



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

**Semester:** Autumn 2013

**Instructors:** Maria Lundberg, Dag Hareide, Odd Isungset,

**Date:** 19 June 2013

<p><b><u>LECTURE 1</u></b></p> <p><i>Thursday 29 August 10:15-12:00</i></p> <p><i>RG7 Galleriet (Håndverkeren) Genius (1.etasje-first floor) (Håndverkeren)</i></p> <p><i>Instructor: Maria Lundberg (NCHR)</i></p>	<p><b>An introduction to international human rights: Origins The International Bill of Human Rights</b></p> <p><i>Required reading:</i></p> <ul style="list-style-type: none"><li>- Smith, pp. 1-25, 37-51, 181-194</li><li>- (JUS5710)Burgenthal (4th ed.), pp. 1-28</li></ul> <p><i>Selected documents:</i></p> <ul style="list-style-type: none"><li>-GA (General Assembly) Resolution 217 (III), see General Assembly Resolutions, <a href="http://www.un.org/documents/resga.htm">http://www.un.org/documents/resga.htm</a></li><li>-The International Bill of Rights, see <a href="http://www.ohchr.org/EN/ProfessionalInterest/Pages/InternationalLaw.aspx">http://www.ohchr.org/EN/ProfessionalInterest/Pages/InternationalLaw.aspx</a></li><li>• The Universal Declaration of Human Rights (UDHR)</li><li>• The International Covenant on Economic Social and Cultural Rights (ICESCR)</li><li>• The International Covenant on Civil and Political Rights (ICCPR)</li></ul> <p><i>Recommended reading:</i></p> <ul style="list-style-type: none"><li>- Alfredsson, G. and A. Eide, eds., <i>The Universal Declaration of Human Rights</i>, The Hague, Cambridge, MA., Dordrecht: Kluwer Law International, 1999: Åshild Samnøy, “The Origins of the Universal..”, pp. 3-25 and Asbjørn Eide, “The Non-Inclusion of Minority Rights: Resolution 217C (III)”, pp. 701-723</li><li>- Burgenthal, <i>Public International Law, 4th ed.</i> Chapters 2 and 6: pp. 18-34, 133-144</li></ul>
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## **LECTURE 2**

*Thursday 5 September  
10:15 – 12:00*

*RG7 Galleriet  
(Håndverkeren) Genius  
(1.etasje-first floor)  
(Håndverkeren)*

*Instructor: Maria  
Lundberg (NCHR)*

### **The United Nations and Charter-based Procedures**

*Required reading:*

- Smith, pp. 26-36, 52-67, 157-162, 285-300 self-determination
- (JUS5710) Economic, Social and Cultural Rights, pp. 111-118

*Selected documents:*

- Charter of the United Nations  
<http://www.un.org/en/documents/charter/>
- GA Resolution 48/141 High Commissioner for the promotion and protection of all human rights. For the resolutions adopted by the GA, see  
<http://www.un.org/documents/resga.htm>
- GA Resolution 60/251 Human Rights Council, on the HR Council see  
<http://www2.ohchr.org/english/bodies/hrcouncil/>
- GA (General Assembly) Resolution A/RES/48/134, National institutions for the protection and promotion of human rights  
<http://www.un.org/documents/ga/res/48/a48r134.htm>
- GA Resolution A/RES/53/144, Declaration on the Rights and Responsibilities of Individuals, Groups, and Organs of Society to Promote and Protect Universally Recognized Human Rights and Fundamental Freedoms (“Human Rights Defenders”)  
<http://www2.ohchr.org/english/issues/defenders/translation.htm>

*Selected documents on the right to self-determination:*

- GA resolution 1514 (XV) of 14 December 1960, Declaration on the Granting of Independence to Colonial Countries and Peoples
- <http://www2.ohchr.org/english/law/independence.htm>
- General Assembly resolution 1803 (XVII) of 14 December 1962, "Permanent sovereignty over natural resources"
- <http://www2.ohchr.org/english/law/resources.htm>
- CCPR General Comment 12: *The right to self-determination of peoples*, UN Doc CCPR/C/21/Rev.1,
- <http://www.unhcr.ch/tbs/doc.nsf/0/f3c99406d528f37fc12563ed004960b4?OpenDocument>
- GA Resolution Declaration on the Rights of Indigenous Peoples (2007) (see in particular Articles 3 and 4)
- <http://www2.ohchr.org/english/issues/indigenous/declaration.htm>

