC competition law // Hester Scheer. – In: Zeitschrift für europarechtliche Studien (ZEuS), Jahrg. 7. – H. 4 (2004). – p. 663-691.
12. Le Bot, O. Charte de l'Union Europeenne et Convention de sauvegarde des droits de l'homme: la coexistence des deux catalogues de droits fondamentaux // Revue trimestriels des droits de l'homme. – 2003 - № 55 - P.791.
13. Lambert-Abdelgawad E. «Le protocole 14 et l'exécution des arrêt de la Cour europeene des droits de l'homme» in G. Cohen-Jonathan, J.F. Flauss «La Reforme du systeme de controle contentieux de la Convention europeene de droits de l'homme». Droit et Justice, Vol.61. Bruxelles: Bruylant, 2005. - P. 102.
14. Lenaerts Koen The Court of Justice of the European Communities and the European Court of Human Rights: an old couple in a new setting / by Koen Lenaerts. – In: La Cour de justice des Communautés européennes: 1952-2002: bilan et perspectives: actes de la conférence organisée dans le cadre du cinquantième anniversaire de la Cour de justice // Amicale des référendaires et anciens référendaires de la Cour de justice et du Tribunal de première instance des Communautés européennes. - Bruxelles: Bruylant. - 2004. – p. 89-104.
15. Renucci, J.-F. Droit européen des droits de l'homme / J.-F. Renucci/ - 2me éd. – Paris : LGDJ, 1999.
16. Shelton, D. The Boundaries of Human Rights Jurisdiction in Europe // Duke Journal of International and Comparative Law. - 2003. - Vol. 13, № 4. - P. 96.
17. Scheer Hester The interaction between the ECHR and EC law: a case study in the field of EC competition law // Hester Scheer. – In: Zeitschrift für europarechtliche Studien (ZEuS), Jahrg. 7. – H. 4 (2004). – p. 663-691.
18. Sudre, F. La Communauté européenne et les droits fondamentaux après le Traité d'Amsterdam: Vers un nouveau système européen de protection des droits de l'homme? // La Semaine Juridique. – 1998. – Jan. 7. N.Y., 1996.

*Internet-(based) sources:*

1. Electronic libraries with access for RUDN students

- RUDN Electronic library system <http://lib.rudn.ru/MegaPro/Web>
- Electronic library system «University Library online» <http://www.biblioclub.ru>
- Electronic Library «URAIT» <http://www.biblio-online.ru>
- Electronic library system «Student. Consultant»[www.studentlibrary.ru](http://www.studentlibrary.ru)
- Electronic library system «Lan» <http://e.lanbook.com/>
- Electronic library system "Troitskyi most"

2. Databases and search engines:

- Electronic Legal and Regulatory Documentation Fund <http://docs.cntd.ru/>
- Search system Yandex <https://www.yandex.ru/>



- Search system Google <https://www.google.ru/>
- SCOPUS <http://www.elsevierscience.ru/products/scopus/>

\* - Learning toolkits for self-studies in the RUDN Learning materials for self-studies on the relevant course pages in TUIS

## 8. ASSESSMENT AND EVALUATION TOOLKIT

Mid-Term Assessment and Evaluation Toolkit, Assessment and Grading Criteria are presented in the Appendix to this Course Syllabus

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