

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: AGUDO ZAMORA, MIGUEL JESUS (Coordinator)

Department: DERECHO PÚBLICO Y ECONÓMICO

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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.



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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.

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.



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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

Gender equality

Peace, justice and strong institutions

METHODOLOGY

General clarifications on the methodology (optional)

Clarifications regarding health alarm situations: "In the event that a health alarm situation is generated that prevents the development of teaching in the face-to-face mode, the coordinators of the affected subjects will be required to prepare an addendum to the teaching guide according to the model established for the academic year 2019 -20. This addendum must be approved by the Department Council and published on the title's website and on the subject's Moodle platform. For the preparation of this adaptation, the provisions of the Extraordinary Governing Council of 14 March 2020 ".

Aclaraciones relativas a situaciones de alarma sanitaria:

"En caso de que se genere una situación de alarma sanitaria que impida el desarrollo de la docencia en la modalidad presencial, se requerirá a los coordinadores de las asignaturas afectadas que elaboren una adenda a la guía docente según el modelo establecido para el curso académico 2019-20. Esta adenda deberá ser aprobada por el Consejo de Departamento y publicada en la web del título y en la plataforma Moodle de la asignatura. Para la elaboración de esta adaptación se atenderá a lo dispuesto en el acuerdo de Consejo de Gobierno Extraordinario de 14 de marzo de 2020".

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

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

Part-time students must communicate their situation to the teaching staff at the beginning of the course so that the methodology and evaluation criteria to be followed in this case are clear.

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

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Activity	Large group	Total
<i>Text analysis</i>	5	5
<i>Total hours:</i>	40	40

Off-site activities

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

WORK MATERIALS FOR STUDENTS

Case studies
Dossier
Oral presentations

EVALUATION

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

(*)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.

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Method of assessment of attendance:

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

Only the active participation (interventions such as 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 grade.

The final exam will have a 50% influence on the final grade and will be a test of 30 questions. To pass it, it takes to respond correctly at least 15 questions.

The students that does not carry out any "oral presentation" or that does not show any active participation will be evaluated exclusively on the basis of the final theoretical 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 work accorded with the professors

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

- Oral exam about ECHR.

Clarification on the evaluation of the extraordinary September call due to the modification of the 2022-2023 Official Academic Year (approved by the Governing Council of the University, BOUCO 2022/01289 of 28/12/2022) that transforms the extraordinary call for students of 2nd enrollment or higher (first of the 2023-2024 academic year) into the extraordinary September call (last of the 2022-2023 academic year):

The evaluation of the extraordinary call of September will be a test of 20 questions (60%) and a brief summary of all the works presented in class (40%), which are available on Moodle.

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-)



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author=Anthony+W.+Bradley&sort=relevancerank" type="Reference">Anthony W. Bradley

COORDINATION CRITERIA

Common evaluation criteria

Joint activities: lectures, seminars, visits ...

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
7# Fortnight	2,0	0,0	0,0	2,0	0,0
Total hours:	10,0	10,0	5,0	10,0	5,0

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.

CONTINGENCY PLAN: CASE SCENARIO A

Case scenario A will correspond to a diminished on-site academic activity due to social distancing measures affecting the permitted capacity of classrooms.

METHODOLOGY

General clarifications on the methodology on case scenario A

A multimodal (hybrid) teaching system will be adopted, combining both on-site and remote classes via videoconference (synchronous) that will be held in the timetable approved by the corresponding Faculty or School. The time distribution of teaching activities (both on-site and remote) will be decided by the aforementioned Faculties and Schools bearing in mind the permitted capacity of classrooms and social distancing measures as



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established at that time.

Clarifications regarding health alarm situations: "In the event that a health alarm situation is generated that prevents the development of teaching in the face-to-face mode, the coordinators of the affected subjects will be required to prepare an addendum to the teaching guide according to the model established for the academic year 2019 -20. This addendum must be approved by the Department Council and published on the title's website and on the subject's Moodle platform. For the preparation of this adaptation, the provisions of the Extraordinary Governing Council of 14 March 2020 ".

Aclaraciones relativas a situaciones de alarma sanitaria:

"En caso de que se genere una situación de alarma sanitaria que impida el desarrollo de la docencia en la modalidad presencial, se requerirá a los coordinadores de las asignaturas afectadas que elaboren una adenda a la guía docente según el modelo establecido para el curso académico 2019-20. Esta adenda deberá ser aprobada por el Consejo de Departamento y publicada en la web del título y en la plataforma Moodle de la asignatura. Para la elaboración de esta adaptación se atenderá a lo dispuesto en el acuerdo de Consejo de Gobierno Extraordinario de 14 de marzo de 2020".

EVALUATION

Intended learnig	Case Studies	Debate	Exams
CEM175	X	X	X
CO1	X	X	X
CO2	X	X	X
CO3	X	X	X
Total (100%)	40%	10%	50%
Minimum grade	4	1	4

(*)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 (Scenario A):

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

Only the active participation (interventions such as 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 (Scenario A):

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

The final exam will have a 50% influence on the final grade and will be a test of 30 questions. To pass it, it takes to respond correctly at least 15 questions.

The students that does not carry out any "oral presentation" or that does not show any active participation will be

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evaluated exclusively on the basis of the final theoretical 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 (Scenario A):

-Individual work accorded with the professors

CONTINGENCY PLAN: CASE SCENARIO B

Case scenario B will bring about a suspension of all on-site academic activities as a consequence of health measures.

METHODOLOGY

General clarifications on the methodology on case scenario B

On-site teaching activities will be held via videoconference (synchronous) in the timetable approved by the corresponding Faculty or School. Alternative activities will be proposed for reduced groups in order to guarantee the acquisition of course competences.

Clarifications regarding health alarm situations: "In the event that a health alarm situation is generated that prevents the development of teaching in the face-to-face mode, the coordinators of the affected subjects will be required to prepare an addendum to the teaching guide according to the model established for the academic year 2019 -20. This addendum must be approved by the Department Council and published on the title's website and on the subject's Moodle platform. For the preparation of this adaptation, the provisions of the Extraordinary Governing Council of 14 March 2020 ".

Aclaraciones relativas a situaciones de alarma sanitaria:

"En caso de que se genere una situación de alarma sanitaria que impida el desarrollo de la docencia en la modalidad presencial, se requerirá a los coordinadores de las asignaturas afectadas que elaboren una adenda a la guía docente según el modelo establecido para el curso académico 2019-20. Esta adenda deberá ser aprobada por el Consejo de Departamento y publicada en la web del título y en la plataforma Moodle de la asignatura. Para la elaboración de esta adaptación se atenderá a lo dispuesto en el acuerdo de Consejo de Gobierno Extraordinario de 14 de marzo de 2020".

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Intended learnig	Debate	Exams	Oral Presentation
CEM175	X	X	X
CO1	X	X	X
CO2	X	X	X
CO3	X	X	X
Total (100%)	10%	50%	40%
Minimum grade	1	4	4

(*)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.

Moodle Tools	Debate	Exams	Oral Presentation
Forum	X		
Participation	X		X
Questionnaire		X	
Synchronous tests via videoconference		X	
Task			X
Videoconference	X		X

Method of assessment of attendance (Scenario B):

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

Only the active participation (interventions such as 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 (Scenario B):

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

The final exam will have a 50% influence on the final grade and will be a test of 30 questions. To pass it, it takes to respond correctly at least 15 questions.

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

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will be a 6.

Clarifications on the methodology for part-time students and students with disabilities and special educational needs (Scenario B):

-Individual work accorded with the professors