

Module Title: International Human Rights Law**Credit Points: 10 ECTS / 20 UK credits****Overview:**

This module will examine the development of International Human Rights Law with specific reference to its expansion in the 20th and 21st centuries. The evolution of the protection of human rights from purely a national concern to a global concern will be a central theme and will involve analysis of the birth of international enforcement mechanisms. The divisions between civil and political rights and socio-economic and cultural rights will be discussed with particular focus on the relationship between both sets of rights. Current international human rights issues will form the final part of this module with students looking at specific concerns of the international community.

Aims (To provide students with):

- an appreciation of the growth of international human rights law in light of the historical context
- a knowledge of the international human rights treaties in existence and their operation
- an understanding of the international enforcement mechanisms currently in place and their relation to domestic human rights
- an appreciation of both civil and political rights and socio-economic and cultural rights and their relation to one another
- an appreciation of the concepts of universalism and cultural relativism
- a knowledge of current issues within international human rights law

Module Content

- Growth of the International Human Rights Movement
 - Historical context - Human Rights within the international community
 - Growth of international human rights law during the 20th century
 - Impact of the creation of the League of Nations on human rights law
 - Implications of the Nuremburg trials
 - Creation of the United Nations
- The UN and International Human Rights
 - UN Human Rights system of protection
 - Charter-based mechanisms within the UN for the protection of human rights
 - United National Treaties, the Treaty-bodies and the function of the Treaty based system
- Universalism and Cultural Relativism
 - Universalism
 - Cultural Relativism
 - Case study: cultural relativism in operation in the context of human rights in Africa
 - Evaluate universalism and cultural relativism as competing theories
- Civil and Political Rights
 - The concept of universalism in relation to civil and political rights
 - The relationship between the UDHR and the ICCPR
 - The development of civil and political rights since the creation of the ICCPR
 - CEDAW and the Convention Against Torture
- Economic, Social and Cultural Rights
 - The development of ESC rights in a historical context;
 - Contrast the ICCPR and the ICESCR in terms of content and implementation
 - Difficulties in implementing ESC rights – ideology, resources, justiciability
 - ESC rights with specific reference to the South African experience

Indicative Reading

- Alston, P., 1999. *The EU and Human Rights*, OUP Oxford.
- Alston, P. & Goodman, R., 2007. *International Human Rights in Context: Law, Politics, Morals* 3rd ed., OUP Oxford.
- Cassese, A., 2008. *International Criminal Law* 2nd ed., OUP Oxford.
- Fitzpatrick, J.M., 2002. *Human Rights Protection for Refugees, Asylum Seekers and*

- Internally Displaced Persons: A Guide to International Mechanisms and Procedures, Transnational Publishers Inc.,U.S.
- Gearty, C. & Tomkins, A., 2000. Understanding Human Rights New edition., Continuum International Publishing Group - Pinter.
- Ghandhi, P.R., 2006. Blackstone's International Human Rights Documents 5th ed., OUP Oxford.
- Hannum, H., 2004. Guide to International Human Rights Practice 4th ed., Transnational Publishers Inc.,U.S.
- McGoldrick, D., 1994. The Human Rights Committee: Its Role in the Development of the International Covenant on Civil and Political Rights New edition., Clarendon Press.
- Mowbray, A., 2007. Cases and Materials on The European Convention on Human Rights 2nd ed., OUP Oxford.
- Mower, A., 1997. The Convention on the Rights of the Child: International Law Support for Children, Greenwood Press.
- Ovey, C. & White, R., 2006. Jacobs and White: The European Convention on Human Rights 4th ed., OUP Oxford.
- Smith, R., 2009. Textbook on International Human Rights 4th ed., OUP Oxford.

Assessment methods

70% Exam

30% Assignment