



**University Code:** JUS 5710 (JUR1710)

**Semester:** Autumn 2019

**Instructors:** Maria Lundberg, Guest lectures: Professor Heiner Bielefeldt, *University of Erlangen-Nuremberg*; Johan Strömberg, *Senior adviser*, and Mari Marte Kobberstad Tingelholm, *adviser at the Norwegian National Human Rights Institution*:

Tutor-led student activities (TULSA): Natalia Torres Zuniga

**Date:** 15 JUNE 2019

*You should complement your readings by consulting selected documents and cases from UN treaty bodies or universal or regional courts. You find cases and documents for each lecture in CANVAS and some recommended readings are also listed. You should read and prepare cases for discussion during lectures.*

<p><b><u>LECTURE 1</u></b></p> <p><i>Tuesday 27 August 10:15-12:00</i></p> <p><i>Auditorium 6 Domas Academica (DA)</i></p> <p><i>Instructor: Maria Lundberg (NCHR)</i></p>	<p><b><i>AN INTRODUCTION TO INTERNATIONAL HUMAN RIGHTS: ORIGINS THE INTERNATIONAL BILL OF HUMAN RIGHTS THE EUROPEAN CONVENTION ON HUMAN RIGHTS</i></b></p> <p><b><i>Required readings:</i></b> <b><i>JUS5710</i></b> Schütter, de Olivier, <i>International Human Rights Law, Cases, Materials, Commentary</i>, Cambridge: Cambridge University Press, 2014. The emergence of international human rights, pp.13-146 (133pp)</p> <p>Smith, Rhona, <i>Textbook on International Human Rights</i>, 8th ed., Oxford: Oxford University Press 2018.: The International Bill of Human Rights, Substantive rights, pp. 38-51, 182-193 (23pp)</p> <p>Shaping Rights in the ECHR. The Role of the European Court of Human Rights in Determining the Scope of Human Rights, eds. Eva Brems and Janneke Gerards (Cambridge: Cambridge University Press, 2013)</p> <p>Scheinen, Martin “European human rights as universal human rights: in defence of a holistic understanding of human rights”, pp.259-270(11pp)</p> <p><b><i>JUR1710</i></b></p>
--	---



Smith, Rhona, *Textbook on International Human Rights*, 8th ed., Oxford: Oxford University Press 2018:  
Historical background, the Bill of Rights, Substantive rights pp. 5-26, 38-51, 182-193(46pp)

Shaping Rights in the ECHR. The Role of the European Court of Human Rights in Determining the Scope of Human Rights, eds. Eva Brems and Janneke Gerards (Cambridge: Cambridge University Press, 2013)  
“European human rights as universal human rights: in defence of a holistic understanding of human rights”, pp.259-270(11pp)



<p><b><u>LECTURE 2</u></b></p> <p><i>Tuesday 10 September 10:15-12:00</i></p> <p><i>Auditorium 6 DA</i></p> <p><i>Instructor: Heiner Bielefeldt, Professor of Human Rights and Human Rights Politics at the University of Erlangen-Nuremberg,; UN Special Rapporteur on freedom of religion or belief (2010-2016)</i></p>	<p><b><i>THE UNITED NATIONS AND CHARTER-BASED PROCEDURES</i></b></p> <p><b>Special procedures</b></p> <p><b>Required readings:</b> <b>JUS5710</b> De Schütter, The mechanisms of protection, 935-980 (45pp) Non-Discrimination, The range of States' obligations 647-703 (56pp)</p> <p>Smith, Rhona,(2018).: Religious discrimination, 207-211 (5pp):</p> <p><i>International Protection of Human Rights : A Textbook 2nd, revised edition,(2012):</i> Brett Rachel "Non-Governmental Organizations and Human Rights" pp.679-693 (15pp)</p> <p><b>JUR 1710</b> Smith, Rhona,(2018).: Equality and non- discrimination, 195-217 (22pp): Institutions and mechanisms 27-36, 53-67,160-165 (28pp)</p> <p><i>International Protection of Human Rights : A Textbook 2nd, revised edition,(2012):</i> Brett Rachel "Non-Governmental Organizations and Human Rights" pp.679-693 (15pp)</p>
<p><b><u>LECTURE 3</u></b></p> <p><i>Tuesday 17 September 10:15 – 12:00,</i></p> <p><i>Auditorium 6 DA</i></p> <p><i>Instructor: Maria Lundberg (NCHR)</i></p>	<p><b><i>THE UNITED NATIONS AND THE TREATY-BASED SYSTEM</i></b></p> <p><b>JUS5710</b></p> <p><b>Required reading:</b> De Schütter (2014): The mechanisms of protection(treaty-based), 867-934 (67pp)</p> <p><i>Economic, Social and Cultural Rights. A Textbook, pp. 9-28(20pp)</i></p> <p>- Alston Philip "The General Comments of the UN Committee on Economic, Social and Cultural Rights in <i>Proceedings of the Annual Meeting, American Society of International Law</i>, Vol. 104, International Law in a Time of Change (2010), (Cambridge University Press on behalf of the American Society of International Law) pp. 4-7 (4pp)</p>



