



NATIONAL LAW UNIVERSITY AND JUDICIAL ACADEMY, ASSAM

PROGRAMME: B.A., LL.B (HONS) FYIC

DETAILS OF COURSE OFFERED

EVEN SEMESTER (VIII)– ACADEMIC YEAR

SL. No	COURSE CODE	COURSE TITLE	L	T	P	CR	CH
1	BL803.9 INTERNATIONAL LAW, OPTIONAL PAPER- III	INTERNATIONAL HUMAN RIGHTS LAW -I	4		1	4	

- A. CODE AND TITLE OF THE COURSE: BL803.9, INTERNATIONAL LAW, OPTIONAL PAPER- III, INTERNATIONAL HUMAN RIGHTS LAW**
- B. COURSE CREDIT: 4 (TOTAL MARKS 200)**
- C. MEDIUM OF INSTRUCTION: ENGLISH**
- D. COURSE COMPILED BY: DR. DIPTIMONI BORUAH**
- E. COURSE INSTRUCTOR: DR. DIPTIMONI BORUAH**

1. COURSE OBJECTIVES :

The course is designed to acquaint the students with the comprehensive and in-depth knowledge of human rights law in international and regional perspective. The students are motivated to learn about the historical development of the concept of human rights so that they develop an understanding of the reasons behind the emergence of human rights law in international as well as regional level.

Human rights law has pervaded all legal disciplines from public law, family, immigration, and housing to actions against police, employment, challenging discrimination and defending the rights and freedoms of ordinary people and organizations. International human rights legal regime endeavours to achieve the universal recognition and implementation of human rights standards and norms. The promotion and protection of human rights is further supplemented by the development of regional human rights mechanisms which is one of the most dynamic development in the field of human rights law.

The objectives of the course are:

- i. To trace the historical evolution, development and philosophical foundations of human rights law in international and regional perspectives.
- ii. To familiarize students with the international legal framework and regional mechanisms for promotion and protection of human rights.
- iii. To develop comprehensive understanding about the internationally recognized human rights instruments and standards.
- iv. To explain elaborately the Human Rights treaty bodies system at the international level and their relevance in the implementation and enforcement of human rights standards.
- v. To provide coherent account of the regional human rights regime in practice in Europe, America, Africa and Arab.
- vi. To acquaint students with the initiatives taken for establishing regional human rights regime in Asia.
- vii. To aid students in identifying the relevance of human rights standards in influencing the development of law and policy in both international and regional level.

- viii. To inculcate critical thinking and awareness pertaining to key issues in contemporary human rights law

2. TEACHING METHODOLOGIES :

For teaching International and Regional Perspective of Human Rights Law in the National Law University, Assam lecture method along with alternative and supplementary strategies for effective teaching will be utilized such as permissive style of teaching, brain storming, and group discussion. There will be participatory teaching with discussion on basic principles and concepts relating to human rights law. To develop an understanding on varied topics of human rights law, group discussion and brain-storming sessions will be held in the classroom. To encourage self-study, individualized instruction and to inculcate study attitudes students will be informed on important topics on the subject in advance prior to class discussion. Students will be assigned reading materials on the said topics so that they can have basic idea on the topic to be discussed. The students prepare their topics on human rights law from the list of sources suggested to them under the supervision of the teacher-in-charge of the subject. In the classroom every student is required to participate in class and to have her/his doubt cleared through discussion. Students are encouraged to do independent research on varied topics of human rights law and thereby trained to prepare good research papers/articles. The teacher will guide the students in their pursuit of legal learning through application of the planned teaching process which includes introduction of the basic concept, presentation and discussion of the subject-matter in details, recapitulation on the topic discussed through questioning, clarification of doubts and queries, if any, and suggestions for further readings. The topics will be taught through projected teaching aids like power point presentation and white board.

