

Syllabus
International Human Rights
Spring semester 2023

The course “International Human Rights” will provide an overview of the current international human rights regime, covering the main international and regional human rights instruments and the different monitoring mechanisms. A substantial part of the course is dedicated to the discussion of cases. In the context of recent developments, we will address human rights topics such as freedom of expression, reproductive rights, and the protection of minorities. The course is aimed at MLaw candidates.

General information

To obtain access to all information, updates and course materials, students are required to enroll in our Moodle course: <https://moodle-app2.let.ethz.ch/course/view.php?id=14454>. Classes will be held weekly on Wednesdays, from 10:15 to 12:00, starting 22 February 2023.

Course requirements

Attendance in class is mandatory to allow for active participation. In order to complete the course, students may miss at most two classes (on condition of previous notification by e-mail). In addition, preparation and active participation in the discussions are a prerequisite for successfully completing the course, and will influence the final grade. Students will also have to give short group presentations.

Please read all the texts indicated as mandatory. Note that the mandatory reading assignments in the programme below are subject to change throughout the semester. Additional readings, which will be directly uploaded to Moodle, are meant to assist you should any topics be of particular interest to you.

Literature

The course’s subjects are (mostly) covered by the various contributions in Daniel Moeckli/Sangeeta Shah/Sandesh Sivakumaran (eds), *International Human Rights Law*, 4th ed., Oxford 2022, and by Olivier de Schutter, *International Human Rights Law*, 3rd ed., Cambridge 2019. Additional reading materials are listed in the schedule below.

Exam

There will be a written or oral exam at the end of the term (depending on the number of participants). Details will be announced in class.

Course administration and support

Further information may be found on Moodle and on the website of Prof. Lorenz Langer: <https://www.ius.uzh.ch/de/staff/professorships/alphabetical/langer/Lehre/FS-2023/International-Human-Rights-Law.html>. Please make yourself acquainted in advance with the uploaded documents. For any further queries, please contact Camila Addiechi (camila.addiechi@rwi.uzh.ch) and Lara Müller (lara.mueller@rwi.uzh.ch).

International Human Rights**Course syllabus – subject to change**

	Date	Topic	Mandatory reading assignments
Part 1: Foundations of international human rights law			
1	22 February	History, Notion and Sources	<p><i>Readings</i></p> <ul style="list-style-type: none"> – Bates, in Moeckli/Shah/Sivakumaran (eds.), pp. 3–22 (Chapter 1 – History) – Chinkin, in Moeckli/Shah/Sivakumaran (eds.), pp. 65-88 (Chapter 4 – Sources) – Dembour, in Moeckli/Shah/Sivakumaran (eds.), pp. 43-62 (Chapter 3 – Critiques)
2	1 March	Obligations and Actors	<p><i>Readings</i></p> <ul style="list-style-type: none"> – Mégret, in Moeckli/Shah/Sivakumaran (eds.), pp. 89-105 (Chapter 5 – Special Character) – Clapham, in Moeckli/Shah/Sivakumaran (eds.), pp. 583-604 (Chapter 28 – Non-State Actors) – Young, in Moeckli/Shah/Sivakumaran (eds.), pp. 129-148 (Chapter 7 – Rights and Obligations) <p><i>Cases</i></p> <ul style="list-style-type: none"> – ECtHR, Rantsev v. Cyprus and Russia – ECtHR, O’Keeffe v. Ireland (legal summary only)
3	8 March	UN Human Rights Protection (I): Charter- and Treaty-Based Mechanisms	<p><i>Readings</i></p> <ul style="list-style-type: none"> – Connors/Shah, in Moeckli/Shah/Sivakumaran (eds.), pp. 385-428 (Chapter 19 – United Nations) <p><i>Cases</i></p> <ul style="list-style-type: none"> – HRC Universal Periodic Review – Switzerland, 3rd/4th cycle – UN Special Procedures communication to the United Kingdom of Great Britain and Northern Ireland – UN Special Procedures communication to Myanmar

	Date	Topic	Mandatory reading assignments
4	15 March	UN Human Rights Protection (II): Charter- and Treaty-Based Mechanisms	<p><i>Readings</i></p> <ul style="list-style-type: none"> – Eide/Eide, in Moeckli/Shah/Sivakumaran (eds.), pp. 187-206 (Chapter 10 – Adequate Standard of Living) <p><i>Cases</i></p> <ul style="list-style-type: none"> – South African Constitutional Court, Minister of Health and Others v. Treatment Action Campaign and Others – South African Constitutional Court, Soobramoney v. Minister of Health
5	22 March	Regional Human Rights Protection	<p><i>Readings</i></p> <ul style="list-style-type: none"> – Çali, in Moeckli/Shah/Sivakumaran (eds.), pp. 429-444 (Chapter 20 – Regional Protection) – Antkowiak, in Moeckli/Sdhah/Sivakumaran (eds.), pp. 445–462 (Chapter 21 – The Americas) – Greer/Graham, in Moeckli/Shah/Sivakumaran (eds.), pp. 463–486 (Chapter 22 – Europe) – Heyns/Killander, in Moeckli/Shah/ Sivakumaran (eds.), pp. 487–504 (Chapter 23 – Africa) <p><i>Cases</i></p> <ul style="list-style-type: none"> – ECtHR, Singh v. France – HRC, Singh v. France – *IACtHR, Case of the “Street Children” (Villagrán Morales et al.) v. Guatemala – *ACtHPR, Request for Advisory Opinion by the Pan African Lawyers Union (PALU) on the Compatibility of Vagrancy Laws With the African Charter on Human and Peoples' Rights and Other Human Rights Instruments Applicable in Africa