*Recommended reading:*

Documents relating to the UPR: China (see the documents relating to



	<p>the first cycle and the new documents relating to the 2<sup>nd</sup> cycle) <a href="http://www.ohchr.org/EN/HRBodies/UPR/Pages/CNSession4.aspx">http://www.ohchr.org/EN/HRBodies/UPR/Pages/CNSession4.aspx</a></p> <p>China will be reviewed in the 17th session (21 Oct- 1 Nov 2013) of the Human Rights Council (HRC)</p> <p>“The Nordic Sami Convention: International Human Rights, Self-Determination and Other Central Provisions”, <i>Galdú Cála, Journal of Indigenous Peoples Rights No.3/2007</i></p> <ul style="list-style-type: none"><li>• Read about UN human rights activities, the Office of the High Commissioner for Human Rights (OHCHR) at <a href="http://www.ohchr.org">www.ohchr.org</a></li><li>• Special rapporteurs <a href="http://www.ohchr.org/EN/Issues/Pages/ListofIssues.aspx">http://www.ohchr.org/EN/Issues/Pages/ListofIssues.aspx</a></li><li>• OHCHR NGO Handbook: <a href="http://www.ohchr.org">www.ohchr.org</a></li><li>• Special rapporteurs <a href="http://www.ohchr.org/EN/Issues/Pages/ListofIssues.aspx">http://www.ohchr.org/EN/Issues/Pages/ListofIssues.aspx</a></li></ul>
<p><b><u>LECTURE 3</u></b></p> <p><i>Thursday 12 September 10:15 – 12::00,</i></p> <p><i>RG7 Galleriet (Håndverkeren) Genius (1.etasje-first floor) (Håndverkeren)</i></p> <p><i>Instructor: Maria Lundberg (NCHR) and Dag Hareide (director of the Rainforest Foundation Norway)tbc</i></p>	<p><b>The United Nations and Human Rights: Minority Rights and the Rights of Indigenous Peoples and the Environment The Rights of Indigenous Peoples and Climate Change</b></p> <p><i>Required reading:</i></p> <ul style="list-style-type: none"><li>- Smith, pp. 343-348, 360-366</li><li>- Burgenthal (4<sup>th</sup> ed.) pp. 481-499</li><li>-(JUS5710) <i>Economic, Social and Cultural Rights</i>, pp. 373-388</li></ul> <p><i>Selected documents:</i></p> <ul style="list-style-type: none"><li>-Article 27 of the International Covenant on Civil and Political Rights (ICCPR)</li><li>- Article 15 of the International Covenant on Economic Social and Cultural Rights (ICESCR)</li><li>- Article 24 of the African Charter on Human and Peoples’ Rights (African Charter)</li><li>- ILO (C169) Indigenous and Tribal Peoples Convention (1989) <a href="http://www2.ohchr.org/english/law/indigenous.htm">http://www2.ohchr.org/english/law/indigenous.htm</a></li><li>- GA Resolution 47/135 Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities (1992)</li></ul>



<http://www2.ohchr.org/english/law/minorities.htm>  
- GA Resolution Declaration on the Rights of Indigenous Peoples (2007)  
<http://www2.ohchr.org/english/issues/indigenous/declaration.htm>  
- CCPR General Comment 23: *The rights of minorities (Article 27)*, UN Doc. CCPR/C/21/Rev.1/Add.5  
For General Comments by the Human Rights Committee, see  
<http://www2.ohchr.org/english/bodies/hrc/comments.htm>  
-Committee on Economic, Social and Cultural Rights, General Comment 21:*The right of everyone to take part in cultural life (art. 15, para. 1 (a))*  
For General Comments by the Committee on Economic, Social and Cultural Rights see <http://www2.ohchr.org/english/bodies/cescr/comments.htm>  
-CERD General Recommendation 8: Interpretation and application of article 1(1) and (4) (identification with a particular racial or ethnic group)  
-CERD General Recommendation 23: The Rights of Indigenous Peoples (1997)  
-Special rapporteur on the rights of indigenous peoples  
<http://www.ohchr.org/EN/Issues/IPeoples/SRIndigenousPeoples/Pages/SRIPeoplesIndex.aspx>  
  