3. COURSE LEARNING OUTCOMES

On completion of the Course the students are expected to understand the nuances of each module and comprehend intricacies of international and regional standards of human rights law. Students will get acquainted with the issues pertaining to international and regional human rights law and be able to analyze the contemporary legal problems. Study of international and regional perspective of human rights law will enable students to undertake litigation in future as human rights lawyers and also

work in non-governmental organizations dedicated to the promotion and protection of human rights. The study of Human Rights Law will improve the knowledge-base of the law students and encourage them to pursue human rights law as a subject of specialization at the master (LL.M.) and Ph.D. level.

4. COURSE EVALUATION METHOD:

The Course will be evaluated on 200 marks. The Evaluation Scheme would be as follows:

Internal Assessment: 70% (140 marks)

Semester End Examination: 30% (60 marks)

Sl. No.	Marks Distribution	
1	Project Work	40 marks
2	Seminar/Group Discussion	20 marks
3	Assignment/Assessment	30 marks
4	Mid-Semester Test	40 marks
5	Attendance in class	10 marks
6	Semester End Examination	60 marks

5. DETAILED STRUCTURE OF THE COURSE

MODULE I (20 Teaching Hours)

Introduction: Concept of Human Rights; Classification of Human Rights; Sources of Human Rights Law; Evolution of the concept of Human Rights; Historical development of International Human rights standards

International Human Rights Instruments: United Nations Charter; Universal Declaration of Human Rights; International Covenant on Civil and Political Rights 1966; International Covenant on Economic, Social and Cultural Rights 1966; Protocols to the International Covenants on Human Rights

United Nations and Human Rights: Role of General Assembly, Security Council and Economic and Social Council

Charter based bodies and Human Rights: Human Rights Council; Office of the High Commissioner for Human Rights (OHCHR); Special Rapporteurs on Human Rights (Country Rapporteurs and Thematic Rapporteurs)

International Instruments on Human Rights Law:

United Nations Charter 1945 (Signed on 26 June 1945, in San Francisco)

Universal Declaration of Human Rights, 1948 (Proclaimed by the United Nations General Assembly in Paris on 10 December 1948 General Assembly resolution 217 A (III))

International Covenant on Civil and Political Rights (adopted 16 December 1966, entered into force 23 March 1976) 999 UNTS 171.

Optional Protocol to the International Covenant on Civil and Political Rights (adopted 16 December 1966, entered into force 23 March 1976) 999 UNTS 171.

Second Optional Protocol to the International Covenant on Civil and Political Rights, Aiming at the Abolition of the Death Penalty (adopted 15 December 1989, entered into force 11 July 1991) A/RES/44/128.

International Covenant on Economic, Social and Cultural Rights, (adopted 16 December 1966, entered into force 3 January 1976) 993 UNTS 3.

Optional Protocol to the International Covenant on Economic, Social and Cultural Rights (adopted 5 March 2009) A/RES/63/117.

Compulsory Readings:

Daniel Moeckli, Sangeeta Shah and Sandesh Sivakumaran, INTERNATIONAL HUMAN RIGHTS LAW, 2nd ed. 2014, Part I (*History*), pp.15-32; (*Justifications*), pp. 34-52; Part II (*International Law*), pp. 75-138; Part IV (*United Nations*), pp.359-395; Part III (*Categories of Rights*), pp. 143-155

Philip Alston and Ryan Goodman, INTERNATIONAL HUMAN RIGHTS – THE SUCCESSOR TO INTERNATIONAL HUMAN RIGHTS IN CONTEXT: LAW, POLITICS AND MORALS, 2013, Part A, 2 (*The Human Rights Regime: Background and Birth*), pp. 58-139; Part B, 3(*Civil and Political Rights*), pp. 157-275 ; (*Economic and Social Rights*), pp. 277- 381; Part D, 8 (*The United Nations Human Rights System*), pp. 685-760

Rhona K.M. Smith, TEXTBOOK ON INTERNATIONAL HUMAN RIGHTS, 4th ed. 2010, 2(*Historical Background*), pp. 5-24; 3 (*The United Nations*), pp. 25-35; 4 (*The International Bill of Human Rights*), pp. 36- 50;5(*The United Nations organizational structure*), pp. 51- 83

