

## COURSE DESCRIPTION

### COURSE DETAILS

Title (of the course): **EUROPEAN PROTECTION OF HUMAN RIGHTS**

Code: 142061

Degree/Master: **GRADO DE DERECHO**

Year:

Field:

Character: OPTATIVA

Duration: SECOND TERM

ECTS Credits: 4.0

Classroom hours: 40

Face-to-face classroom percentage: 40.0%

Study hours: 60

Online platform:

### LECTURER INFORMATION

Name: MILIONE, CIRO (Coordinator)

Department: DERECHO PÚBLICO Y ECONÓMICO

Area: DERECHO CONSTITUCIONAL

Office location: I Floor, old courtyard

E-Mail: z42mifuc@uco.es

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### PREREQUISITES AND RECOMMENDATIONS

#### Prerequisites established in the study plan

Intermediate level of English

#### Recommendations

None specified

### INTENDED LEARNING OUTCOMES

- |        |  |
|--------|--|
| CEM175 | To know how to apply individual human rights as a substantial element when making judgments that include a reflection on important issues of a social, scientific or ethical nature. |
| CO1    | To know the European system of the protection of rights and freedom.   |
| CO2    | To apply the knowledge and to judge the assumptions that are raised by European social and political reality.  |
| CO3    | To argue about the problems related to fundamental rights from a gender perspective.   |

### OBJECTIVES

The core aim of this module is to provide students with a critically informed knowledge of the legal system and principal instruments for the protection of human rights and fundamental freedoms in Europe.

In particular, the course will focus on the critical analysis of the human rights instruments drafted under the Council of Europe, the European Convention on Human Rights and the European Court on Human Rights.

Main objectives are:

1. To introduce students to the European system of protection of human rights and fundamental freedoms.
2. To introduce students to basic ECHR case law concerning.
3. To foster students' abilities to argue about human rights and fundamental freedom issues from a gender perspective.



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### CONTENT

#### 1. Theory contents

I. The protection of human rights as a guarantee of dignity. International protection of rights.

II. The European Convention on Human Rights.

II.1 The ECHR.

II.2 The procedure.

II.3 Leading cases related to:

II.3.1 Right to life.

II.3.2 Prohibition of torture.

II.3.3 Prohibition of slavery and forced labor.

II.3.4 Right to liberty and security.

II.3.5 Right to a fair trial.

II.3.6 Right to respect for private and family life.

II.3.7 Freedom of thought, conscience, and religion.

II.3.8 Freedom of expression.

II.3.9 Freedom of assembly and association.

II.3.10 Right to marry.

II.3.11 Right to an effective remedy.

II.3.12 Prohibition of discrimination.

II.3.13 Protection of property.

II.3.14 Right to education.

II.3.15 Right to free elections.

II.3.16 Freedom of movement.

II.3.17 Right of appeal in criminal matters.

III. The European Social Charter: content and problems.

III.1 The Committee.

III.2 The procedure.

III.3 Leading cases.

IV. The protection of fundamental rights and freedoms in the EU system.

IV.1 Fundamental rights and the EEC.

IV.2 The ECJ: case-law developments.

IV.3 The Charter of Fundamental Rights of the EU: genesis and content.

IV. Leading cases.

#### 2. Practical contents

- Study and analysis of EU and international legal texts.
- Study and analysis of leading cases from the ECHR and the ECJ.
- Critical analysis of doctrinal sources (books, chapters, papers) related to the defense of human rights in Europe.
- Elaboration of individual practical works, preferably using the e-Learning platform of the UCO, and debate on them.

### SUSTAINABLE DEVELOPMENT GOALS RELATED TO THE CONTENT

Good health and well-being

Quality education



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Gender equality  
Decent work and economic growth  
Reduced inequalities  
Peace, justice and strong institutions

## METHODOLOGY

### Methodological adaptations for part-time students and students with disabilities and special educational needs

The condition of part-time students and students with disabilities and special educational needs will be taken into account, both in the development of the course and in their evaluation.

Part-time students must communicate their situation to the teaching staff at the beginning of the course in order to implement a different methodology and evaluation criteria.

The evaluation criteria will always guarantee equal rights and opportunities for all students.