- Applying a human rights based approach to climate change  
<http://www.ohchr.org/Documents/Issues/ClimateChange/InfoNoteHRBA.pdf>  
  
-Human Rights and Climate Change, Human Rights Council Resolution 7/23, 28 March 2008  
[http://ap.ohchr.org/documents/E/HRC/resolutions/A\\_HRC\\_RES\\_7\\_23.pdf](http://ap.ohchr.org/documents/E/HRC/resolutions/A_HRC_RES_7_23.pdf)  
  
*Cases:*  
(Human Rights Committee) Lovelace v. Canada, UN Doc. ICCPR/C/13/D/24,1977 (1981)  
(Human Rights Committee): Kitok v. Sweden, UN Doc. ICCPR/C/33/D/197/1985 (1988)  
  
*Recommended reading:*  
- South-East Asia / Agrofuel: UN rights experts raise alarm on land development mega-projects  
<http://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=12184&LangID=E>  
  
- Asbjørn Eide, “Rights of Indigenous Peoples – Achievements in International Law During the Last Quarter of a Century”, *Netherlands Yearbook of International Law*, Vol. XXXVII (2006), pp.155-212.  
- Steiner, *et.al.*, *International Human Rights in Context*, 3<sup>rd</sup> ed., pp. 669-843, 1433-1462  
  
**Read about the Rainforest Foundation Norway and their work**  
- *Rainforest Foundation Norway*



	<a href="http://www.regnskog.no/Languages/English">http://www.regnskog.no/Languages/English</a>
<p><b><u>LECTURE 4</u></b></p> <p><i>Thursday 19 September 10:15 – 12:00</i></p> <p><i>RG7 Galleriet (Håndverkeren) Genius (1.etasje-first floor) (Håndverkeren)</i></p> <p><i>Instructor: Maria Lundberg (NCHR)</i></p>	<p><b>The United Nations and the Treaty-based system</b></p> <p><b>Required reading:</b></p> <ul style="list-style-type: none"><li>-Smith, pp. 67-85, 153-157, 371-376</li><li>-Economic, Social and Cultural Rights, pp. 9-28 (28-54)</li><li>-Burgenthal (4<sup>th</sup> ed.) pp. 77-116</li></ul> <p><b>Selected documents:</b></p> <ul style="list-style-type: none"><li>-The International Bill of Rights, see <a href="http://www.ohchr.org/EN/ProfessionalInterest/Pages/InternationalLaw.aspx">http://www.ohchr.org/EN/ProfessionalInterest/Pages/InternationalLaw.aspx</a></li><li>• The International Covenant on Economic Social and Cultural Rights (ICESCR)</li><li>• The International Covenant on Civil and Political Rights (ICCPR)</li><li>• Optional Protocol to the International Covenant on Civil and Political Rights International</li></ul> <p>- GA resolution A/RES/63/117 , 10 December 2008, Optional Protocol to the International Covenant on Economic, Social and Cultural Rights, see <a href="http://www2.ohchr.org/english/bodies/cescr/">http://www2.ohchr.org/english/bodies/cescr/</a></p> <p>CCPR General Comment 2: <i>Article 2 (Implementation at the national level)</i></p> <p>CCPR General Comment 20: <i>Replaces General 7 concerning prohibition of torture and cruel treatment or punishment (Article 7)</i>, UN Doc. CCPR/C/21/Rev.1/Add.3</p> <p>CCPR General Comment 31: <i>Nature of the General Legal Obligation Imposed on States Parties to the Covenant</i>, UN Doc. CCPR/C/21/Rev.1/Add.13</p> <p>CCPR General Comment 33: <i>The Obligations of States Parties under the Optional Protocol to the International Covenant on Civil and Political Rights</i>, UN Doc. CCPR/C/GC/33</p> <p>For General Comments by this committee, see <a href="http://www2.ohchr.org/english/bodies/hrc/comments.htm">http://www2.ohchr.org/english/bodies/hrc/comments.htm</a></p> <ul style="list-style-type: none"><li>- CESCR General Comment 3: <i>The nature of States parties obligations (Article 2(1))</i>,</li><li>-CESCR General Comment 9: <i>The domestic application of the covenant</i>,</li><li>- CESCR General Comment 20: <i>Non-Discrimination in Economic, Social and Cultural Rights (Art. 2 (2))</i></li></ul> <p>For General Comments by the Committee on Economic, Social and Cultural Rights, see <a href="http://www2.ohchr.org/english/bodies/cescr/comments.htm">http://www2.ohchr.org/english/bodies/cescr/comments.htm</a></p> <p><b>Cases:</b></p> <p>(Human Rights Committee) Lovelace v. Canada, UN Doc. ICCPR/C/13/D/24,1977 (1981)</p>