K.C. Joshi, INTERNATIONAL LAW AND HUMAN RIGHTS, 2006 ed., Part II, 30 (*Human Rights*), pp. 304-309 ; 31 (*Universal Declaration of Human Rights*), pp. 310-316 ;32 (*International Covenants on Human Rights*),pp.317-323; 33(*Prevention of Inhuman Acts*),pp. 324-330; 34 (*Protection of Vulnerable groups*), pp. 333-346; 35 (*Regional Conventions on Human Rights*), pp. 352-354

B.C. Acharya, A HANDBOOK OF WOMEN'S HUMAN RIGHTS, 2011 ed., 1 (*Philosophy behind Human Rights*), pp. 1-40; 9 (*Universal Conventions on Human Rights*), pp. 239-250.

L.N. Basu, HUMAN RIGHTS IN A GLOBAL PERSPECTIVE, 2007, 1 (*Basic Concepts of Human Rights*),pp. 1-16;3 (*Basic Human Needs and Human Rights*), pp.37-61;4 (*The International Covenants on Human Rights: Instruments of International Law*),pp. 62-91;7 (*The United Nations and Human Rights*), 145-156

JanuszSymonides, NEW DIMENSIONS AND CHALLENGES FOR HUMAN RIGHTS, 2003, 1 (*The United Nations System and the Interdependence and Interrelation between Human Rights, Peace, Democracy and Development*), pp.1-8; (*Obstacles and threats to Human Rights*), pp.9-15 ; Part I, 3(*Democracy and Human Rights:Civil, Political, Economic, Social and Cultural*), pp. 71-98

H.O.Agarwal, HUMAN RIGHTS, 12th ed. 2010, Ch.1(*Concept of Human Rights*), pp. 2-37; Ch.2 (*Universal Declaration of Human Rights*), pp. 38-51; Ch.3 (*International Covenants on Human Rights*), pp. 52-83.

YSR Murthy, HUMAN RIGHTS HANDBOOK, 2007, Ch.1 (*Human Rights*), pp. 1-4; Ch. 2 (*Civil and Political Rights*), pp.27-36; (*Freedom from torture*), pp. 43-55; Ch. 3 (*Economic, Social and Cultural Rights*), pp. 103-164.

Theodor Meron, HUMAN RIGHTS IN INTERNATIONAL LAW: LEGAL AND POLICY ISSUES, 2011, Ch.3 (*The Jurisprudence of Human Rights*), pp.69-99; Ch.4 (*Civil*), pp. 115-160; Ch.5 (*Political and Related Rights*), pp.171-196; Ch.6 (*Economic, Social and Cultural Rights in the Third World: Human Rights Law and Human Needs Program*), pp. 205-240.

A.Subbian, HUMAN RIGHTS COMPLAINTS SYSTEMS: INTERNATIONAL AND REGIONAL, 2003, Part I, 2 (*The United Nations*), pp. 19-60.

Thomas Buergenthal, "The Evolving International Human Rights System", *The American Journal of International Law*, Vol. 100, No. 4 (Oct., 2006), pp. 783-807 (Available at: <http://www.jstor.org/stable/4126317>)

Oona A. Hathaway, “*The New Empiricism in Human Rights: Insights and Implications*”, Proceedings of the Annual Meeting (American Society of International Law), Vol. 98 (MARCH 31-APRIL 3, 2004), pp. 206-211. (Available at <http://www.jstor.org/stable/25659918>)

Berta Esperanza Hernández-Truyol , “*International Law, Human Rights, and LatCrit Theory: Civil and Political Rights: An Introduction*”, The University of Miami Inter-American Law Review, Vol. 28, No. 2, International Law, Human Rights, and LatCrit Theory (Winter, 1996/1997), pp. 223-243 (Available at: <http://www.jstor.org/stable/40176416>)

Tom Campbell, “*Human Rights: A Culture of Controversy*”, Journal of Law and Society, Vol. 26, No. 1, Human Rights (Mar., 1999), pp. 6-26. (Available at : <http://www.jstor.org/stable/1410575>)

