

Syllabus  
**International Human Rights**  
Spring semester 2024

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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 designed for Master students.

### **General information**

To access all information, updates and course materials, students need 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 21 February 2024.

### **Course requirements**

Attendance in class is mandatory for completing the course. Students may miss not more than two classes based on 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 mandatory materials. Note that the mandatory reading assignments in the programme below are subject to change throughout the semester. Additional readings, which will be uploaded on Moodle, are meant to assist you should any topics be of particular interest or difficulty to you.

### **Literature**

We recommend the purchase of Alison Bisset, Blackstone's International Human Rights Documents, 13th ed., Oxford 2023. The course's subjects are to a large extent covered by the various contributions in Daniel Moeckli/Sangeeta Shah/Sandesh Sivakumaran (eds), International Human Rights Law, 4th ed., Oxford 2022, and Antônio Augusto Cançado Trindade/Damián A. González-Salzberg, International Law of Human Rights, Oxford 2024 and by Olivier de Schutter, International Human Rights Law, 3rd ed., Cambridge 2019. Alternatively, you may find Walter Kaelin/Joerg Kuenzli, The Law of International Human Rights Protection, 2nd ed., Oxford 2019 helpful for your preparation. 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. Christine Kaufmann: <https://www.ivr.uzh.ch/de/institutsmitglieder/kaufmann/vorlesungen/FS24/IHR.html>. Please make yourself acquainted in advance with the uploaded documents. For any further queries, please contact the assistants at the Chair of Prof. Kaufmann (Lst.kaufmann@ius.uzh.ch).

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

	Date	Topic	Mandatory reading assignments
<b>Part 1: Foundations of international human rights law</b>			
1	21 February	<b>History, Notion and Sources</b>	<p><i>Readings</i></p> <ul style="list-style-type: none"> <li>– Bates, in Moeckli/Shah/Sivakumaran (eds.), pp. 3–22 (Chapter 1 – History)</li> <li>– Chinkin, in Moeckli/Shah/Sivakumaran (eds.), pp. 65-88 (Chapter 4 – Sources)</li> <li>– Dembour, in Moeckli/Shah/Sivakumaran (eds.), pp. 43-62 (Chapter 3 – Critiques)</li> </ul> <p style="text-align: center;"><b><u>or</u></b></p> <ul style="list-style-type: none"> <li>– De Schutter, pp. 13-144 (Chapter 1 – The rise of international human rights)</li> </ul>
2	28 February	<b>Obligations and Actors</b>	<p><i>Readings</i></p> <ul style="list-style-type: none"> <li>– Mégret, in Moeckli/Shah/Sivakumaran (eds.), pp. 89-105 (Chapter 5 – Special Character)</li> <li>– Clapham, in Moeckli/Shah/Sivakumaran (eds.), pp. 583-604 (Chapter 28 – Non-State Actors)</li> <li>– Young, in Moeckli/Shah/Sivakumaran (eds.), pp. 129-148 (Chapter 7 – Rights and Obligations)</li> </ul> <p style="text-align: center;"><b><u>or</u></b></p> <ul style="list-style-type: none"> <li>– De Schutter, pp. 145-288 (Chapter 2 – State responsibility and ‘jurisdiction’)</li> <li>– De Schutter, pp. 291-435 (Chapter 3 – Respecting human rights: avoiding interference)</li> <li>– De Schutter, pp. 436-556 (Chapter 4 – Protecting human rights: regulating private actors)</li> <li>– De Schutter, pp. 557-606 (Chapter 5 – Fulfilling human rights: progressive realization)</li> <li>– De Schutter, pp. 809-868 (Chapter 8 – Ensuring compliance with international human rights law: the role of national authorities)</li> </ul> <p><i>Cases</i></p> <ul style="list-style-type: none"> <li>– ECtHR, Rantsev v. Cyprus and Russia</li> <li>– ECtHR, O’Keeffe v. Ireland (legal summary only)</li> </ul>

	Date	Topic	Mandatory reading assignments
	6 March	<b>No class</b>	
<b>3</b>	13 March	<b>ICCPR and ICESCR</b>	<p><i>Readings</i></p> <ul style="list-style-type: none"> <li>– van Boven, in Moeckli/Shah/Sivakumaran (eds.), pp. 136-147 (Chapter 7 – Categories of Rights)</li> <li>– Eide, in Moeckli/Shah/Sivakumaran (eds.), pp. 186-206 (Chapter 10 – Adequate Standard of Living)</li> </ul> <p><i>Cases</i></p> <ul style="list-style-type: none"> <li>– South African Constitutional Court, Minister of Health and Others v. Treatment Action Campaign and Others</li> <li>– South African Constitutional Court, Soobramoney v. Minister of Health</li> <li>– ECtHR, Singh v. France</li> <li>– HRC, Singh v. France</li> </ul>
<b>4</b>	20 March	<b>UN Human Rights Protection (I): Charter- and Treaty-Based Mechanisms</b>	<p><i>Readings</i></p> <ul style="list-style-type: none"> <li>– Connors/Shah, in Moeckli/Shah/Sivakumaran (eds.), pp. 385-428 (Chapter 19 – United Nations)</li> </ul> <p style="text-align: center;"><b><u>or</u></b></p> <ul style="list-style-type: none"> <li>– De Schutter, pp. 869-942 (Chapter 9 – The United Nations human rights treaties system)</li> <li>– De Schutter, pp. 943-987 (Chapter 10 – The United Nations Charter-based monitoring of human rights)</li> </ul>
<b>5</b>	27 March	<b>UN Human Rights Protection (II): Charter- and Treaty-Based Mechanisms</b>	<p><i>Cases</i></p> <ul style="list-style-type: none"> <li>– HRC Universal Periodic Review – Switzerland, 4<sup>th</sup> cycle</li> <li>– UN Special Procedures communication to the United Kingdom of Great Britain and Northern Ireland</li> <li>– UN Special Procedures communication to Myanmar</li> </ul>

