

INTERNATIONAL HUMAN RIGHTS LAW

CONTENT, PROGRESS AND PEDAGOGY OF THE MODULE

- With a starting point in the historic human rights discussions in philosophy and domestic politics that continue to shape understanding and legal discourse, this course places the student in the middle of the modern international human rights law (IHRL) system that started in the post-war era of the late 1940s, with the establishment of the United Nations and the proclamation of the Universal Declaration on Human Rights. The course focuses on understanding and analyzing groups and individuals' human rights under IHRL, from the viewpoint of the issues in a globalized world that currently challenge states' implementation of obligations under IHRL, including issues such as dominance and conflict, discrimination, arbitrary detention, displacement and mass migration, and new technology. The course thus follows the establishment of legal frameworks, including treaties, customary law and other instruments, ensuring state obligations for international and regional protection and enforcement of human rights by states, individuals and businesses, and in the UN and regional human rights bodies; and considers specific rights such as equality, the rights to life and liberty, the prohibition on torture and other forms of ill-treatment, and economic, cultural and social rights in the context of current legal, political and social problems.

LEARNING OBJECTIVES

KNOWLEDGE

- The history and philosophical underpinnings of human rights
- The justification for and critique of legal protection of human rights
- The development, legal frameworks and institutions of the UN and regional human rights systems
- The main legal principles of IHRL, including universality and indivisibility of human rights
- The nine core UN treaties and other important IHRL instruments
- The legal concept of jurisdiction under IHRL
- States' negative and positive obligations in relation to human rights, and limitations of rights
- The protection of human rights within the field of business and human rights (BHR)
- The IHRL regime as a part of public international law, and its role in international relations and security
- The interaction between IHRL and national law

SKILLS

- Use the terminology and concepts of IHRL and BHR
- Independently identify and research IHRL problems and related sources of law, including treaties, 'soft law' instruments, such as declarations, case law, reports or general comments, *travaux préparatoires*, scholarly works
- Interpret and apply specific human rights provisions
- Identify relevant instruments and apply the principals of BHR
- Present and explain an analysis and findings in relation to a theoretical or practical problem under IHRL or BHR, orally and in writing
- Understand and challenge the deficiencies of the IHRL system and present possible solutions to overcome them

COMPETENCES

- Identifying and analysing the philosophical concepts behind natural rights and how these are reflected in modern human rights discourse.
- Identifying, analysing and discussing legal solutions to problems within the field
- Understanding and analysing the connection between IHRL, other areas of international law and international relations
- Understanding the relationship between IHRL and BHR
- Recognizing the risks to individuals' rights under IHRL posed by challenges in the modern world, and responding to these risks appropriately
- Advising governments, state authorities or other organizations on past, present and potential legal issues under IHRL, or advising on the role and responsibility of private enterprises
- Advising individuals on their rights under IHRL and how to access justice / remedies under IHRL
- Analyzing, researching and presenting an academic study of a legal problem under IHRL

TYPE OF INSTRUCTION

- Lectures, with interactive and problem-oriented discussion, as well as instruction in written and oral presentation

EXTENT AND EXPECTED WORKLOAD

- 270 hours

EXAMINATION

Name of exam	International Human Rights Law
Type of Exam	Oral exam based on a supplementary mini-project 20 minutes x number of students (including evaluation and feedback)
ECTS	10
Permitted aids	With certain aids: A clean copy of the mini-project can be brought into the exam and a single page per student for the presentation only, with keywords in point-form
Assessment	7-point grading scale
Type of grading	External examination
Criteria of assessment	The criteria of assessment are stated in the Examination Policies and Procedures

FACTS ABOUT THE MODULE

Danish title	Internationale menneskerettigheder
Module code	
Module type	Course
Duration	1 semester
Semester	Autumn
ECTS	10

Language of instruction	English
Empty-place Scheme	Yes
Location of the lecture	Campus Aalborg
Responsible for the module	Fenella Billing
Used in Curriculum for the Master's programme in LL.M. (Master of Laws), 2024 Curriculum for the Master's programme in Business Administration and Commercial Law, 2024	

ORGANISATION

Study Board	Study Board of Law
Department	Department of Law
Faculty	Faculty of Social Sciences and Humanities

LITERATURE

- Daniel Moeckli, Sangeeta Shah & Sandesh Sivakumaran (eds), International Human Rights Law (OUP, latest edition)
- Supplementary articles / publications announced at the beginning of the course
- Relevant treaties and other legal instruments