	<p>(Human Rights Committee) Chief Bernard Ominayak and the Lubicon Lake Band v. Canada, UN Doc. ICCPR/C/38/D/167/1984 (1990) (Human Rights Committee), Ng v Canada, UN Doc. CCPR/C/49/469/1991(1994)</p> <p><b>Recommended reading:</b></p> <ul style="list-style-type: none"><li>- Steiner, <i>et.al.</i>, <i>International Human Rights in Context</i>, 3<sup>rd</sup> ed., pp. 844-924</li></ul>
<p><b><u>LECTURE 5</u></b></p> <p><i>Tuesday 24 September</i> <i>12:15 – 14:00</i></p> <p><i>RG7 Galleriet</i> <i>(Håndverkeren) Genius</i> <i>(1.etasje-first floor)</i> <i>(Håndverkeren)</i></p> <p><i>Instructor: Maria</i> <i>Lundberg (NCHR)</i></p>	<p><b>Regional systems: Europe</b></p> <p><i>Required reading:</i> Smith, pp. 86-118</p> <p><i>Selected documents:</i> The European Convention for the Protection of Human Rights and Fundamental Freedoms, as amended by Protocols 11 and 14 (see web page) Framework Convention for the Protection of National Minorities, for the text and other information see <a href="http://www.coe.int/t/dghl/monitoring/minorities/default_en.asp">http://www.coe.int/t/dghl/monitoring/minorities/default_en.asp</a> Mandate of the CSCE High Commissioner on National Minorities (HCNM) (see web page)</p> <p>Charter of Fundamental Rights of the European Union 2000/C 364/01 (see web page) <a href="http://www.europarl.europa.eu/charter/pdf/text_en.pdf">http://www.europarl.europa.eu/charter/pdf/text_en.pdf</a></p> <p>Treaty on European Union article 6(2), as amended by the Lisbon Treaty ([2007] OJ C306/1, in force December 1, 2009)</p> <p>Venice Commission on the accession of the EU to the ECHR, CDL (2007)096 <a href="http://www.venice.coe.int/docs/2007/CDL(2007)096-e.asp">http://www.venice.coe.int/docs/2007/CDL(2007)096-e.asp</a></p> <p>Report of the Committee of Experts on the elaboration of legal instruments for the accession of the EU to the ECHR, CDDH(2011)009 <a href="http://www.coe.int/t/dghl/standardsetting/hrpolicy/CDDH-UE/CDDH-UE_MeetingReports/CDDH_2011_009_en.pdf">http://www.coe.int/t/dghl/standardsetting/hrpolicy/CDDH-UE/CDDH-UE_MeetingReports/CDDH_2011_009_en.pdf</a></p> <p><i>Cases:</i> (European Court of Human Rights) Handyside v. the UK, (<i>Application no.</i></p>



