

**DETAILED CURRICULUM  
LEVEL TWO - SEMESTER FOUR  
HUMAN RIGHTS LAW**

<b>COURSE DETAILS</b>			
<b>Course Code</b>	LW 4213		
<b>Course Title</b>	HUMAN RIGHTS LAW		
<b>Course Type</b>	CC		
<b>Credits</b>	3		
<b>Hours Allotted</b>	<b>Theory</b>	30	<b>Total</b>
	<b>Practical</b>		
	<b>Assignments/Tutorials</b>	30	60
<b>AIM</b>			
<p>The Human Rights Law is philosophical and interdisciplinary. The course encloses political, legal, social and economic aspect of Human Rights. The students are introduced to the historical development of the human rights, universalization of human rights, human rights mechanisms and responsibility for violation contemporary discourses, constitutional provisions on human rights and the role of civil society.</p>			
<b>INTENDED LEARNING OUTCOMES</b>			
<p>After the completion of course unit, learners should be able to</p> <ul style="list-style-type: none"> <li>(a) demonstrate clear understanding of the philosophical and interdisciplinary nature of the Human Rights Law</li> <li>(b) use relevant material information and skills to resolve any conflicted situation arising in the spectrum of Human Rights Law</li> <li>(c) Synthesize and critically assess case law, notably through a comparative approach</li> </ul>			
<b>COURSE CONTENTS</b>			
<p><b>1. Historical Evolution of the concept of Human Rights</b></p> <ul style="list-style-type: none"> <li>Social norms/religious tents</li> <li>Natural rights theory Political theories</li> <li>Political theories</li> <li>Legal guarantees</li> <li>Legal Positivism</li> <li>Customary norms/jus cogens</li> </ul> <p><b>2. Universalization of Human Rights and Impact on State Sovereignty</b></p> <ul style="list-style-type: none"> <li>Pre – world war II development</li> <li>The UN Era</li> <li>The International Bill of Human Rights</li> <li>The Vienna Declaration, 1993</li> <li>Universal Human rights and State Sovereignty (implications for the domestic legal system)</li> </ul>			

### **3. Human Rights Mechanisms and Responsibility for Violations**

International mechanisms  
UN Charter based mechanisms  
UN Treaty based mechanisms  
International Criminal Court and war crimes tribunals  
Regional mechanisms  
European system  
Inter – American system  
African system  
Domestic mechanisms  
Judicial mechanisms  
Human Rights Commission  
Ombudsman  
State and individual responsibility for violations of human rights

### **4. Contemporary Discourses on Human Rights**

Universalism V Cultural relativism / Asian values debate  
Case study  
The Rule of Law  
Equality before the law and equal protection of the law  
administrative justice as an aspect of equal protection of the law  
Indivisibility of rights and the human development discourse  
Case study  
Group Rights  
Case study  
Democratization and human rights (issues of accountability and transparency)  
Case study  
Globalization and human rights  
Public V Private spheres of activity  
Case study  
Case study  
Armed conflict and human rights  
Case study  
Case study  
Impunity, justice and Reconciliation in post – conflict societies  
Case study

### **5. The role of Civil society**

Rights and civic responsibilities  
The role of civil society institutions

<b>ASSESSMENT CRITERIA</b>	<b>% OF MARKS</b>
Semester-end Examination:	70
Assignments:	20
Class Quizzes:	10

## RECOMMENDED READINGS

1. Philip Alston (ed), The United Nations and Human Rights: A critical Appraisal
2. ARB Amerasinghe, Our Fundamental Rights of Personal Secretary and Physical Liberty
3. RKW Goonasekara, Fundamental Rights and constitution
4. Open University of Sri Lanka, Case Book on Fundamental Rights.
5. AH Robertson, Human Rights in the world.
6. Paul Sieghar, The International Law of Human Rights
7. J. Wickramaratne, Fundamental Rights in Sri Lanka
8. Justice S Sharvananda, Fundamental Rights in Sri Lanka, A Commentary.
9. VT Thamilmaran, Human Rights in Third World Perspective
10. Henry P Steiner and Philip Alston, International Human Rights in Context: Law, Politics, Morals.
11. Harris, Oboyle, Warbrick, Law of the European Convention on Human Rights
12. Dominic Mc Goldrick, The Human Rights Committee: Its Role in the Development of the International Covenant on Civil and Political Rights
13. Frank Newman and David Weissbrodt, International Human Rights : Law, Policy and Process
14. Jamine Oraa, Human Rights in State of Emergency in International Law
15. AH Robertson and JG Merrills, Human Rights in Europe
16. Andrew Clapham, Human Rights in the Private Sphere
17. Eide and Hagtvet (des), Human Rights in Perspective
18. Eide, Krause and Rosas (eds), Economic, Social and Cultural Rights: A Text book
19. Kathleen Mahoney dn Paul Mahoney (eds), Human Rights in the Twenty – First century
20. HM Seervai, Constitutional Law of India (2 Volumes)
21. Claude Welch and Virginis Leary (eds), Asian Perspectives on Human Rights