

## Course Outline

|                            |  |  |                     |   |               |
|----------------------------|--|--|---------------------|---|---------------|
| <b>Course number</b>       | RBE311   |  |                     |   |               |
| <b>Course title</b>        | International Human Rights Institutions, Procedures and Mechanisms |  |                     |   |               |
| <b>Credit points</b>       | 3 ECTS (2 LV CP)   |  |                     |   |               |
| <b>Total hours</b>         | 80   |  |                     |   |               |
| <b>Contact hours</b>       | 32   |  |                     |   |               |
| <b>Independent studies</b> | 48   |  |                     |   |               |
| <b>Course level</b>        | Bachelor   |  |                     |   |               |
| <b>Prerequisites</b>       | None   |  |                     |   |               |
| <b>Category</b>            | Mandatory  |  | Restricted elective | X | Free elective |

### COURSE RESPONSIBLE

| <i>Name</i>   | <i>Academic degree</i> | <i>Academic position</i> |
|---------------|------------------------|--------------------------|
| Julia Emtseva | LL.M., M.A., LL.B.     | Visiting lecturer        |

### COURSE TEACHERS

| <i>Name</i>   | <i>Academic degree</i> | <i>Academic position</i> |
|---------------|------------------------|--------------------------|
| Julia Emtseva | LL.M., M.A., LL.B.     | Visiting lecturer        |

### COURSE ABSTRACT

Regional and sub-regional human rights protection systems have been established to complement the United Nations human rights architecture. But regional systems vary considerably in their objectives, powers, structures, challenges, effectiveness, and even their recognized human rights norms. This course will analyze the mandates, decision-making and mechanisms of international human rights institutions at regional and international level, mainly focusing on procedural aspects of their work.

The course will provide insight into the regional systems of the Council of Europe, the Organization of American States, and the African Union. Brief consideration is also given to newer systems, such as the League of Arab States and the Association of Southeast Asian Nations. Further, the course will concentrate on the procedures, mechanisms and documents of the UN human rights bodies, both Treaty-based and Charter-based bodies.

### GRADING CRITERIA

| <b>Criteria</b>  | <b>Weighting</b> |
|------------------|------------------|
| Moot court       | 40%              |
| Final term paper | 50%              |

|               |     |
|---------------|-----|
| Participation | 10% |
|---------------|-----|

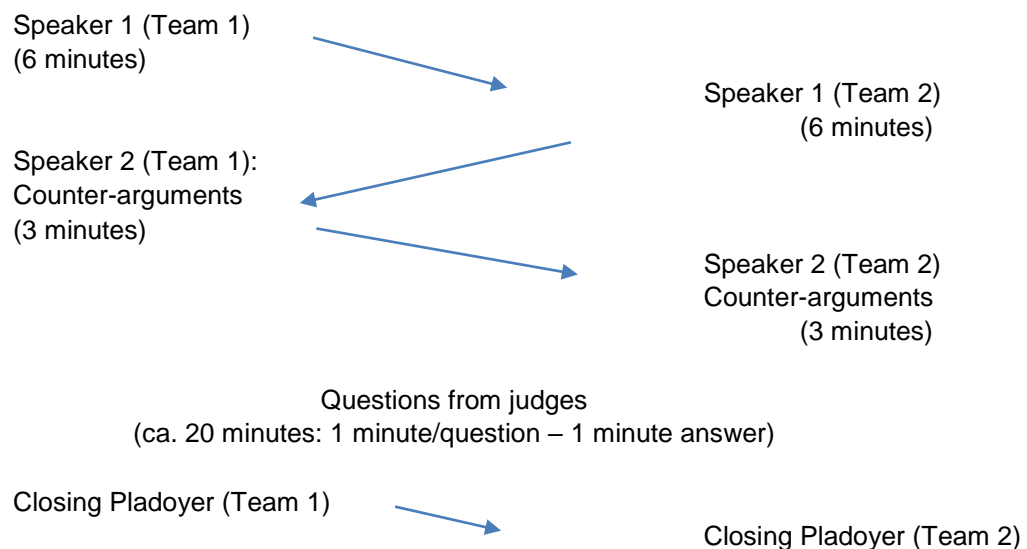
## GRADE DISTRIBUTION

### Moot Court – 40%:

A Moot Court is an imitation of oral proceedings in a court. Just like in oral proceedings before a court, you have to argue why a specific action or law is either in compliance with or contrary to a fundamental rights norm.

- Team 1 represents the claimants and has to argue why an action or law does violate fundamental rights law. Team 2 represents the state and has to provide arguments why an action or law does not violate fundamental rights law.
- The number of students per team will be decided upon the enrollment in the course is over
- You have to prepare the arguments together as a group and decide on the order in which the arguments are brought forward (which speaker says what?).
- Your arguments must be *legal* arguments that are supported by legal norms or case law. When preparing the arguments, you should also think of possible counter arguments by your opponent team and how you could address these counter arguments.