	<p>-Nowak Manfred “The Right of Victims of Human Rights Violations to a Remedy: The Need for a World Court of Human Rights”, <i>Nordic Journal of Human Rights</i>, 32:1, (2014):pp. 3-17.(15pp)</p> <p><b>JUR1710</b> <b>Required readings:</b> Smith (2018), pp. 67-83, 156-160, women, children, older 387-400 (33pp) <i>Economic, Social and Cultural Rights. A Textbook</i>, pp. 9-28 (20pp)</p> <p>-Nowak Manfred “The Right of Victims of Human Rights Violations to a Remedy: The Need for a World Court of Human Rights”, <i>Nordic Journal of Human Rights</i>, 32:1, (2014):pp. 3-17. (15pp)</p>
<p><b><u>TULSA</u></b></p> <p><b><u>Groups on</u></b> <b><u>24-27 September</u></b> <b><u>Instructor: Natalia</u></b> <b><u>Torres Zuniga</u></b></p>	
<p><b><u>LECTURE 4</u></b></p> <p><i>Tuesday 24 September</i> <i>10:15 – 12:00</i></p> <p><i>Auditorium 6 DA</i></p> <p><i>Instructor: Maria</i> <i>Lundberg (NCHR)</i></p>	<p><b><i>REGIONAL SYSTEMS: EUROPE AND THE AMERICAS</i></b></p> <p><b>Required readings:</b> <b>JUS5710</b> De Schütter (2014): Regional mechanisms of protection, pp.981-1033(52pp)</p> <p><b>Shaping Rights in the ECHR:</b> Mowbray, Alister “<i>Between the will of the contracting Parties and the needs of today:..</i>”, pp.17-37(20pp) Arnardottir, Oddny Mjöll “<i>Discrimination as a magnifying lens: scope and ambit under Article 14 and Protocol 12</i>”, pp. 330-349 (19pp)</p> <p><b>JUR 1710</b> Smith (2018): Europe and the Americas, pp. 86-137(51pp)</p> <p><b>Shaping Rights in the ECHR:</b> Mowbray, Alister “<i>Between the will of the contracting Parties and the needs of today:..</i>”, pp.17-37(20pp)</p>