* Student presentations

	Date	Topic	Mandatory reading assignments
Part 2: Substantive rights and guarantees			
6	29 March	Life and Torture	<p><i>Readings</i></p> <ul style="list-style-type: none"> – Ferstman, in Moeckli/Shah/Sivakumaran (eds.), pp. 169-186 (Chapter 9 – Integrity of the Person) – Shah, in Moeckli/Shah/Sivakumaran (eds.), pp. 257-284 (Chapter 13 – Detention and Trial) <p><i>Cases</i></p> <ul style="list-style-type: none"> – *ECtHR, El Masri v. the Former Yugoslav Republic of Macedonia – ECtHR, Osman v. United Kingdom (<i>legal summary only</i>) – ECtHR, Lambert v. France (<i>legal summary only</i>) – *B v. Russia
7	5 April	Freedom of Thought and Expression	<p><i>Readings</i></p> <ul style="list-style-type: none"> – McGoldrick, in Moeckli/Shah/Sivakumaran (eds.), pp. 209-234 (Chapter 11 – Thought, Expression, Association, and Assembly) – CCPR, General Comment No. 34 on Art. 19 <p><i>Cases</i></p> <ul style="list-style-type: none"> – *ECtHR, Perinçek v. Switzerland – *AfCHPR, Ingabire Victoire Umuhoza v. Republic of Rwanda
	12 April	Spring Break	
8	19 April	Right to Privacy & Right to Health	<p><i>Readings</i></p> <ul style="list-style-type: none"> – Abraham, Pandemics, in: Moeckli/Shah/Sivakumaran (eds.), pp. 661-680 <p><i>Cases</i></p> <ul style="list-style-type: none"> – *ECtHR Fedotova and Others v. Russia – ECtHR Jehova's Witnesses of Moscow and Others v. Russia – *ECtHR Vavříčka and Others v. the Czech Republic

9	26 April	Reproductive Rights	<p><i>Readings</i></p> <ul style="list-style-type: none"> – Otto, in Moeckli/Shah/Sivakumaran (eds.), pp. 309-338 (Chapter 16 – Women’s Rights) <p><i>Cases</i></p> <ul style="list-style-type: none"> – *US Supreme Court, Dobbs, State Health Officer of the Mississippi Department of Health, et al. v. Jackson Women’s Health Organization et al. – Constitutional Court (Portugal), Ruling no. 225/2018 (<i>excerpts only</i>) – *ECtHR, Valdís Fjölnisdóttir and Others v. Iceland
10	3 May	Equality and Non-Discrimination	<p><i>Readings</i></p> <ul style="list-style-type: none"> – Moeckli, in Moeckli/Shah/Sivakumaran (eds.), pp. 151-168 (Chapter 8 – Equality and Non- Discrimination) <p style="text-align: center;"><i>additionally</i></p> <ul style="list-style-type: none"> – Kälin/Künzli, pp. 355-359 (Chapter 11, IV – The Prohibition of Racial Discrimination) <p><i>Cases</i></p> <ul style="list-style-type: none"> – *HRC, Rosalind Williams Lecraft v. Spain – *IACHR, Jessica Lenahan (Gonzales) et al. v. the United States
11	10 May	Minorities and Indigenous Peoples	<p><i>Readings</i></p> <ul style="list-style-type: none"> – McCorquodale, in Moeckli/Shah/Sivakumaran (eds.), pp. 359-381 (Chapter 18 – Group Rights) – OHCHR, Assessment of human rights concerns in the Xinjiang Uyghur Autonomous Region, People’s Republic of China <p style="text-align: center;"><i>additionally</i></p> <ul style="list-style-type: none"> – Kälin/Künzli, pp. 367-375 (Chapter 11, VII – Protection of Minorities and of Indigenous Peoples) <p><i>Cases</i></p> <ul style="list-style-type: none"> – *HRC, Mahuika v. New Zealand – *AfCHPR, Ogiek v. Kenya
12	17 May	Trip to UN Geneva	
13	24 May	Summing up and repetition	
14	31 May	No class – compensation for trip to UN	