Michael Ignatieff, “The Attack on Human Rights”, Foreign Affairs, Vol. 80, No. 6 (Nov. - Dec., 2001), pp. 102-116 (Available at: <http://www.jstor.org/stable/20050331>)

Thomas Buergenthal, “The Normative and Institutional Evolution of International Human Rights” Human Rights Quarterly, Vol. 19, No. 4 (Nov., 1997), pp. 703-723 (Available at <http://www.jstor.org/stable/762684>)

Jiwei Ci, “Taking the Reasons for Human Rights Serious!”, Political Theory, Vol. 33, No. 2 (Apr., 2005), pp. 243-265 (Available at:[http:// www. jstor.org/stable/30038414](http://www.jstor.org/stable/30038414))

Jack Donnelly, “International Human Rights: A Regime Analysis”, International Organization, Vol. 40, No. 3 (Summer, 1986), pp. 599-642 (Available at :<http://www.jstor.org/stable/2706821>)

MODULE II (20 Teaching Hours)

International Conventions for protection of Human Rights and Treaty bodies system

Protection against Inhuman Acts – Genocide, Torture and other Cruel, Inhuman or degrading Treatment and Racial Discrimination

Human Rights and Vulnerable groups – Child, Women, Migrant Workers, Disabled persons

International Conventions and Protocols on Human Rights:

Convention on the Prevention and Punishment of the Crime of Genocide (Adopted by the General Assembly of the United Nations on 9 December 1948, General Assembly Resolution 260, Date of entry into force 12 January, 1951)

Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment(adopted 10 December 1984, entered into force 26 June 1987) 1465 UNTS 85.

Optional Protocol to the Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment (adopted 9 January 2003, entered into force 22 June 2006) A/RES/57/199.

International Convention on the Elimination of All Forms of Racial Discrimination (adopted 21 December 1965, entered into force 4 January 1969) 660 UNTS 195.

Convention on the Rights of the Child (adopted 20 November 1989, entered into force 2 September 1990) 1577 UNTS 3.

Optional Protocol to the Convention on the Rights of the Child on the Sale of Children, Child Prostitution and Child Pornography (adopted 16 March 2001, entered into force 18 January 2002) A/RES/54/263.

Optional Protocol to the Convention on the Rights of the Child on the Involvement of Children in Armed Conflict(adopted 25 May 2000, entered into force 12 February 2002) A/RES/54/263.

Optional Protocol to the Convention on the Rights of the Child on a Communications Procedure (66/138 Resolution adopted by the General Assembly on 19 December 2011 [on the report of the Third Committee (A/66/457)])

Convention on the Elimination of All Forms of Discrimination against Women (adopted 18 December 1979, entered into force 3 September 1981) 1249 UNTS 13.

Optional Protocol to the Convention on the Elimination of All Forms of Discrimination against Women (adopted 6 October 1999, entered into force 22 December 2000) 2131 UNTS 83.

International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (adopted 18 December 1990, entered into force 1 July 2003) 2220 UNTS 3.

Convention on the Rights of Persons with Disabilities (adopted 24 January 2007, entered into force 3 May 2008) 2515 UNTS 3.

Optional Protocol to the Convention on the Rights of Persons with Disabilities (adopted 13 December 2006, entered into force 3 May 2008) A/RES/61/106.

Compulsory Readings:

Daniel Moeckli, Sangeeta Shah and Sandesh Sivakumaran, INTERNATIONAL HUMAN RIGHTS LAW, 2nd ed. 2014, Part III (*Equality and Non-discrimination*), pp. 157-172; (*Adequate Standard of Living*), pp. 195-215; (*Education and Work*), pp. 238-138; (*Women's Rights*), pp. 316-331

Philip Alston and Ryan Goodman, INTERNATIONAL HUMAN RIGHTS – THE SUCCESSOR TO INTERNATIONAL HUMAN RIGHTS IN CONTEXT: LAW, POLITICS AND MORALS, 2013, Part D, 8 (*Treaty Bodies: The ICCPR Human Rights Committee*), pp. 762-844

Rhona K.M. Smith, TEXTBOOK ON INTERNATIONAL HUMAN RIGHTS, 4th ed. 2010, 5 (*Treaty-monitoring bodies*), pp. 65-79; 12 (*Equality and Non-discrimination*), pp. 189-209; 13 (*The Right to life*), pp. 210-225; (*Freedom from torture, cruel, inhuman and degrading treatment or punishment*), pp. 226-240.

