



COURSE UNIT DESCRIPTION

Course Unit Title	Code
EUROPEAN HUMAN RIGHTS LAW IN THE GLOBAL CONTEXT	

Lecturer(s)	Department(s)
Coordinator: assoc. prof. dr. Vygantė Milašiūtė Other(s): dr. Jevgenija Vienažindytė	Public Law Department, Faculty of Law, Vilnius university Saulėtekio av. 9, Building 1, LT-10222, Vilnius, Room 405, tel. (85)2366175, e-mail: vtkatedra@tf.vu.lt

Study cycle	Type of the course unit
Second	Optional

Mode of delivery	Course unit delivery period	Language (s) of instruction
Face-to-face	1 st semester (autumn)	English/Russian

Requirements for students	
Pre-requisites: Knowledge of public international law	Co-requisites (if any): -

Number of credits allocated	Total student's workload	Contact hours	Self-study hours
6	160	36	124

Purpose of the course unit: programme competences to be developed		
The course aims at providing advanced theoretical and practical knowledge of European as compared to global human rights law; forming abilities to analyse the quality of resolving human rights issues within the national legal system in respect of compliance to the standards of European human rights protection; examining of interaction and relationship between international, regional international, supranational, and domestic human rights law; developing analytical and critical thinking through the analysis of case-law, and developing interpersonal and communication skills through discussions.		
Learning outcomes of the course unit	Teaching and learning methods	Assessment methods
- Students will be able to define the legal sources of international and European human rights law, the contents, meaning and purpose of their respective rules.	Lectures, seminars, individual work	Solution of problems and their presentation; participation in discussion; exam (theoretical questions and solving of practical situation).
- Students will be able to independently analyse, interpret and appropriately apply legal provisions of European human rights law as well as to integrate knowledge of interrelated fields while providing legal services (inter alia, application of dispute resolution methods, legal advice and recommendations, representation of legal interest) in respect to ethical values, the principle of justice and moral sensibility.	Lectures, seminars, individual work	Solution of problems and their presentation; participation in discussion; exam (theoretical questions and solving of practical situation).
- Students will be able to analyse the quality of resolving human rights issues within national legal systems in respect of compliance to the standards of European human rights law.	Lectures, seminars, individual work	Solution of problems and their presentation; participation in discussion; exam (theoretical questions and solving of practical situation).
- Students will be able to systemically analyse and make ethic evaluation of case law in support of their legal decisions.	Lectures, seminars, individual work	Solution of problems and their presentation; participation in discussion; exam (theoretical questions and solving of practical situation).
- Students will be able to innovatively and creatively apply knowledge by employing the latest trends of human rights legal doctrine and case law while independently solving complex legal problems taking	Lectures, seminars, individual work	Solution of problems and their presentation; participation in discussion; exam (theoretical

into consideration possible social, ethical and legal consequences.		questions and solving of practical situation).
- Students will be able to convey ideas and thoughts in an argumentative, critical and logical manner in both verbal and written form, basing on their theoretical knowledge in European as compared to global human rights law, acquired during the course, as well as practical skills acquired through the case-law analysis.	Lectures, seminars, individual work	Solution of problems and their presentation; participation in discussion; exam (theoretical questions and solving of practical situation).
- Students will be able to enhance acquired knowledge and abilities independently, <i>inter alia</i> , to use legal information data bases and other sources, to select relevant theoretical and practical material, and to substantiate their own conclusions by the achievements of jurisprudence.	Lectures, seminars, individual work	Solution of problems and their presentation; participation in discussion; exam (theoretical questions and solving of practical situation).

