Radboud Summer School

European Human Rights Protection

Preliminary course programme

5 – 9 August 2019
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Course overview

Course description
The Council of Europe’s work in the field of human rights are now of significance across the globe. The achievements of the Strasbourg-based organisation is of interest to all who wish to have a real awareness of the power of human rights. The Council of Europe has been able to achieve innovative systems of effective protection of human rights at a regional level. Its success in promoting respect for civil and political rights, first through the establishment and progressive development of an enforcement machinery under the European Convention on Human Rights and then through the entry into force of the European Convention for the Prevention of Torture or Inhuman and Degrading Treatment or Punishment, is without parallel. It has subsequently developed new standards in a range of areas including combating intolerance and human trafficking.

This course explores particular aspects of these innovative judicial and non-judicial standards and mechanisms of protection. There is a rich interaction between legally-binding standards established through judicial interpretation, and the work of monitoring bodies; at the same time, these European standards draw upon international standards. However, the realisation of human rights in Europe is increasingly under threat: domestic non-compliance may well reflect an increasing scepticism on the part of certain national governments elected on a platform of populist policies.

Both the contexts in which human rights flourish (or fail) as well as the contents of European standards and international obligations are of critical importance today. How do we promote and enforce the protection of the individual? There are three key approaches to the work of the Council of Europe: first, standard-setting (in particular, by means of securing agreement to international treaties, but also through the making of recommendations and resolutions and the gradual emergence of standards in the course of the work of monitoring bodies); secondly, monitoring of implementation of state obligations (in particular, through the work of bodies established by treaty); and thirdly, co-operation with member states and non-governmental organisations (e.g. in promoting institutional capacity-building and legislative reform through training and compatibility studies). While this course will focus upon the jurisprudence of the European Court of Human Rights, these other aspects of human rights protection will also be introduced and discussed. The Council of Europe has also been mindful of the need to promote social cohesion through the promotion of social standards under the European Social Charter, and to encourage equality of treatment of members of national minorities through its Framework Convention for the Protection of National Minorities and the work of the European Commission against Racism and Intolerance.

We will focus upon 3 areas of particular interest in Europe today: protection of physical integrity (life; prohibition of ill-treatment; deprivation of liberty); religious liberty; and aspects of personal autonomy. Participants will be expected to read the course materials in advance of the class (including primary source materials) and to take a leading part in group discussions and presentations.
Learning Outcomes
By the end of this course, you will be able to:
• understand the enforcement machinery under the European Convention of Human Rights
• critically evaluate the leading jurisprudence of the substantive guarantees of the European Convention on Human Rights,
• gain a basic awareness of other European instruments and standard-setting bodies in the field of human rights,
• analyse European human rights problems and identify the applicable rules and legal issues (that is, to identify and clarify the components of a given problem, produce strategies for its resolution, and evaluate the success of these different approaches).

Level of participant
Advanced Bachelor
Master

For whom is the course designed
This course is designed for students from a broad range of disciplines, and including (but not restricted to) Law, Politics, and International Studies.

Admission Requirements
You will have a language competency in English at C1 or better. You will have a basic grasp of current affairs in Europe, and an ability to read materials effectively and critically before class in order to take part in discussions and in group presentations.

Admission Documents
None

Date
5 – 9 August 2019

Application Deadline
1 June 2019

How to apply
To apply for this course, please visit our website and press the apply now button.
> More information on how to apply
Course Leader
Jim Murdoch
Professor of Public Law
School of Law
University of Glasgow
Scotland

Jim Murdoch read law as an undergraduate at Glasgow and has an LLM from the University of California at Berkeley. He was Head of the School of Law at Glasgow between 1996 and 2000.

He has taught at the Universities of Mainz, Freiburg, Hamburg and Paris Ouest, and was a professeur stagiaire with the Directorate of Human Rights of the Council of Europe in France. He is a regular participant in Council of Europe seminar programme visits to Central and East European states and has developed a particular interest in non-judicial human rights enforcement mechanisms.

In 2012, Jim was awarded the Pro Merito medal of the Council of Europe. The medal is the highest distinction granted by the Secretary General to individuals (or organisations) in recognition of their commitment to the Council of Europe’s values and work. In 2018, his work in higher education and in human rights was recognised by the award of a CBE in the Queen’s Birthday Honours List.