	<p>5493/72), Judgment, 7 December 1976. (European Court of Human Rights): Ireland v. the UK, Ser. A, No. 25 (1978) (European Court of Human Rights): Sejdic and Finci v. Bosnia and Herzegovina (Applications nos. 27996/06 and 34836/06), Judgment 22 December 2009.</p> <p>(European Court of Justice) Case C-159/90 Society for the Protection of the Unborn Child v. Grogan</p> <p><i>Recommended reading:</i> Burgenthal (4<sup>th</sup> ed), pp. 160-255 EU to continue accession <a href="http://www.neurope.eu/article/eu-continue-accession-echr">http://www.neurope.eu/article/eu-continue-accession-echr</a></p> <p>EU accession to the ECHR <a href="http://www.coe.int/what-we-do/human-rights/eu-accession-to-the-convention">http://www.coe.int/what-we-do/human-rights/eu-accession-to-the-convention</a></p>
<p><b><u>LECTURE 6</u></b></p> <p><i>Thursday 26 September 10:15 – 12:00</i></p> <p><i>RG7 Galleriet (Håndverkeren) Genius (1.etasje-first floor) (Håndverkeren)</i></p> <p><i>Instructor: Maria Lundberg (NCHR)</i></p>	<p><b>Case study China: Minority Rights and Indigenous Peoples' Rights Right to Development and Rights-based Development</b></p> <p>- Smith, pp. 348-358, <i>Economic, Social and Cultural Rights</i>, pp. 29- 54, 119-130</p> <p><i>Selected documents:</i></p> <p>- ILO (C169) Indigenous and Tribal peoples Convention (1989) <a href="http://www2.ohchr.org/english/law/indigenous.htm">http://www2.ohchr.org/english/law/indigenous.htm</a></p> <p>- GA Resolution Declaration on the Rights of Indigenous Peoples (2007) <a href="http://www2.ohchr.org/english/issues/indigenous/declaration.htm">http://www2.ohchr.org/english/issues/indigenous/declaration.htm</a></p> <p>- CERD General Recommendation 23: The Rights of Indigenous Peoples (1997)</p> <p>- CERD General Recommendation 27: Discrimination Against Roma (2000) For General Recommendations by the Committee against Racial Discrimination For General Recommendations by the Committee against Racial Discrimination <a href="http://www2.ohchr.org/english/bodies/cerd/comments.htm">http://www2.ohchr.org/english/bodies/cerd/comments.htm</a></p> <p>- GA resolution 41/128 of 4 December 1986, Declaration on the Right to development</p>



	<p><a href="http://www2.ohchr.org/english/law/rtd.htm">http://www2.ohchr.org/english/law/rtd.htm</a> Text of the draft Nordic Sami Convention (English) <a href="http://www.regjeringen.no/upload/BLD/Nordic%20Sami%20Convention.pdf">http://www.regjeringen.no/upload/BLD/Nordic%20Sami%20Convention.pdf</a> <a href="http://www2.ohchr.org/english/bodies/cerd/comments.htm">http://www2.ohchr.org/english/bodies/cerd/comments.htm</a> -Independent Expert on Minority Issues: UN Expert urges Bulgaria to turn policy commitments into concrete action for Roma <a href="http://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=11222&amp;LangID=E">http://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=11222&amp;LangID=E</a></p> <p><i>Cases:</i> (Human Rights Committee) Ilmari Länsman et. al. v. Finland, UN Doc. CCPR/C/52/D/511/1992 (1994) Apirana Mahuika et al. v. New Zealand, UN Doc. CCPR/C/70/D/547/1993 (2000) (Human Rights Committee) Ángela Poma Poma v. Peru, UN Doc. CCPR/C/95/D/1457/2006(2009)</p> <p><i>Recommended reading:</i></p> <p>Steiner, <i>et.al.</i>, <i>International Human Rights in Context</i>, 3<sup>rd</sup> ed., pp. 1433-1462</p> <p>Hoffman, Rainer and Gauthier, Juri Alistair, “Indigenous Peoples and the Right to Development” in <i>Making Peoples Heard. Essay on Human Rights in Honour of Gudmundur Alfredsson</i>, Asbjørn Eide <i>et al.</i> (eds), Koninklijke Brill nv. Leiden, 2011, pp. 439-461</p> <p>Lundberg, Maria and Zhou, Yong, “Article 17 of China’s Regional National Autonomy Law: Its Implementation and Implications” in <i>Making Peoples Heard. Essay on Human Rights in Honour of Gudmundur Alfredsson</i>, Asbjørn Eide <i>et al.</i> (eds), Koninklijke Brill nv. Leiden, 2011, pp. 609-626</p> <p>Lundberg, Maria and Zhou, Yong, “Regional National Autonomy under Challenge: Law, Practice and Recommendations”, <i>International Journal on Minority and Group Rights</i> 16 (2009) 269-327.</p>
<p><b><u>LECTURE 7</u></b>  <i>Thursday 10 October</i> <i>10:15 – 12:00</i>  <i>Domus Academica,</i></p>	<p><b>Case study on Norway:</b> <b>Freedom of expression and its regulation - From Rushdie to Mohammed</b></p> <p><i>Required reading:</i> Smith, pp. 301-313</p>