<p><b><u>LECTURE 5</u></b></p> <p><i>Tuesday 8 October 10:15 – 12:00</i></p> <p><i>Auditorium 6 DA</i></p> <p><i>Instructor: Maria Lundberg (NCHR)</i></p>	<p><b><i>THE RIGHT TO LIFE</i></b></p> <p><b><i>Required readings:</i></b> <b><i>JUS5710</i></b> De Schütter, The role of national authorities, 807-849 (42pp)</p> <p>Smith (2018),The right to life, 219-235 (16pp)</p> <p><b><i>Shaping Rights in the ECHR:</i></b> Brems, Eva “Procedural protection: an examination of procedural safeguards read into substantive Convention rights”, pp. 137-161(24pp)</p> <p>Tomuschat, Christian “Human Rights and International Humanitarian Law”,.15–23 (9pp)</p> <p><b><i>Required readings:</i></b> <b><i>JUR1710</i></b> Smith (2018),The right to life, 219-235 (16pp)</p> <p><b><i>Shaping Rights in the ECHR:</i></b> Brems, Eva “Procedural protection: an examination of procedural safeguards read into substantive Convention rights”, pp. 137-161(24pp)</p> <p>Tomuschat, Christian “Human Rights and International Humanitarian Law”,.15–23 (9pp)</p>
<p><b><u>LECTURE 6</u></b></p> <p><i>Tuesday 15 October 10:15 – 12:00</i></p> <p><i>Auditorium 6 DA</i></p> <p><i>Instructor: Maria Lundberg (NCHR)</i></p>	<p><b><i>FREEDOM FROM TORTURE, CRUEL, INHUMAN AND DEGRADING TREATMENT OR PUNISHMENT</i></b></p> <p><b><i>Required readings:</i></b> <b><i>JUS5710</i></b> Smith (2018), Torture...237-253 (16pp)</p> <p><i>Universal human rights and extraterritorial obligations</i>, Eds. Mark Gibney and Sigrun Skogly (Philadelphia: University of Pennsylvania Press 2010): Nowak, Manfred “Obligations of States to Prevent and Prohibit Torture in an Extraterritorial Perspective”, pp.11-29 (19pp)</p> <p><b><i>Required readings</i></b> <b><i>JUR1710</i></b> Smith (2018), Torture...237-253 (16pp)</p>



<p><b><u>LECTURE 7</u></b></p> <p><i>Tuesday 22 October 10:15 – 12:00</i></p> <p><i>Auditorium 6 DA</i></p> <p><i>Instructors: Maria Lundberg (NCHR)</i></p>	<p><b><i>THE RIGHTS OF MINORITIES AND INDIGENOUS PEOPLES</i></b></p> <p><b><i>Required readings:</i></b> <b><i>JUS 5710</i></b> De Schütter, Regional mechanisms of protection,.1033-1040 (7pp) The Scope of the requirement of non-discrimination, self-determination and minority rights, 632-647, 703-752, 758-804 (110pp)</p> <p>Smith (2018): Minority rights; indigenous peoples’ rights, 353-374, (21pp): Freedom of expression, 310- 322 (12pp)</p> <p><b><i>Required readings:</i></b> <b><i>JUR 1710</i></b> Smith (2018), Minority rights; indigenous peoples’ rights, 353-374 (21pp) Regional system Africa, 139-154 (15pp) Freedom of expression, 310- 322 (12pp):</p>
<p><b><u>LECTURE 8</u></b></p> <p><i>Tuesday 29 October</i></p> <p><i>10:15 – 12:00,</i></p> <p><i>Auditorium 6 DA</i></p> <p><i>Instructors: Norwegian National Human Rights Institution: Johan Strömgren, Senior adviser, and Mari Marte Kobberstad Tingelholm, adviser.</i></p>	<p><b><i>NATIONAL HUMAN RIGHTS INSTITUTIONS</i></b> <b><i>National minorities, indigenous peoples and women</i></b></p> <p><b><i>Required readings:</i></b> <b><i>JUS5710</i></b> De Schütter (2014). The role of national authorities pp.849-866(17pp)</p> <p><i>International Protection of Human Rights : A Textbook 2nd, revised edition,</i> eds. Catarina Krause and Martin Scheinin, (Turku: Åbo Akademi University Institute for Human Rights, 2012):</p> <p>Cusack, Simone and Rebecca J. Cook, “Combatting Discrimination Against Women” pp. 211-242 (31pp)</p> <p><b><i>JUR 1710</i></b> Smith,(2018):. National human rights institutions: p.165</p> <p><i>International Protection of Human Rights : A Textbook 2nd, revised edition,</i> eds. Catarina Krause and Martin Scheinin, (Turku: Åbo Akademi University Institute for Human Rights, 2012):</p> <p>Cusack, Simone and Rebecca J. Cook, “Combatting Discrimination Against Women” pp. 211-242 (31pp)</p>



