

Human Rights in Criminal Justice Context – Winter semester 2020/2021

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Office hours: Thursdays, 18:30-20:00 (*via* MS Teams)

Course Structure

The course of Human Rights in Criminal Justice Context has seven classes, which will be conducted in stationary form with live online transmission via MS Teams platform. Students, who can not be present at the classes in the classroom, are obliged to take part in classes via MS Teams platform. You must have access to a computer or tablet with microphone for each live session.

According to the Rules of conducting courses in the winter semester of the academic year 2020/2021 each classes will be recorded. The recordings will be available for course participants until the end of academic year 2020/2021. The recordings can not be used out of the course group.

All students should take an active role in classes and there is no difference, if student is present in the classroom or takes part in on-line classes via MS Teams platform. Student's active participation in classes will be appreciated. During the classes student can use legal acts, textbooks, articles. Before each classes lecturer will send students additional articles and other materials. Students should be familiar with them before each classes.

Participation

Attendance in classes (in stationary form or online form) is compulsory and students' presence will be monitored by lecturer. Only one absence is allowed for the semester. Exceptions to this rule are allowed in extraordinary circumstances and they depend on the nature of the absence.

Students who are not able to attend the online classes due to the time zone difference must communicate in advance with the lecturer (*via* e-mail). Student who miss a live session must catch up on classes materials in his/her own interest.

Grading Procedure

The basis for determining the final grade is the result of presentation of one of the European Court of Human Rights judgement and the written test writing during the second to last classes. This grade can be reduced by failed absences (each absence above one reduces the final grade by 0,5 and student who is absent more time than one should contact lecturer to

credit absence). Active participation in classes entitles each student to receive the final grade increased by 0,5. The final decision on student's grade rests with the lecturer.

Presentation of ECHR judgement & decision

Each student is obliged to present one judgement or decision of ECHR. Students can prepare presentation in pairs. Presentation should be 10-15 min long and be prepared in accordance with lecturer tips. Students present their case-law in classes in previously established date. Students must send their presentation to lecturer at least 3 days before the presentation day.

Schedule

Meeting 1 (13.10.2020)

- Format, course requirements and grading procedure
- Introduction to human rights – part I

Meeting 2 (27.10.2020)

- Introduction to human rights – part II
 - the evolution of human rights
 - generation of human rights
 - sources of human rights
 - negative vs. positive rights
 - human rights in domestic law order
 - international and regional systems of human rights protection

Meeting 3 (10.11.2020)

- European Court of Human Rights
 - history and structure
 - judges
 - submitting an application to ECHR
 - procedure and decisions
 - relationship between ECHR and CJUE and national courts
 - enforcement of decisions of ECHR
 - effectiveness of ECHR

Meeting 4 (24.11.2020)

- Human Rights in criminal proceeding & during criminal investigations
 - the right to fair trial
 - principle of equality before the law

- principle of presumption of innocence
- the right to be treated with humanity and the right to freedom from torture
- the right to legal assistance
- the right not to be forced to testify against oneself
- the right to adequate time and facilities to prepare one's defence
- Presentations of ECHR judgements & decisions

Meeting 5 (8.12.2020)

- Presentations of ECHR judgements & decisions

Meeting 6 (19.01.2021)

- TEST (!)

Meeting 7 (2.02.2021)

- Presentations of ECHR judgements & decisions

Suggested Literature & Materials

1. Additional articles and materials provided by lecturer before each classes.

Legal Acts

1. Universal Declaration of Human Rights
2. International Covenant on Civil and Political Rights
3. International Covenant on Economic, Social and Cultural Rights
- 4. European Convention on Human Rights (!)**