<p><i>Auditorium 6</i></p> <p><i>Instructors: Odd Isungset (NRK) and Maria Lundberg (NCHR)</i></p>	<p><i>Selected documents:</i></p> <p>-General Comment- CCPR General Comment 34: Article 19: Freedom of opinion and expression, UN Doc. CCPR/C/GC/34.</p> <p>-</p> <p>-General Comment- CCPR General Comment 24: Issues relating to reservations made upon ratification or accession to the Covenant or ..., UN Doc. CCPR/C/21/Rev.1/Add.6</p> <p>-General Comment- CCPR General Comment 29: States of Emergency (Article 4), UN Doc. CCPR/C/21/Rev.1/Add.11</p> <p><i>The Media Self-Regulation Guidebook</i>, Office of the Representative on Freedom of the Media, OSCE, Vienna, 2008. <a href="http://www.osce.org/fom/31497">http://www.osce.org/fom/31497</a></p> <p>CODE OF ETHICS OF THE NORWEGIAN PRESS, <i>Ethical Code of Practice for the Press (printed press, radio, television and net publications)</i>. Adopted by the Norwegian Press Association November 23th, 2007, <a href="http://presse.no/Saker/CODE-OF-ETHICS-OF-THE-NORWEGIAN-PRESS">http://presse.no/Saker/CODE-OF-ETHICS-OF-THE-NORWEGIAN-PRESS</a></p> <p><i>Rights and Duties of the Editor</i> <a href="http://presse.no/Saker/RIGHTS-AND-DUTIES-OF-THE-EDITOR">http://presse.no/Saker/RIGHTS-AND-DUTIES-OF-THE-EDITOR</a></p> <p><i>The Alliance of Independent Press Councils of Europe (AIPCE)</i>. <a href="http://www.aipce.net/">http://www.aipce.net/</a></p> <p><i>Cases:</i></p> <p>(European Court of Human Rights) Handyside v. the UK, (<i>Application no. 5493/72</i>), Judgment, 7 December 1976.</p> <p><i>Recommended reading:</i></p> <p>Smith, pp. 291-303</p> <p>-Report of the Special Rapporteur on the promotion and the protection of the right to freedom of opinion and expression, Frank La Rue <a href="http://daccess-dds-ny.un.org/doc/UNDOC/GEN/G11/132/01/PDF/G1113201.pdf?OpenElement">http://daccess-dds-ny.un.org/doc/UNDOC/GEN/G11/132/01/PDF/G1113201.pdf?OpenElement</a></p>
<p><b><u>LECTURE 8</u></b></p> <p><i>Tuesday 15 October</i> <i>12:15 – 14:00</i></p>	<p><b>The Right to Life</b></p> <p><b><i>Required reading:</i></b></p> <p>- Smith, pp. 217-232</p>