K.C. Joshi, INTERNATIONAL LAW AND HUMAN RIGHTS, 2006 ed., Part II, 33 (*Prevention of Inhuman Acts*), pp. 324-330; 34 (*Protection of Vulnerable groups*), pp. 333-346.

H.O. Agarwal, HUMAN RIGHTS, 12th ed. 2010, Ch.4 (*Genocide*), pp. 84-89; (*Torture and other cruel, Inhuman or Degrading Treatment or Punishment*), pp. 92-96; (*Racial Discrimination*), pp. 104-107; Ch.5 (*Women*), pp. 113-123; (*Child*), pp. 127-137; (*Migrant Workers*), pp. 138-140; (*Disabled Persons*), pp. 155-157.

YSR Murthy, HUMAN RIGHTS HANDBOOK, 2007, Ch.4, 4.2 (*Women*), pp. 165-169; 4.3 (*Children*), pp. 175-177; 4.6 (*Persons with disabilities*), pp. 202-207; Ch.6, 6.1 (*Convention on the Rights of Persons with disabilities*), pp. 275-281; 6.4 (*Human Rights Council*), pp. 295-301.

Theodor Meron, HUMAN RIGHTS IN INTERNATIONAL LAW: LEGAL AND POLICY ISSUES, 2011, Ch.8 (*Race Discrimination in International law*), pp. 307-329.

Rebecca J. Cook, “*Women's International Human Rights Law: The Way Forward*”, Human Rights Quarterly, Vol. 15, No. 2 (May, 1993), pp. 230-261. (Available at <http://www.jstor.org/stable/762538>)

James A. R. Nafziger and Barry C. Bartel, “*The Migrant Workers Convention: Its Place in Human Rights Law*”, International Migration Review, Vol. 25, No. 4, Special Issue: U.N. International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (Winter, 1991), pp. 771-799 (Available at <http://www.jstor.org/stable/2546844>)

Sumner B. Twiss, *“Torture, Justification, and Human Rights: Toward an Absolute Proscription”*, *Human Rights Quarterly*, Vol. 29, No. 2 (May, 2007), pp. 346-367
(Available at: <http://www.jstor.org/stable/20072802>)

Eric Neumayer , *“Qualified Ratification: Explaining Reservations to International Human Rights Treaties”*, *The Journal of Legal Studies*, Vol. 36, No. 2 (June 2007), pp. 397-429. (Available at: <http://www.jstor.org/stable/10.1086/511894>)

Todd Landman and Marco Larizza, *“Inequality and Human Rights: Who Controls What, When, and How”*, *International Studies Quarterly*, Vol. 53, No. 3 (Sep., 2009), pp. 715-736. (Available at :<http://www.jstor.org/stable/27735118>)

MODULE III (20 Teaching Hours)

Regional Perspective on Human Rights Law

Introduction: Regional Human Rights and its relevance; Factors contributing to Regionalism for regional instruments on Human Rights; Regional Arrangements and United Nations Charter

European system of Human Rights: Historical development; European Convention on Human Rights and Fundamental Freedoms; European Court of Human Rights; Protocols to the European Convention on Human Rights and Fundamental Freedoms.

American system of Human Rights: Historical development; American Convention on Human Rights – General obligations, Rights, Inter-American Commission on Human Rights, Inter-American Court of Human Rights, Statute of the Inter-American Court of Human Rights; Additional Protocol to the American Convention on Human Rights in the Area of Economic, Social and Cultural Rights (Protocol on San Salvador); Comparison between European and American Regional Human Rights system.