Certificate

You will be awarded a certificate of attendance for actively participating and successfully completing all assignments. The certificate will state the amount of ECTS credits earned.

ECTS credits

Student workload at Dutch universities is expressed in ECTS credits. ECTS stands for European Credit Transfer and Accumulation System, a system widely used throughout the European Union. In the Netherlands, each ECTS credit represents 28 hours of work. We would like to point out that recognition of credits is at the discretion of your home institution. For this course you will be able to obtain 2 ECTS credits.
Study Load

The total workload of 56 hours will be allocated to

- Pre-course assignments/reading
- Class attendance
- Self-study or group work during the course
- Assignment(s)
- Presentation(s)

Course organisation

This course makes use of a wide variety of instruction media: seminars, self-study using course literature, the Brightspace website and background literature, student presentations and a ‘moot court’. An active participation is required: each of us has something to contribute.

Brightspace

During Radboud Summer School, you will have access to our online learning environment Brightspace. One month before the summer course starts you will receive more information about Brightspace and how to access it. In your online course you will find the schedule and course related documents and or reading materials.

Literature

Pre-course literature: you will have access to on-line materials on Brightspace which provide a summary of the key areas of the syllabus (this is drawn from Reed and Murdoch: Human Rights Law (Bloomsbury, 4th ed 2017). It is expected that you will read this in advance of the course – briefly – and then reread this during the week of courses.

You will also be expected to access on-line human rights handbooks from the Council of Europe to supplement your reading. These are available in a range of languages: see https://www.echr.coe.int/Pages/home.aspx?p=caselaw/otherpublications&c=#n13698938345902921131761_pointer

For further reading, you should consult a key The leading textbooks on the Convention appear in English, French or German; some are written (or co-written) by lawyers working in the Court Registry, or by past or current judges of the Court. See in particular:

Assignments

You will have 2 assignments: two brief written reports (of c. 1k words each) on the human rights situation in one Member state of the Council of Europe: the first will concern the treatment of detainees (using reports of the CPT), and the second identifying issues of discrimination, etc (using key findings of ECRI and the Human Rights Commissioner). You will also have one group assignment: the preparation and presentation of oral arguments in a moot case at the end of the course.

Assessment

You will have one final assessment: you will be asked to write a 2.5k word ‘draft judgment’ based upon given facts and involving a fictitious Kingdom of Britannica. The issues will be based upon the discussion in the class, but you will also be expected to make use of on-line legal research tools. You will receive a grade, and if you do not pass, you will be given feedback and another opportunity to submit your draft judgment.
We will provide you with coffee and tea three times a day and arrange lunch for you. The time slot allocated for lunch is 12.00-14.00, usually lunchtime lasts somewhere between 1–1½ hours.

Radboud Summer School is more than an academic event, it also provides you with a unique opportunity to meet other international students and to broaden your horizon. Our participants come from all over the world and all have a different cultural and academic background. More than 650 participants from 80 different countries joined the summer school in 2018. The summer school organization has carefully selected various social activities to bring you in contact with each other and to introduce you to the beautiful city of Nijmegen.

Below you will find some useful links to the Radboud Summer School website:

- Social Events
- Accommodation
Preliminary day-to-day programme

Monday
Topics: An introduction to the European System for the Protection of Human Rights

Time Table:
09.30-11.00 Opening Event
11.00-12.00 Getting to know the class: integration, and clarification of assessment, etc
14.00-17.00 Fundamental concepts in Strasbourg Court case law

Tuesday
Topics: Physical and psychological integrity

Time Table:
09.00 -12.00 The right to life
14.00-17.00 Prevention of torture and ill-treatment

Wednesday
Topics: Liberty; and private life

Time Table:
09.00-12.00 The protection against arbitrary deprivation of liberty
14.00-17.00 Respect for private and family life

Thursday
Topics: Religion; and tackling discrimination

Time Table:
09.00-12.00 Religion and education
14.00-16.00 Tackling discrimination
16.00 onwards: Preparation for moot presentation

Friday
Topics: Course overview; and moot court presentations

Time Table:
09.30-12.00 Moot court presentations; and introduction to writing a court judgment
14.00-15.00 Course evaluation
15.30-16.00 Coffee/Tea Break
16.00-18.00 Farewell Ceremony and drinks afterwards
Contact information

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