<p><i>Domus Academica, Auditorium 6</i></p> <p><i>Instructor: Maria Lundberg (NCHR)</i></p>	<ul style="list-style-type: none"><li>- Burgenthal (4th ed), pp. 374-398 (int. humanitarian.law)</li><li>- (JUS5710)<i>Economic, Social and Cultural Rights</i>, pp. 407-421</li></ul> <p><b>Selected documents:</b></p> <p>CCPR General Comment 6: <i>The right to life (Article 6)</i>, UN Doc. HRI/GEN/1/Rev.9 (Vol. I), p. 176.</p> <p>CCPR General Comment 14: <i>Nuclear weapons and the right to life (Article 6)</i>, UN Doc. HRI/GEN/1/Rev.9 (Vol. I), p. 188.</p> <p>CCPR General Comment 29: <i>States of Emergency (Article 4)</i>, UN Doc. CCPR/C/21/Rev.1/Add.11</p> <p>Convention on the Prevention and Punishment of the Crime of Genocide, UN 1948, <a href="http://www2.ohchr.org/english/law/genocide.htm">http://www2.ohchr.org/english/law/genocide.htm</a></p> <p>Protection of the human rights of civilians in armed conflict, HRC Resolution 9/9 (24 September 2008).</p> <p>Protocol Additional to the Geneva Conventions of 12 August 1949, and relating to the Protection of Victims of International Armed Conflicts (Protocol I) , 1977. <a href="http://www2.ohchr.org/english/law/protocol1.htm">http://www2.ohchr.org/english/law/protocol1.htm</a></p> <p>Protocol Additional to the Geneva Conventions of 12 August 1949, and Relating to the Protection of Victims of Non-International Armed Conflicts (Protocol II), 1977. <a href="http://www2.ohchr.org/english/law/protocol2.htm">http://www2.ohchr.org/english/law/protocol2.htm</a></p> <p><b>Cases:</b></p> <p>European Court of Human Rights: McCann and others v. The United Kingdom (17/1994/464/545) Judgment 5 September 1995 Osman v. The United Kingdom (87/1997/871/10183) Judgment 28 October 1998 Isayeva v. Russia (Appl. 57950/00) Judgment 24 February 2005</p> <p>Human Rights Committee: <i>EHP v. Canada</i> , <i>Communication No. 67/1980</i>, 2 Selected Decisions of the Human Rights Committee (1990), 20. Judge v. Canada, UN Doc. CCPR/C/78/D/829/1998 (13 August 2003)</p> <p><b>Recommended reading:</b></p> <p>Nowak, Manfred, <i>U.N. Covenant on Civil and Political Rights. CCPR Commentary. 2<sup>nd</sup> revised edition</i>, N.P.Engel Verlag, Kehl, Germany, 2005, pp. 120-156.</p> <p>Ovey, Claire and White, Robin, <i>Jacobs and White, The European Convention on Human Rights, Fourth Edition</i>, Oxford: Oxford University Press, 2006, pp.</p>
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	<p>56-73. The rule of law and the prevention of genocide, <a href="http://www2.ohchr.org/english/issues/rule_of_law/prevgenocide.htm">http://www2.ohchr.org/english/issues/rule_of_law/prevgenocide.htm</a> International legal Protection of Human Rights in Armed Conflict, <a href="http://www.ohchr.org/Documents/Publications/HR_in_armed_conflict.pdf">http://www.ohchr.org/Documents/Publications/HR_in_armed_conflict.pdf</a></p>
<p><b><u>LECTURE 9</u></b></p> <p><i>Tuesday 5 November 12:15 – 14:00</i></p> <p><i>Domus Academica, Auditorium 6</i></p> <p><i>Instructor: Maria Lundberg (NCHR)</i></p>	<p><b>Freedom from Torture, cruel, inhuman and degrading treatment or punishment</b></p> <p><i>Required reading:</i> Smith, pp. 233-247 Burgenthal (4<sup>th</sup> ed), pp. 399-411 (int. criminal tribunals)</p> <p><i>Selected documents:</i> - <i>Convention against Torture and Other cruel, Inhuman or degrading Treatment or Punishment</i> - <i>Optional protocol to the Convention against Torture and Other cruel, Inhuman or degrading Treatment or Punishment</i> - CCPR General Comment 20: <i>Replaces General 7 concerning prohibition of torture and cruel treatment or punishment (Article 7)</i>, UN Doc. CCPR/C/21/Rev.1/Add.3 - CAT General Comment 1: <i>Implementation of Article 3 of the Convention I the context of article 22</i>, UN Doc. A/53/44, annex IX</p> <p><i>Cases:</i> (European Court of Human Rights): <i>Soering v. the UK</i>, Ser. A, No. 161 (1989) (European Court of Human Rights): <i>Kurt v. Turkey</i>, Vol. 1998-III, No. 74 (1998) (European Court of Human Rights): <i>Selmouni v. France</i> (Appl. 25803/94), Judgment 28 July 1999. (Human Rights Committee), <i>Ng v Canada</i>, UN Doc. CCPR/C/49/469/1991(1994)</p> <p><i>Recommended:</i> Nowak, Manfred, <i>U.N. Covenant on Civil and Political Rights. CCPR Commentary. 2<sup>nd</sup> revised edition</i>, Kehl, Germany : N.P.Engel Verlag, 2005, pp.157-192. Ovey, Claire and White, Robin, <i>Jacobs and White, The European Convention</i></p>