Regional Instruments on Human Rights:

European Convention for the Protection of Human Rights and Fundamental Freedoms, 1950 (opened for signature in Rome on 4 November 1950 and came into force in 1953)

Protocol to the Convention for the Protection of Human Rights and Fundamental Freedoms (Opening of the Treaty 20/3/1952, Entry into force 18/5/1954)

Protocol No. 2 to the Convention for the Protection of Human Rights and Fundamental Freedoms, conferring upon the European Court of Human Rights

competence to give advisory opinions (Opening of the Treaty 6/5/1963,Entry into force 21/9/1970)

Protocol No. 3 to the Convention for the Protection of Human Rights and Fundamental Freedoms, amending Articles 29, 30 and 34 of the Convention (Opening of the Treaty 6/5/1963 , Entry into force 21/9/1970)

Protocol No. 4 to the Convention for the Protection of Human Rights and Fundamental Freedoms, securing certain rights and freedoms other than those already included in the Convention and in the first Protocol thereto (Opening of the Treaty 16/9/1963, Entry into force 2/5/1968)

Protocol No. 5 to the Convention for the Protection of Human Rights and Fundamental Freedoms, amending Articles 22 and 40 of the Convention (Opening of the Treaty 20/1/1966 , Entry into force 20/12/1971)

Protocol No. 6 to the Convention for the Protection of Human Rights and Fundamental Freedoms concerning the Abolition of the Death Penalty (Opening of the Treaty 28/4/1983 , Entry into force 1/3/1985)

Protocol No. 7 to the Convention for the Protection of Human Rights and Fundamental Freedoms (Opening of the Treaty22/11/1984,Entry into force1/11/1988)

Protocol No. 8 to the Convention for the Protection of Human Rights and Fundamental Freedoms (Opening of the Treaty19/3/1985,Entry into force 1/1/1990)

Protocol No. 9 to the Convention for the Protection of Human Rights and Fundamental Freedoms (Opening of the Treaty 6/11/1990, Entry into force 1/10/1994)

Protocol No. 10 to the Convention for the Protection of Human Rights and Fundamental Freedoms (Opening of the Treaty 25/3/1992)

Protocol No. 11 to the Convention for the Protection of Human Rights and Fundamental Freedoms, restructuring the control machinery established thereby (Opening of the Treaty 11/5/1994 ,Entry into force 1/11/1998)

Protocol No. 12 to the Convention for the Protection of Human Rights and Fundamental Freedoms Opening of the Treaty (Opening of the Treaty 4/11/2000, Entry into force 1/4/2005)

Protocol No. 13 to the Convention for the Protection of Human Rights and Fundamental Freedoms, concerning the abolition of the death penalty in all circumstances (Opening of the Treaty 3/5/2002,Entry into force1/7/2003)

Protocol No. 14 to the Convention for the Protection of Human Rights and Fundamental Freedoms, amending the control system of the Convention (Opening of the Treaty 13/5/2004, Entry into force 1/6/2010)

Protocol No. 14bis to the Convention for the Protection of Human Rights and Fundamental Freedoms (Opening of the Treaty27/5/2009,Entry into force1/10/2009)

Protocol No. 15 amending the Convention for the Protection of Human Rights and Fundamental Freedoms (Opening of the Treaty 24/6/2013)

Protocol No. 16 to the Convention for the Protection of Human Rights and Fundamental Freedoms (Opening of the Treaty 2/10/2013)

American Convention on Human Rights, 1969 (Signed on 22/11/1969 and entered into force on 18/07/1978)

Additional Protocol to the American Convention on Human Rights in the Area of Economic, Social and Cultural Rights, 1988 (Signed on 14/11/1988 and entered into force on 16/11/199)

Compulsory Readings:

Daniel Moeckli, Sangeeta Shah and SandeshSivakumaran,INTERNATIONAL HUMAN RIGHTS LAW,2nd ed. 2014, Part IV (*The Americans*), pp 398-413; (*Europe*), pp. 416-438

Philip Alstaon and Ryan Goodman, INTERNATIONAL HUMAN RIGHTS – THE SUCCESSOR TO INTERNATIONAL HUMAN RIGHTS IN CONTEXT: LAW, POLITICS AND MORALS, 2013, Part D,11(*The European Convention System*), pp.891-976; (*The Inter-American System*), pp. 978-1024

