

PEOPLES' FRIENDSHIP UNIVERSITY OF RUSSIA

(RUDN University)

Law Institute

Department of International Law

Recommended by methodological council

COURSE PROGRAMME

AFRICAN SYSTEM OF HUMAN RIGHTS

Specialty "Jurisprudence"

40.04.01, Master Degree

"International Protection of Human Rights"

Goals and objectives of course

The goals and objectives of the discipline are to create complex idea of International Human rights protection, particularly the regional system: African system of human rights protection. The course is designed for the Law students having basic training on International Public and International Private Law specializing in master programs of international legal regulations.

The course aims to train students' skills on elaboration of recommendations to the improvement of the National and the Regional legislations in the ground of Human Rights Protection based on Treaties and Regulations of Human Rights Law at national, regional and universal levels.

The main objectives of the course are as the following:

- to acquaint students with specific subject of Human Rights Law,
- to define the place of international human rights law in the system of the Public International Law,
- to analyze and study the system of sources of Human Rights Law, to create students' vision on the necessity of intergovernmental and non-governmental organization participations in elaboration of Human Rights Law at international level.

Position of course in *curriculum*

The course is delivered as subject to be selected in second semester. The volume of the course is 3 ESTC credits.

No	Competences	Previous disciplines	Subsequent disciplines
Professional competences			
1	the ability to competently apply legal acts in specific areas of legal activities, to implement the norms of substantive and procedural law in professional activities (PC-2)	International Law and Development Protection of Human Rights in the UN System The Right to Health in International Law International Labour Rights in the Global Economy	Internship Master Thesis Defence
2	able to carry out a	International Law and	Internship

	comprehensive legal analysis of legally significant situations of varying degrees of complexity with the development of independent conclusions and practical proposals (PC-3)	Development Protection of Human Rights in the UN System The Right to Health in International Law International Labour Rights in the Global Economy	Master Thesis Defence
3	able to draw up an expert opinion reflecting the progress and results of the study on the issues raised by the initiator of the expert task (PC-4)	International Law and Development Protection of Human Rights in the UN System The Right to Health in International Law International Labour Rights in the Global Economy	Internship Master Thesis Defence
4	able to give qualified legal opinions and advice in specific areas of legal activity within the framework of the profile of the educational program (PC-5)	International Law and Development Protection of Human Rights in the UN System The Right to Health in International Law International Labour Rights in the Global Economy	Internship Master Thesis Defence

Requirements for the results of the course

The graduate should have the following professional competences (PC):

he ability to competently apply legal acts in specific areas of legal activities, to implement the norms of substantive and procedural law in professional activities (PC-2);

able to carry out a comprehensive legal analysis of legally significant situations of varying degrees of complexity with the development of independent conclusions and practical proposals (PC-3);

able to draw up an expert opinion reflecting the progress and results of the study on the issues raised by the initiator of the expert task (PC-4);

able to give qualified legal opinions and advice in specific areas of legal activity within the framework of the profile of the educational program (PC-5).

As a result, student must:

To know:

- The degree of negative impact of globalization on the international legal order;
- Benefits of globalization in the world of unity, interrelatedness and interdependence of nations;
- The basic theoretical problems of modern international law;
- The basic doctrinal approaches to various theoretical problems of modern international law;
- Ways and means to prevent, overcome and resolve international legal problems of a global nature, adversely affecting the international legal order.

To be able to:

- Assess the effectiveness of the UN chief to address the problems within their competence;
- Predicting the International Law Commission of the United Nations to further the progressive development of international law;
- To propose concrete steps for the application of regulatory and institutional capacity of the UN system to resolve global problems;
- Specify the path to improve the national legal resources on the implementation of international commitments of the national legal system.

Be skilled in:

- Work with the system of websites UN, the UN Library, UN University, UN specialized agencies, regional intergovernmental organizations; particularly the African Union;
- Work with international legal acts adopted on important aspects of maintaining international peace and security;

- Analysis of recent court decisions and the International Court of Justice; the European Court of Human Rights, the African Court on human and peoples' rights; the legal community perceived ambiguously;
- Solving the problems of interpretation or implementation of international obligations of States on the fundamental international agreements.

The volume of course and types of activities

Type	Total hours	Module	
			6
Total classes workload	32		32
Lectures			
Classes	32		32
Independent work	76		76
Volume, hours	108		108
Volume, credits	3		3

Contents of course

Section I. Integration process and History of human rights protection in Africa

Background on human rights protection in Africa, Human rights situation before the colonization (Transatlantic slavery trade, Colonial period till 1960 s). United Nations and human rights protection in Africa (Africa in global system: from 1st WW to 2d WW and creation of UN: absence of Africa at the creation of UN), Role of UN in human protection in Africa (UN Declaration on granting independences to the colonial countries).

Creation of African Unity: Federalists (Group of Casablanca) # Nationalists (Group of Monrovia), Charter of the Organization of African Unity of 1963 (Struggles for independences, struggles against racism, racial discrimination and apartheid).