<b>MOCK EXAM</b>	<b>MOCK EXAM: 29 OCTOBER hand in on 6 NOVEMBER 2019 CANVAS</b>
<p><b><u>LECTURES 9 and 10</u></b></p> <p><i>Tuesday 12 November</i> <i>Friday 15 November</i> <i>10:15 – 12:00</i></p> <p><i>Auditorium 6 DA</i></p> <p><i>Instructor: Maria Lundberg (NCHR)</i></p>	<p><b>CASE STUDY CHINA:</b></p> <p><b>RIGHT TO DEVELOPMENT AND SUSTAINABLE DEVELOPMENT MINORITY RIGHTS AND INDIGENOUS PEOPLES' RIGHTS</b></p> <p><b>THE LIMITS TO THE SYSTEM OF HUMAN RIGHTS PROTECTION</b></p> <p><b><i>Required readings:</i></b> <b><i>JUS5710</i></b> De Schütter (2014): Systematizing anti-discrimination law 752-758 (6pp) Smith (2018) Self-determination, 293-308 (15pp)</p> <p>Economic, Social and Cultural Rights: Rosas, Allan, "The Right to Development", pp: 119-130 (12pp)</p> <p>Shaping the rights: Leijten, Ingrid "Defining the scope of economic and social guarantees in the case law of the ECtHR", pp. 109-136 (27pp)</p> <p>Nickel, James W. "Goals and Rights. Working Together" in <i>The Millennium Development Goals and Human Rights. Past, Present and Future</i>, eds. Malcolm Langford, Andy Sumner, Alicia Ely Yamin., (Cambridge University Press, Online publication date: October 2013) pp.37-48.(12pp)</p> <p>Alston, Philip, "Against a World Court of Human Rights." <i>Ethics &amp; International Affairs</i> 28(2) (2014):. 197-212.(16pp)</p> <p>Fisher, Aled Dilwyn &amp; Lundberg, Anna Maria C. (2015). Human rights' legitimacy in the face of the global ecological crisis – indigenous peoples, ecological rights claims and the Inter-American human rights system. <i>Journal of Human Rights and the Environment</i>. ISSN 1759-7188. 6(2), pp 177- 203 (26pp) .</p> <p><b>The required readings will be the same for the two lectures</b></p> <p><b><i>Required readings:</i></b> <b><i>JUR1710</i></b> Smith (2018): Self-determination, 293-308 (15pp)</p>



	<p>Economic, Social and Cultural Rights. Rosas, Allan, “The Right to Development”, pp: 119-130 (12pp)</p> <p>Nickel, James W. “Goals and Rights. Working Together” in <i>The Millennium Development Goals and Human Rights. Past, Present and Future</i>, eds. <a href="#">Malcolm Langford</a>, <a href="#">Andy Sumner</a>, <a href="#">Alicia Ely Yamin</a>, (Cambridge University Press, Online publication date:October 2013) pp.37-48.(12pp)</p> <p>Alston, Philip, "Against a World Court of Human Rights." <i>Ethics &amp; International Affairs</i> 28(2) (2014):. 197-212.(16pp)</p> <p>Nowak Manfred “The Right of Victims of Human Rights Violations to a Remedy: The Need for a World Court of Human Rights”, <i>Nordic Journal of Human Rights</i>, 32:1, (2014):pp. 3-17 (15pp)</p> <p><b>The required readings will be the same for the two lectures</b></p>
<p><b><u>LECTURE 11</u></b></p> <p><i>Tuesday 19 November</i> <i>10:15 – 12:00</i></p> <p><i>Auditorium 6 DA</i></p> <p><i>Instructor: Maria Lundberg (NCHR)</i></p>	<p><b><i>REVIEW SESSION OF MOCK EXAM</i></b></p>

**Relevant Documents from Reference Texts and Overall readings**

Students are responsible to have read and be familiar with all documents from the reference texts which are relevant to the subject of the lecture and to the corresponding pages of the reading list. Documents and cases will be provided in CANVAS. The required readings for both courses (JUS5710/JUR1710) are found on the web page for JUS5710