Rhona K.M. Smith, TEXTBOOK ON INTERNATIONAL HUMAN RIGHTS, 4th ed. 2010, 6 (*Regional Protection of Human Rights*), pp. 84-93; 7 (*Europe*), pp. 94-115; 8 (*The Organization of American States*), 116-133

V.B. Malleswari, HUMAN RIGHTS INTERNATIONAL PERSPECTIVES, 1st ed. 2007, 4 (*Beyond Bankovic: Extraterritorial Application of the European Convention on Human Rights*), pp. 87- 101; 5 (*The European Effect and Diffusion of the Human Rights Norms in Turkey*), pp. 102-122

K.C. Joshi, INTERNATIONAL LAW AND HUMAN RIGHTS, 2006 ed., Part II, 35 (*Regional Conventions on Human Rights*), pp. 352-354.

H.O. Agarwal, HUMAN RIGHTS, 12th ed. 2010, Ch.8 (*European Convention on Human Rights*), pp. 188-202; (*The American Convention on Human Rights*), pp. 203-210.

Theodor Meron, HUMAN RIGHTS IN INTERNATIONAL LAW: LEGAL AND POLICY ISSUES, 2011, Ch.12 (The Inter-American System for the protection of Human Rights), pp. 439-487; Ch.13 (The European Convention on Human Rights), pp. 495-535

Shazia Choudhry and Jonathan Herring, EUROPEAN HUMAN RIGHTS AND FAMILY LAW, 2010, 1(*The European Convention on Human Rights and Family Law*), pp. 1-26; 6 (*Children's Rights under the ECHR*), pp. 221-241.

A.Subbian, HUMAN RIGHTS COMPLAINTS SYSTEMS: INTERNATIONAL AND REGIONAL, 2003, Part II, 5 (The Council of Europe), pp. 111-138; 6 (The Organization of American States), pp. 139-168; 8 (Comparison of the Universal Systems), pp. 194-199; 8 (Comparison of the Regional Systems), pp. 200-208; (Comparison of the Universal systems with Regional systems), pp. 211-213.

Alastair Mowbray, CASES AND MATERIALS ON THE EUROPEAN CONVENTION ON HUMAN RIGHTS, 2nd ed. 2007, 1(*The Creation of the Convention*), pp. 1-10; 2 (*The Strasbourg System for determining applications under the Convention*), pp. 11-58 ; 3 (*Obligation to respect human rights*), pp. 59-76, 4 (Right to life), pp. 77-144; 5(*Prohibition of torture*), pp 145-228 ; 6 (*Prohibition of slavery and forced labour*), pp. 229-240; 7(*Right to liberty and security*), pp. 241-340; 8(*Rights under the Convention*), pp. 341-834; 15 (*Derogation in time of emergency*), pp. 835-858.

Randall Peerenboom, Carole J. Petersen and Albert H.Y. Chen, HUMAN RIGHTS IN ASIA- A COMPARATIVE LEGAL STUDY OF TWELVE ASIAN JURISDICTIONS, FRANCE AND THE USA, 2006, 3 (*Uncovering rights in the USA: Gauging the gap between the Bill of Rights and Human rights*), pp. 83-120

Nico Krisch, "*The Open Architecture of European Human Rights Law*", *The Modern Law Review*, Vol. 71, No. 2 (Mar., 2008), pp. 183-216. (Available at: <http://www.jstor.org/stable/25151192>)

Jo M. Pasqualucci, "*The Inter-American Human Rights System: Establishing Precedents and Procedure in Human Rights Law*", The University of Miami Inter-

American Law Review, Vol. 26, No. 2 (Winter, 1994/1995) , pp. 297-361. (Available at <http://www.jstor.org/stable/40176354>)

Olivier De Schutter and Julie Ringelheim, “*Ethnic Profiling: A Rising Challenge for European Human Rights Law*”, The Modern Law Review, Vol. 71, No. 3 (May, 2008), pp. 358-384. (Available at: <http://www.jstor.org/stable/25151207>)

