International human rights systems

Academic Year: (2022 / 2023) **Review date: 18-05-2022**

Department assigned to the subject: International Law, Ecclesiastical Law and Philosophy of Law Department

Coordinating teacher: FERNANDEZ LIESA, CARLOS RAMON

Type: Compulsory ECTS Credits : 5.0

Year : 1 Semester : 1

DESCRIPTION OF CONTENTS: PROGRAMME

PART 1. INTERNATIONAL SOCIETY, INTERNATIONAL LAW AND HUMAN RIGHTS

I. Main issues. International society and human rights. Basic notions. Conditions. International law and human rights (Principles; subjects; sources). Human rights in transition from classical international law to contemporary. Main theoretical questions on international law of human rights

PART 2. THE INTERNATIONAL SYSTEM OF HUMAN RIGHTS

II. Origin and evolution of International law of human rights. Human rights and modernity. Conditioning factors and advances of human rights in XIX century. The League of Nations and human rights.

III. V.Human rights United Nations system. The new context. The International constitution of human rights. The progressive development of international human rights law. Mechanisms, organs and UNO public proceddings.

IV. International human rights courts and mechanism. Courts proliferation and human rights: general questions. The ICJ and human rights. Criminal international Courts and crimes against humanity. Economic international courts and human rights. Universal jurisdiction.

PART 3. REGIONAL SYSTEMS OF HUMAN RIGHTS.

V.The european system. The human rights at OSCE. Human rights in the Council of Europe. The role of the European Court of Human rights. The protection of human rights in the European Union: main characters and evolution. The pretorian model. The normative model

VI. The interamerican system. The interamerican court and the commission of human rights. Main characters and realizations. The african system. Main trends and realizations

PART 4. SPECIAL SYSTEM OF HUMAN RIGHTS IN ARMED CONFLICTS

VII. The international humanitarian law. Evolution and special regimens. Civil wars. Challenges

PART 5. INTERNATIONAL HUMAN RIGHTS SYSTEMS CHALLENGES AND REALITY

VIII. Efficacity, validity and normativity of human rights in globalisation. Culture and human rights. The transcivilizatory challenge. Historical injustices and human rights. International protection systems proliferation. Relations between systems (dialogue and conflict). Inmunities. Legality. Power and law.

IX. Non State actos and human rights. SDG and human rights. Business and human rights. Transnational crimes and human rights.

LEARNING ACTIVITIES AND METHODOLOGY

Learning activities and methodology. The techniques used will the best adapted, taking into account the Schedule. In the theoretical class we use the tradicional methology consisting of a oral exposure of knowledge. Classes in relation to the other techniques will follow their own methodologies. Teachers will follow the Schedule. They can adapt to changes in the course. In short, students must submit case Studies, class Works and other types of elements as self control, written essays, participation in collective activities and assistance to Schedule activities.

ASSESSMENT SYSTEM

I. Participation at Class 10%
II. Individual or collective essays during the term: 20%
III. Individual final Essay 70%

% end-of-term-examination:	0
% of continuous assessment (assigments, laboratory, practicals…):	100

ADDITIONAL BIBLIOGRAPHY

- Antonio Cassese Los derechos humanos en el mundo contemporáneo, Ariel, 1991
- Boisson de Chazournes, L., Crimes de l´ histoire et réparations: les réponses du Droit et de la jsutice, Bruylant, 2004
- Decaux, O Les procédures thématiques. Une contribution efficace des Nations Unies a la protection des droits de l´home, Pedone, 1996
- Díaz Barrado, C., Durán, P., Fernández liesa, C., International society and sustainable development goals, Thomson Reuters, 2016
- Díaz Barrado, C., Fernández Liesa, C., Objetivos de desarrollo sostenible y derechos humanos. Paz, justicia e instituciones sólidas. Derechos humanos y empresas, Instituto de estudios internacionales y europeos Francisco de Vitoria, 2018
- Karimova, T Human rights and development in international law, Routledge, 2016
- Legg, A., The mnargin of appreciation of international human rights law, Oxford, 2012
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- McConnell Human rights and internaitonal law (Extracting accountabuility from non state actors in internaitonal law), Routledge, 2018
- Mubiala, M., Le système régional africain de protection des droits de l´homme, Bruylant, 2005
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- Nifosi-Sutton The protection of vulnerable groups under international human rights law, Routledge, 2017
- Peces-Barba, G., Llamas, A.; Fernández Liesa Textos básicos de derechos humanos, Aranzadi, 2001
- Rey Cantor, E., Control de convencionalidad de las leyes y derechos humanos, Biblioteca Porrúa de derecho procesal constitucional, 2008
- Salinas, A. La protección de los derechos fundamentales en la Unión Europea, Comares, 2000
- Shelton, D Remedies in international human rights law, Oxford university Press, 1986
- Smets, S Resolving conflicts between human rights: the judge´s dilemma, Routledge, 2016
- Société francáise pour le droit international (VVAA) La protection des droits de l´homme et l´evolution du droit internaitonal, Ed. A Pedone, 1998
- Subramanian, S., Selected issues in international human rights law, Lambert, 2017
- Tomuschat, C., Human rights. Between idealism and realism, Oxford, 2 ed., 2008

BASIC ELECTRONIC RESOURCES

- United Nations . Human rights: http://http://www.un.org/es/sections/what-we-do/protect-human-rights/index.html