Content: breakdown of the topics	Contact hours						Self-study: hours and assignments		
	Lectures	Consultations	Seminars	Practical sessions	Laboratory activities	Internship/work	Contact hours	Self-study hours	Assignments
1. Overview of theoretical ideas on the concept of human rights as the good protected by means of international law.	2		-				2	7	analysis of legal materials
2. Overview of the international system for the protection of human rights. Overview of the European system for the protection of human rights.	2		-				2	6	analysis of legal materials
3. The nature, classification and content of the rights enshrined in the European Convention on Human Rights (ECHR). The principles of the interpretation of the ECHR by the European Court on Human Rights (ECtHR).	2		-				2	8	analysis of legal materials
4. The supervision mechanism of the ECHR. Methods of resolving structural problems of the legal system of the state at the ECtHR.	2		2				4	12	analysis of legal materials; solution of problems
5. Right to life.	2		1				3	4	analysis of legal materials; solution of problems
6. Prohibition of torture.	2		1				3	8	analysis of legal materials; solution of problems
7. Fair trial.	2		1				3	6	analysis of legal materials; solution of problems
8. Privacy v. expression: the approach of the ECtHR to the question of the hierarchy of human rights.	2		1				3	8	analysis of legal materials; solution of problems
9. Freedom of assembly and association.	2		2				4	11	analysis of legal materials; solution of problems
10. Protection of property.	2		2				4	11	analysis of legal materials; solution of problems
11. Prohibition of discrimination.	2		1				3	11	analysis of legal materials; solution of problems
12. The interaction and the relationship between the international human rights law,	2		1				3	4	analysis of legal materials; solution of problems

the ECHR, the EU law, and the domestic law of various states.									
								28	Preparation for examination
Total	24		12				36	124	

Assessment strategy	Weight, percentage	Assessment period	Assessment criteria
Solution of problems, done individually or during seminars	20	During semester	Solutions of problems, examination of cases and preparation of presentations according to separate topics of the course on protection of human rights in Europe. Assessment of presentation of solutions in groups and answering to questions as well as active and efficient participation in discussion.
Examination	80	At the end of the course	Answering 3 theoretical questions and solving 1 practical situation. Students are thereby required to demonstrate their advanced knowledge gained during the semester, their conceptual understanding and assessment of the <i>problématique</i> of the European as compared to international, supranational and domestic human rights law, and show their newly acquired competencies. When answering, students should provide all the necessary information in an argumentative, coherent and clear manner.

Author	Year of publication	Title	Issue of periodical or volume of publication	Publishing place and house or web link
Compulsory reading				
A. MOWBRAY (relevant chapters)	2012	Cases, materials, and commentary on the European Convention on Human Rights	3 rd ed.	Oxford University Press
O. DE SCHUTTER (relevant chapters)	2010	International human rights law: cases, materials, commentary		Cambridge University Press
A. BUYSE	2016	Echoes of Strasbourg in Geneva. The Influence of ECHR Anti-Torture Jurisprudence on the United Nations Human Rights Committee		https://papers.ssrn.com/sol3/papers.cfm?abstract_id=2952324
S. ŽALTAUSKAITĖ-ŽALIMIENĖ, V. MILAŠIŪTĖ	2016	Implications of a Broad Application of the EU Charter of Fundamental Rights by Domestic Courts for the Level of Protection of Fundamental Rights		European Yearbook on Human Rights 2016, NWV, Intersentia
G. ULFSTEIN	2015	Interpretation of the ECHR in the Light of Other International Instruments		https://papers.ssrn.com/sol3/papers.cfm?abstract_id=2619592
S. FREDMAN	2015	Foreign fads or fashions? The role of comparativism in human rights law		International & Comparative Law Quarterly
A. BUYSE	2013	Tacit Citing - The Scarcity of Judicial Dialogue between the Global and the Regional Human Rights Mechanisms in Freedom of Expression Cases		https://papers.ssrn.com/sol3/papers.cfm?abstract_id=2279350
G. NICOLAOU	2013	The Strasbourg View on the Charter of Fundamental Rights		College of Europe

J. L. MURRAY	2011	The Influence of the European Convention on Fundamental Rights on Community Law		Fordham International Law Journal
Recommended reading				
F. VANNESTE	2010	General international law before human rights courts: assessing the specialty claims of international human rights law		Intersentia
M. T. KAMMINGA, M. SCHEININ (eds.)	2009	The impact of human rights law on general international law		Oxford University Press
A. FØLLESDAL	2014	The legitimacy of international human rights regimes: legal, political and philosophical perspectives		Cambridge University Press
O. BEN-NAFTALI	2011	International humanitarian law and international human rights law : pas de deux		Oxford University Press
E. BATES	2010	The evolution of the European Convention on Human Rights : from its inception to the creation of a permanent court of human rights		Oxford University Press
H.J. STEINER, Ph. ALSTON	2008	International Human Rights in Context: Law, Politics, Morals	3 rd ed.	Oxford University Press

* Judgments and decisions of the ECtHR and UN HRC are indicated during lectures.