Kathryn Sikkink and Carrie Booth Walling, “*The Impact of Human Rights Trials in Latin America*”, Journal of Peace Research, Vol. 44, No. 4, Special Issue on Protecting Human Rights (Jul., 2007), pp. 427-445. (Available at: <http://www.jstor.org/stable/27640539>)

Kevin T. Jackson, “*Global Rights and Regional Jurisprudence*”, Law and Philosophy, Vol. 12, No.2 (May,1993), pp. 157-192 (Available at: <http://www.jstor.org/stable/3504996>)

MODULE IV (20 Teaching Hours)

Regional and National Perspective of Human Rights Law

African Regional system on Human Rights: African Charter on Human and Peoples’ Rights (Banjul Charter); African Commission on Human and Peoples’ Rights; African Court of Justice and Human Rights; Protocol to the African Charter on the Rights of Women.

Arab system of Human Rights: Historical development; Arab Charter on Human Rights – Aims of the Charter, Obligations of State Parties, Rights and Freedoms, Arab Human Rights Committee.

The Asian system of Human Rights: Evolution of the Asian Initiatives in the Human Rights; The Asian Human Rights Charter – Historical Background, Rights Enumerated in the Asian Charter; Association of Southeast Asian Nations Human Rights Declaration, National perspective of Human Rights Law in India and National Human Rights Institutions

Regional Instruments on Human Rights:

African Charter on Human and Peoples’ Rights, 1981 (Signed on 17/06/81 and Entry into force on 21/10/ 1986)

The Protocol to the African Charter on Human and Peoples’ Rights on the Establishment of an African Court on Human and Peoples’ Rights (Adopted on 10/06/1998 entered into force on 25/01/2004)

Protocol on the Statute of the African Court of Justice and Human Rights (Adopted on 1/07/2008)

Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women in Africa, 2003 (Signed on 11/07/2003 and Entry into force on 25/11/2005)

Arab Charter on Human Rights, 2004 (Adopted on 22 /05/2004 and entered into force on 16/03/2008)

Asian Human Rights Charter, 1998

Association of Southeast Asian Nations Human Rights Declaration, 2012

Compulsory Readings:

Daniel Moeckli, Sangeeta Shah and Sandesh Sivakumaran, INTERNATIONAL HUMAN RIGHTS LAW, 2nd ed. 2014, Part IV (Africa), pp 441-456

Philip Alston and Ryan Goodman, INTERNATIONAL HUMAN RIGHTS – THE SUCCESSOR TO INTERNATIONAL HUMAN RIGHTS IN CONTEXT: LAW, POLITICS AND MORALS, 2013, Part D, 11 (*The African System*) pp. 1025-1046

Rhona K.M. Smith, TEXTBOOK ON INTERNATIONAL HUMAN RIGHTS, 4th ed. 2010, 9 (The African Union), pp. 134-148

V.B. Malleswari, HUMAN RIGHTS INTERNATIONAL PERSPECTIVES, 1st ed. 2007, 7 (*Giving Africa voice within global governance: Oral history, Human Rights and the United Nations Human Rights Council*), pp. 160- 189.

K.C. Joshi, INTERNATIONAL LAW AND HUMAN RIGHTS, 2006 ed., Part II, 35 (*Regional Conventions on Human Rights*), pp. 355-356

H.O. Agarwal, HUMAN RIGHTS, 12th ed. 2010, Ch.8 (*African Charter on Human and People's Rights*), pp.211-217; (*Arab Commission on Human Rights*), p. 218.

Randall Peerenboom, Carole J. Petersen and Albert H.Y. Chen, HUMAN RIGHTS IN ASIA- A COMPARATIVE LEGAL STUDY OF TWELVE ASIAN JURISDICTIONS, FRANCE AND THE USA, 2006, 1 (*An empirical overview of rights performance in Asia, France and the USA: The dominance of wealth in the interplay of economics, culture, law and governance*), pp. 1-64; 13 (*Protection of Human Rights and production of human rightlessness in India*), pp. 384-412; 16 (*Comparative reflections on Human rights in Asia*), pp. 487-516.

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