Department of Law

Stockholm University

Syllabus

for course at first level

International Human Rights Litigation
Rättstvister inom Internationella mänskliga rättigheter

3.5 Higher Education Credits
3.5 ECTS credits

Course code:	JU222F
Valid from:	Summer 2019
Date of approval:	2019-01-28
Department	Department of Law
Main field:	Legal Science
Specialisation:	GXX - First cycle, in-depth level of the course cannot be classified

Decision

Approved by the Education Committee of the Faculty of Law on 28 January 2019.

Prerequisites and special admittance requirements

The course is intended for foreign students enrolled in an exchange programme at the Department of Law or in the Stockholm Business School Summer programme at Stockholm University. The course is interdisciplinary but requires no prior knowledge in the subject.

Course structure

Examination code	Name	Higher Education Credits
MOM1	International Human Rights Litigation	3.5

Course content

This course introduces the work of an international human rights lawyer; it focuses on how to make use of the various international fora to promote respect for international human rights standards. As such, it will cover various aspects of what an international human rights lawyer needs to know and what they can do, including:

- An introduction to the main elements of the human rights regime
- The UN mechanisms for the protection of human rights: reporting and shadow reporting to the Treaty Monitoring Bodies and the Human Rights Council, inquiries and special rapporteurs and individual complaints.
- The regional mechanisms, including those in Europe, Africa and the Americas. Naturally, there will be an emphasis on the Council of Europe mechanisms and the European Convention of Human Rights.
- The relevance of comparative jurisprudence and standards.
- The hard law and soft law standards.
- The approach to arguing human rights standards – the purposive approach, ensuring rights are practical and effective, ensuring that standards reflect modern day conditions.
- How to take an individual complaint under the UN and Regional mechanisms.
- How to take collective “complaints” through the reporting and shadow reporting, and inquiry and special rapporteur mechanisms of the UN; how to make use of them for the benefit of NGOs and other similar clients.
- Making interventions in cases.
- Reviewing case studies on strategic litigation, ie making use of a sequence of cases to develop a standard. This will involve a focus on the recent developments of the duty to protect victims and potential victims of

crime, and on the use of litigation to improve the protection of people with mental health conditions.
- Planning a case from the outset, including steps that should be taken in a domestic forum with a view to being able to raise a point before an international tribunal.

Learning outcomes

Knowledge and understanding
Upon completion of the course, students are expected to be able to:
– demonstrate an understanding of the knowledge needed for and the approach to be adopted by a lawyer who wishes to hold him or herself out to be an international human rights practitioner.

Skills and abilities
Upon completion of the course, students are expected to be able to:
- demonstrate the ability to work on cases for individual complainants and also assist NGOs and civil society bodies in promoting human rights, or to work for governmental agencies in responding to such activities.

Judgement and approach
Upon completion of the course, students are expected to be able to:
- Critically assess, evaluate and present different solutions for various legal matters concerning litigation processes within the field of human rights, in English, both orally and in writing, independently and in groups.

Education

Instruction comprises 2 weeks of full-time studies and consists of lectures and seminars. A more detailed description of the course content is available in the course description and course schedule.

Teaching is in the forms of lectures/seminars as to the basic materials to be covered. There will be a practical element in the form of a moot-court style argument of a human rights case (with students participating as advocates or judges); this is designed to test how the principles covered in the course operate in practice.

Forms of examination

- Active participation in the compulsory elements of the course,
- The submission of a court brief,
- A moot court.

About the draft submission: students are required to draft a submission to an international human rights body.

Assessment criteria applicable to grading of the court brief:
– problem formulation
– structure and presentation
– insight into the topic, as well as materials and knowledge
– investigation and analysis
– argumentation and conclusions
– independence
– language, formal requirements and
– the ability to submit the required work in time.

Assessment criteria applicable to the oral presentations in the moot court:
– ability to identify, analyse and oral present the relevant legal issues
– ability to work with others and argue in a constructive manner, and
– ability to assess and draw conclusions from the presented court briefs.

Failure to hand in the take-home exam within the given timeframe will automatically result in a failing grade. All of the course's learning outcomes must be met and all activities passed in order to pass the course.

Students who fail the regular examination are given the opportunity for re-examination. Students who have passed are not entitled to undergo re-examination for higher grades. Students who are failed twice by the same examiner have the right to demand a different examiner when doing additional re-examinations. This does not however apply if there are specific reasons for not appointing a different examiner.

The grading scale for the course is as follows: Pass (G) or Fail (U).

Misc

Completed course requirements are valid for two years. This also applies to students who de-register from the

course through early withdrawal.

The course requirements in effect at the time of the student's first registration on the course may be completed within two years. After two years, the course requirements included in the most recently revised syllabus will apply.

Entry into force
These provisions will apply as of 10 June 2019.

Required reading

The course literature is approved by the head of department. Please refer to the course website and the course description for information about the required reading. The current reading list will be made available at least two months before the course starts.