Seminar courses

1. The impact of the transatlantic trade, colonialism and the neocolonialism on Africa

2. The role of the UN in human rights protection in Africa: Declaration on the Granting of Independence to Colonial Countries and Peoples of 1960
3. The aim and the creation of the organization of African Unity: The Charter of the Organization of African Unity.

Section II. African Charter on human and peoples' rights and the mechanisms of implementation

African Commission on human and peoples' rights: African Commission on human and peoples' rights and human rights protection in Africa: African Charter on human and peoples' rights and the establishment of the Commission on human and peoples' rights, Structure of the African Commission on human and peoples' rights. Competences of the African Commission on human and peoples' rights. Special procedure of the African Commission on human and peoples' rights.

African Court on human and peoples' Rights: Protocol to the African Charter on human and peoples' rights and the establishment of the African Court on human and peoples' rights in 1998, Structure of the African Court on human and peoples' rights, Competences of the African Court on human and peoples' rights, Reform of the African Court on human and peoples' rights (Protocol of 2008 to the African Charter on human and peoples' rights). Interaction between the Commission on human and peoples' rights and the Court on human and peoples' rights.

Seminar courses

1. The Organization of African Unity and human rights protection in Africa: struggle against apartheid and racial discrimination, protection of refugees (The OAU Convention governing the specific aspects of refugee problems in African of 1969)
2. Civil and political rights and the Economic, Cultural and Social rights according to the African charter on human and peoples' rights.
3. Mechanism of implementation of the African Charter on human and peoples' rights: The African Commission on human and peoples' rights. The African Court on human and peoples' rights.

Section III. Comparing universal and African system of human rights protection

African Union and human rights protection. Protection of human rights within the framework of African Union before 1981. African Charter on human and peoples' rights: June 01.1981. International protection of human rights (United Nations systems of human rights protection, European system of human rights protection, Inter-American system of human rights protection).

Seminar courses

1. Differences and similarities between the African system of human rights and the Universal system.
2. Differences and similarities between the African and European systems of human rights protection.
3. Differences and similarities between African and European systems of human rights protection.

Section IV. Protection of human rights in African sub-regional organizations

Protection of human rights within the framework of ECOWAS, Protection of human rights within the framework of ECOWAS Court of justice. Protection of human rights within the framework of SADC. Protection of human rights in EAC. Protection of human rights within the Tribunal of EAC.

1. Protection of human rights within the framework of the ECOWAS Court of justice
2. Protection of human rights within the framework of the SADC tribunal
3. Protection of human rights within the framework of the EAC

Sections of Course and Education forms

Sections	Lectures	Classes	Independent work	Total hours
1		8	19	27
2		8	19	27
3		8	19	27
4		8	19	27

Technical equipment

Inter-University Resource Center for Human Rights Master Studies (office 354), AU database, ECOEAS database, EAS database, SADC database, UN database, OHCHR database, Oxford Journals database, desktop computers, laptop PCs, a bookbinding machine, a projector with a screen, a magnetic board, a flip chart, a laminating machine and a multifunction device.

Additional resources

UN Audiovisual Library of International Law (<http://legal.un.org/avl/>), The Dag Hammarskjöld Library (<http://digitallibrary.un.org/>), Springer (<https://rd.springer.com/>).

Literature

1. Obiora Chinedu Okafor. *The African Human Rights System, Activist Forces, and International Institutions*. York University, Toronto, 2007.
2. Murray Rachel. *Human Rights in Africa: From the OAU to the African Union*. 2005.
3. Viljoen Frans. *International Human Rights Law in Africa*. 2007.
4. Shivji Issa G.. *The Concept of Human Rights in Africa*. CODESRIA, Senegal, 1989.
5. *Human Rights in Africa. Legal Perspectives on their Protection and Promotion* / ed. by Bös 1 Anton, Diescho Joseph. Konrad Adenauer Foundation, 2009.

Guidelines on the organization of the course:

Lectures. Oral systematic and coherent presentation of the material by section discipline. Lectures are held with the support of multimedia and audiovisual and presentation. Classes. The form of training workshops in which students with the assistance of a teacher discussing the reports, reports, essays and other forms of independent work. Seminars are held in the following forms: discussion of lecture material and questions for practical training, analysis and discussion of scientific papers, a list which is contained in this program, and performance with an analytical report on them. Methodological model of the learning process. In framework of classes the following techniques and methods: survey, discussion, interactive. Independent work. In a broad sense, the independent work of master should be understood as the set of all self-employment in the absence of trained teachers and in contact with him in the classroom and beyond (including during the training sessions). Here and also include working with primary sources: note taking, oral presentation with an analysis of the source. Forms of control. Under the two forms of control means in the form of certification testing, writing essays.

Evaluation

Materials for assessing the level of the educational materials of the course (evaluation materials), including questions on the topics of the course, concepts, roles and expected result for each task, examples of test tasks, an example of a hypothetical case, topics of reports / abstracts / term papers are developed in full and are available to students on the course page on system.rudn.ru.

Author

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