

## COURSE DESCRIPTION

<b>University:</b> Comenius University in Bratislava	
<b>Faculty:</b> Faculty of Law	
<b>Course ID:</b> PraF.KUP/EnM17-3005/17	<b>Course title:</b> Human Rights
<b>Educational activities:</b> <b>Type of activities:</b> lecture / seminar <b>Number of hours:</b> <b>per week:</b> 2 / 2 <b>per level/semester:</b> 28 / 28 <b>Form of the course:</b> on-site learning	
<b>Number of credits:</b> 4	
<b>Recommended semester:</b> 1.	
<b>Educational level:</b> II.	
<b>Prerequisites:</b>	
<b>Course requirements:</b> Activity at seminars and written assignments (20%) Final Assessment: Written Exam - Theoretical Questions and Model Case Study (80%) Classification scale: A / 1 = 91 - 100%; B / 1.5 = 81-90%; C / 2 = 73-80%; D / 2.5 = 66-72%; E / 3 = 61-65%; FX = 0-60%. In the exam, students can use all available sources of legal information, mainly legislation, commentaries, case-law, legal treatises, and legal information systems.	
<b>Learning outcomes:</b> The subject is focused on human rights and freedoms with an emphasis on the European dimension of their protection. Upon successful completion of this course, the student will understand the value and importance of personal and political rights, the mechanism of their application as well as their limitations. Students will explore the principles and rules of procedure before the ECHR and the UN Human Rights Committee, as well as the most recent case law of the ECHR in this area. Students will be able to argue and analyse a legal issue through the prism of human rights and freedoms.	
<b>Class syllabus:</b> 1. Theoretical basis of human rights - human rights and freedoms, their meaning, characteristics and division, human dignity, limitation and interpretation of rights and freedoms, national and supranational dimension of protection 2. The UN Human Rights Protection System - the Covenant on Civil and Political Rights, the Covenant on Economic, Social and Cultural Rights - mechanisms of protection, institutions and the basic procedural principles 3. European Convention on Human Rights - characteristics and development, basic principles of procedure - ECtHR (composition, competence), Committee of Ministers (competence) 4. The right to life - material and procedural nature of the right to life - "absolute necessity" 5. Prohibition of torture, degrading treatment and punishment - nature and individual elements of art. 3 of the Convention - conditions of detention, deportation, depositions and other practical aspects of art. 3	

6. Liberty and security
  - presumptions and requirements under the ECtHR case-law in relation to liberty and security
  - material and procedural aspects of art. 5 of the Convention
7. Right to a fair trial
  - nature of the right to a fair trial, scope of application, independence and impartiality
  - civil and criminal aspects
8. Right to respect for private and family life
  - concept of the right to privacy and family life
  - evolution of this right and the scope of application
9. Freedom of thought, conscience and religion
  - nature of the right
  - neutral state, the relationship of the state and the religion
10. Freedom of expression
  - significance of the freedom of expression, types of expression, content and the persons covered
  - liability and limitation of the right
11. Freedom of assembly and association
  - content of both rights, peaceful and spontaneous gatherings
  - associations, trade unions and political parties
12. Prohibition of discrimination
  - nature of the prohibition of discrimination under the Convention, different treatment and the different types of discrimination
  - application aspects of the prohibition of discrimination
13. Protection of property
  - the content and significance of the right, the three rules on the protection of property rights under the Convention
  - limitations and expropriation
14. Protection of human rights in the European Union
  - the case-law of the Court of Justice of the EU
  - Charter of Fundamental Rights of the EU

**Recommended literature:**

JACOBS, WHITE, OVEY,: The European Convention on Human Rights. 6. vydanie. Oxford: Oxford University Press, 2014

GREER, S.: The European Convention on Human Rights: Achievements, Problems and Prospects. Cambridge University Press, 2006

JANIS, W., M. – KAY, R.,S. – BRADLEY, A.,W.: European Human Rights Law, Text and Materials. Third Edition, 2008

KELLER, H. – STONE-SWEET, A. (eds.): A Europe of Rights. Oxford University Press, 2008

LETSAS, G.: A Theory of Interpretation of the European Convention on Human Rights, Oxford University Press, 2008

REID, K.: A Practitioner's Guide to the European Convention on Human Rights. 3rd Edition, Sweet & Maxwell, 2008

**Languages necessary to complete the course:**

English

**Notes:**

<b>Past grade distribution</b>						
Total number of evaluated students: 5						
A	ABS	B	C	D	E	FX
60,0	0,0	0,0	40,0	0,0	0,0	0,0
<b>Lecturers:</b> JUDr. Milan Hodás, PhD., JUDr. Kamil Baraník, PhD., LL.M.						
<b>Last change:</b> 21.01.2018						
<b>Approved by:</b>						