### Structure:



Take into account the following points when preparing the arguments:

- Speaker 1: arguments should be the key arguments of your legal argumentation. Be prepared to be asked about the details of your arguments later by the judges.
- Speaker 2: responds to the arguments made by the opponent team. The better you have prepared possible counter arguments, the easier it will be to formulate counter-arguments.
- Closing plaidoyer: sum up your arguments in light of the counter arguments that you faced.
- Judges: you also act as a judge for the other group, i.e. if you are in Group 2, you act as judges during the proceedings of Group 1, and vice versa. Your role is to ask critical questions to members of each team, e.g. ask them to elaborate on a specific point, ask them about possible non-desirable consequences if their argument was endorsed, or about possible flaws in their arguments etc.

This means that, in addition to preparing the arguments for the case that you have been assigned to, you also have to familiarize yourself with the readings of the other group. The group acting as judges may distribute the readings to reduce the readings that each individual group member has to read.

You have to sign up for the different teams by the second week of classes. The hypothetical case will be distributed when the teams are ready.

### **Final term paper – 50%:**

You will be expected to develop a counselling plan for a hypothetical client (a victim of human rights violations). You are the attorney advising the client.

The written assignment will need to: a) demonstrate mastery of relevant international human rights mechanisms by providing an accurate and complete advocacy plan; b) support your counselling recommendations with research on international precedents and judgments (case law, decisions on urgent appeals and precautionary measures), as well as other relevant reports; c) analyze the advantages and disadvantages of the various options discussed.

Further instructions will be distributed to the class.

### **Participation – 10%:**

Participation will be assessed by your readiness and willingness to engage in class discussions. Everyone will have the opportunity to participate in the class (see the discussant's role in the next section). No less important is your active participation (with cameras on) during our online sessions. The grading scale is 10 points. You will get 10 points (+10% of the overall grade) if the lecturer deemed your participation excellent but you could also get, for instance, 7 points (+7% of the overall grade) if your participation was good but not excellent. This could get down to 0 points if you failed to participate in the class at all (beyond mere participation).

**Important:** Students are expected to self-assess their participation and submit a **Participation Reflection Statement** with their final term paper, self-assigning a grade for participation accompanied by a brief explanatory statement. The instructor may revise the self-assessed grade, taking into account the assessment criteria.

## **COURSE REQUIREMENTS**

Attendance and class participation are important. You must be prepared to discuss the class readings. Your participation grade will be based more on the quality and less on the quantity of your participation. I will accept volunteers, "cold call," as well as call upon designated class discussants. Discussants will be named in advance of each class. The discussants generally will be my first option for responses and comments. Discussants will begin after the first week; a calendar will be made for the course, so that everyone will have sufficient notice. We will also have occasional class discussion exercises and simulations. These will provide another format for class participation.

**Part of the class will be held online and it is very important for the class dynamics to keep your cameras on. Our class is an interactive activity, therefore, keeping cameras off can disturb the learning objectives of this course. Failure to activate your camera on a regular basis without justification will result in loss of participation/or attendance points.**

Please refrain from the use of electronics that is unrelated to your learning in this course. Please do not surf the Internet, send messages, or engage in other online activities during class.

## **ASSESSMENT DEADLINES POLICY**

- Students must submit all graded assignments to be able to pass the course by the indicated deadlines.
- Assignments submitted with a delay, without a justification will be marked 0 (failed), as provided in the RGSL policy on submissions of assignments.

• Late assignments are justified before the RGSL Bachelor Programme Director. The Lecturer will only accept these justifications on the advice of the RGSL Bachelor Programme Director, so please do not submit doctors' notes or other justifying material to the Lecturer, but to the RGSL Bachelor Programme Director.

## READING MATERIALS & RESOURCES

Each session includes a list of Compulsory Readings. It is essential that you read all compulsory readings (NB: make sure to check the allocated page numbers as sometimes only a section of an article/chapter is required). The readings will help you to understand the themes discussed in each session and to actively participate in class.

## COURSE PLAN – MAIN SUBJECTS

| <i>No.</i> | <i>Main subjects</i>   | <i>Planned hours</i> |
|------------|--|----------------------|
| 1.         | Introduction to International Human Rights Institutions, Procedures and Mechanisms | 4                    |
| 2.         | The European System of Human Rights Protection                                     | 8                    |
| 3.         | The Inter-American System of Human Rights Protection                               | 6                    |
| 4.         | The African System of Human Rights Protection                                      | 6                    |
| 5.         | ASEAN and Arab Systems   | 2                    |
| 6.         | UN Human Rights Institutions, Procedures And Mechanisms                            | 6                    |