	Date	Topic	Mandatory reading assignments
	3 April	<b>Spring Break – no class</b>	
6	10 April	<b>Regional Human Rights Protection</b>	<p><i>Readings</i></p> <ul style="list-style-type: none"> <li>– Çali, in Moeckli/Shah/Sivakumaran (eds.), pp. 429-444 (Chapter 20 – Regional Protection)</li> <li>– Antkowiak, in Moeckli/Sdhah/Sivakumaran (eds.), pp. 445–462 (Chapter 21 – The Americas)</li> <li>– Greer/Graham, in Moeckli/Shah/Sivakumaran (eds.), pp. 463–486 (Chapter 22 – Europe)</li> <li>– Heyns/Killander, in Moeckli/Shah/ Sivakumaran (eds.), pp. 487–504 (Chapter 23 – Africa)</li> </ul> <p style="text-align: center;"><b><u>or</u></b></p> <ul style="list-style-type: none"> <li>– De Schutter, pp. 988-1060 (Chapter 11 – Regional mechanisms of protection)</li> </ul> <p><i>Cases</i></p> <ul style="list-style-type: none"> <li>– 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</li> <li>– IACtHR, Case of the “Street Children” (Villagrán Morales et al.) v. Guatemala</li> </ul>

	Date	Topic	Mandatory reading assignments
<b>Part 2: Substantive rights and guarantees</b>			
7	17 April	<b>Life and Torture</b>	<p><i>Readings</i></p> <ul style="list-style-type: none"> <li>– Ferstman, in Moeckli/Shah/Sivakumaran (eds.), pp. 169-186 (Chapter 9 – Integrity of the Person)</li> <li>– Shah, in Moeckli/Shah/Sivakumaran (eds.), pp. 257-284 (Chapter 13 – Detention and Trial)</li> </ul> <p><i>Cases</i></p> <ul style="list-style-type: none"> <li>– ECtHR, El Masri v. the Former Yugoslav Republic of Macedonia</li> <li>– IACtHR, Roche Azaña and others v. Nicaragua</li> <li>– ECtHR, Osman v. United Kingdom (<i>legal summary only</i>)</li> <li>– ECtHR, Lambert v. France (<i>legal summary only</i>)</li> </ul>
8	24 April	<b>Freedom of Thought and Expression</b>	<p><i>Readings</i></p> <ul style="list-style-type: none"> <li>– McGoldrick, in Moeckli/Shah/Sivakumaran (eds.), pp. 209-234 (Chapter 11 – Thought, Expression, Association, and Assembly)</li> <li>– CCPR, General Comment No. 34 on Art. 19</li> </ul> <p><i>Cases</i></p> <ul style="list-style-type: none"> <li>– AfCHPR, Ingabire Victoire Umuhoza v. Republic of Rwanda</li> <li>– ECtHR, Sanchez v. France</li> </ul>
	1 May	<b>Public holiday - no class</b>	
9	8 May	<b>Equality and Non-Discrimination</b>	<p><i>Readings</i></p> <ul style="list-style-type: none"> <li>– Moeckli, in Moeckli/Shah/Sivakumaran (eds.), pp. 151-168 (Chapter 8 – Equality and Non- Discrimination)</li> </ul> <p style="text-align: center;"><b><u>additionally</u></b></p> <ul style="list-style-type: none"> <li>– Kälin/Künzli, pp. 355-359 (Chapter 11, IV – The Prohibition of Racial Discrimination)</li> </ul> <p><i>Cases</i></p> <ul style="list-style-type: none"> <li>– HRC, Rosalind Williams Lecraft v. Spain</li> <li>– IACHR, Jessica Lenahan (Gonzales) et al. v. the United States</li> </ul>

	<b>Date</b>	<b>Topic</b>	<b>Mandatory reading assignments</b>
<b>10</b>	15 May	<b>Reproductive Rights</b>	<p><i>Readings</i></p> <ul style="list-style-type: none"> <li>– Otto, in Moeckli/Shah/Sivakumaran (eds.), pp. 309-338 (Chapter 16 – Women’s Rights)</li> </ul> <p><i>Cases</i></p> <ul style="list-style-type: none"> <li>– US Supreme Court, Dobbs, State Health Officer of the Mississippi Department of Health, et al. v. Jackson Women’s Health Organization et al.</li> <li>– HRC, L.M.R. v. Argentina</li> <li>– IACtHR, I.V. v. Bolivia</li> </ul>
<b>11</b>	22 May	<b>Minorities and Indigenous Peoples</b>	<p><i>Readings</i></p> <ul style="list-style-type: none"> <li>– McCorquodale, in Moeckli/Shah/Sivakumaran (eds.), pp. 359-381 (Chapter 18 – Group Rights)</li> <li>– OHCHR, Assessment of human rights concerns in the Xinjiang Uyghur Autonomous Region, People’s Republic of China</li> </ul> <p style="text-align: center;"><b><u>additionally</u></b></p> <ul style="list-style-type: none"> <li>– Kälin/Künzli, pp. 367-375 (Chapter 11, VII – Protection of Minorities and of Indigenous Peoples)</li> </ul> <p><i>Cases</i></p> <ul style="list-style-type: none"> <li>– HRC, Mahuika v. New Zealand</li> <li>– AfCHPR, Ogiek v. Kenya</li> </ul>
<b>12</b>	29 May	<b>Summing up and repetition</b>	