### Face-to-face activities

Activity	Large group	Total
<i>Case study</i>	10	10
<i>Lectures</i>	10	10
<i>Listening Activities</i>	5	5
<i>Presentation</i>	10	10
<i>Text analysis</i>	5	5
<b>Total hours:</b>	<b>40</b>	<b>40</b>

### Off-site activities

Activity	Total
<i>Group work</i>	20
<i>Information search</i>	20
<i>Self-study</i>	20
<b>Total hours</b>	<b>60</b>

## WORK MATERIALS FOR STUDENTS

Case studies  
Dossier  
Oral presentations

## COURSE DESCRIPTION

## EVALUATION

Intended learning	Debate	Exams	Oral Presentation
CEM175	X	X	X
CO1	X	X	X
CO2	X	X	X
CO3	X	X	X
<b>Total (100%)</b>	<b>10%</b>	<b>50%</b>	<b>40%</b>
<b>Minimum grade</b>	<b>5</b>	<b>5</b>	<b>5</b>

(\*)Minimum mark (out of 10) needed for the assessment tool to be weighted in the course final mark. In any case, final mark must be 5,0 or higher to pass the course.

**Method of assessment of attendance:**

The "mere physical attendance" of the student, as such, will not be reflected in the final grade.

More active participation (such as interventions during the debates, asking questions, etc.) of the students in the class may determine a correlative increase in the final grade (up to 1 point).

Likewise, any disloyal or incorrect attitude (such as plagiarism, etc.) may be reflected negatively in the final grade.

**General clarifications on instruments for evaluation:**

Oral presentations have a 40% influence on the final mark.

The final exam has a 50% influence on the final mark. The final exam is a test of 30 questions. To pass it, it takes to respond correctly to at least 15 questions.

The students that do not carry out any "oral presentation" or that do not show any active participation will be evaluated exclusively on the basis of the final exam. Therefore, in these cases, the maximum final grade will be a 6.

**Clarifications on the methodology for part-time students and students with disabilities and special educational needs:**

-Individual works established by the professors

**Clarifications on the evaluation of the extraordinary call and extra-ordinary call for completion studies:**

- Oral exam about ECHR.

## COURSE DESCRIPTION

### Qualifying criteria for obtaining honors:

Oral exam

## BIBLIOGRAPHY

### 1. Basic Bibliography

Europe of rights a compendium on the European convention of Human Rights.

Autors: Francisco Javier García Roca, Pablo Santolaya Machetti.

Editor: Martinus Nijhoff

### 2. Further reading

- The Governance of EU Fundamental Rights. Autor: Mark Dawson. Editor Cambridge University Press, 2017

-European Human Rights Law: Text and Materials Paperback. Autores: [Mark W. Janis](https://www.amazon.co.uk/Mark-W.-Janis/e/B001IOBLCI/ref=dp_byline_cont_book_1), [Richard S. Kay](https://www.amazon.co.uk/s/ref=dp_byline_sr_book_2?ie=UTF8&text=Richard+S.+Kay&search-alias=books-uk&field-author=Richard+S.+Kay&sort=relevancerank), [Anthony W. Bradley](https://www.amazon.co.uk/s/ref=dp_byline_sr_book_3?ie=UTF8&text=Anthony+W.+Bradley&search-alias=books-uk&field-author=Anthony+W.+Bradley&sort=relevancerank)

## COORDINATION CRITERIA

Common evaluation criteria

Joint activities: lectures, seminars, visits ...

Visits organization

## SCHEDULE

Period	Case study	Lectures	Listening Activities	Presentation	Text analysis
1# Fortnight	0,0	4,0	2,0	0,0	0,0
2# Fortnight	0,0	4,0	2,0	0,0	0,0
3# Fortnight	2,0	2,0	0,0	2,0	0,0
4# Fortnight	1,0	0,0	1,0	2,0	2,0
5# Fortnight	2,0	0,0	0,0	2,0	2,0
6# Fortnight	3,0	0,0	0,0	2,0	1,0



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Period	Case study	Lectures	Listening Activities	Presentation	Text analysis
7# Fortnight	2,0	0,0	0,0	2,0	0,0
<b>Total hours:</b>	<b>10,0</b>	<b>10,0</b>	<b>5,0</b>	<b>10,0</b>	<b>5,0</b>

The methodological strategies and the evaluation system contemplated in this Course Description will be adapted according to the needs presented by students with disabilities and special educational needs in the cases that are required.