	<p><i>on Human Rights, Fourth Edition</i>, Oxford: Oxford University Press, 2006, pp.74-109.</p> <p>On the Convention Against Torture: Nowak, Manfred and McArthur, Elisabeth, <i>The United Nations Convention Against Torture. A Commentary</i>, Oxford: Oxford University Press, 2008.</p>
<p><b><u>LECTURE 10</u></b></p> <p><i>Thursday 7 November</i> <i>10:15 – 12:00</i> <i>Domus Academica,</i> <i>Auditorium 6</i></p> <p><i>Instructor: Maria</i> <i>Lundberg (NCHR)</i></p>	<p><b>The limits to the system of human rights protection</b> <b>The right to self determination</b></p> <ul style="list-style-type: none"><li>- Smith, pp. 162-180, 285-300</li><li>- (JUS5710) Nowak, M. “The Need for a World Court of Human Rights”, <i>Human Rights Law Review</i>, Vol. 7, Issue 1, pp. 251-259</li><li>- (JUS5710) Economic, Social and Cultural Rights, pp. 111-118</li><li>- (JUS5710) “Righting Historic Wrongs; The First session of the Human Rights Council; “Neither Mountain nor Molehill – Un Human Rights Council One Year On”; “Digging Foundations or Trenches – UN Human Rights Council Year 2”; “A Curate’s Egg. UN Human Rights Council: Year 3”, all reports by R. Brett. These reports can be found on <a href="http://www.quno.org">www.quno.org</a></li></ul> <p><i>Selected documents on the right to self-determination: see lecture 2</i></p> <p><b>Cases:</b> (Human Rights Committee) Chief Bernard Ominayak and the Lubicon Lake Band v. Canada, UN Doc. ICCPR/C/38/D/167/1984 (1990) <a href="http://www.unhchr.ch/tbs/doc.nsf/0/c316bb134879a76fc125696f0053d379?Opendocument">http://www.unhchr.ch/tbs/doc.nsf/0/c316bb134879a76fc125696f0053d379?Opendocument</a></p> <p>(International Court of Justice) Legal Consequences for States of the Continued Presence of South Africa in Namibia (South West Africa) notwithstanding Security Council Resolution 276(1970), Advisory Opinion, I.C.J. Reports 1971, p.16 <a href="http://www.icj-cij.org/docket/files/53/5595.pdf">http://www.icj-cij.org/docket/files/53/5595.pdf</a></p>
<p><b><u>LECTURE 11</u></b></p> <p><i>Tuesday 14 November</i> <i>10:15 – 12:00</i> <i>Domus Academica,</i></p>	<p><b>Review session of Mock Exam</b></p>



<p><i>Auditorium 6</i></p> <p><i>Instructor: Maria Lundberg (NCHR)</i></p>	
<p><b><u>“MOCK EXAM” - DISCUSSION</u></b></p>	<ul style="list-style-type: none"><li>• <i>Old exam will be posted on the net.</i></li><li>• <i>Discussion of the old exam on Thursday 14 November at 10.15-12</i></li><li>• <i>Venue: Domus Academica, Auditorium 6</i></li></ul>

**OTHER READING**

**Relevant Documents from Reference Texts**

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.

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**Dag Hareide** is the acting Director of Rainforest Foundation Norway.

**Odd Isungset** is an awarded Norwegian journalist and documentary film-maker. Isungset was a member of the Press Complaints Commission in Norway for 10 years, six of them as its leader. He has been working with different issues regarding freedom of expression and self-regulation as an important guarantee for a free and independent press.