



**AMERICAN UNIVERSITY OF CENTRAL ASIA**  
**INTERNATIONAL AND BUSINESS LAW DEPARTMENT**

**INTERNATIONAL HUMAN RIGHTS LAW (3 credits)**

**Law 323      ID 777**  
**Fall Semester 2013**

**SYLLABUS**  
(subject to change)

**Instructor:** Gulnaz Naamatova, LL.M.

**Class Meetings Time:** **Tuesday, Thursday – 14:10-15:25 (room 125)**

**Office Hours:** By appointment

**Contact Information:** Tel: (312) 661090  
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### **I. General Description of the Course**

Course examines the international law of human rights - its origin, sources, content, enforcement, and justifications. It also surveys the legal recognition and protection of human rights within various jurisdictions. The course aims at equipping the students with essential knowledge of various types of human rights and leading cases in those areas.

### **II. Teaching Program and Assignments**

The class will meet twice a week. Students must pay attention to the discussion conducted in the class. We will call on students randomly. *Students will be expected to know the material that is given them before hand.* Students are expected to prepare the readings and participate in discussions. Students will be assigned to read theoretical and case materials for each class. Students are expected to be prepared for classes to discuss rules, theory of the subject, and to review assigned questions.

### **III. Assessment**

During semester, students will have Mid-term and Final exam. Both of them will be in a form of multiple choice questions with hypothetical situations. There will be review session conducted before the Final Exam.

### **IV. Academic Conduct/ Course Policies**

1. Students are expected to BE ON TIME for classes. If instructor marked the student absent in case that the student is late for the class, he is considered to be absent for the whole class, unless excused by instructor.
2. The student has to follow ACADEMIC HONESTY code. All types of cheating

(plagiarism etc.) are strictly prohibited. If a student fails to observe this requirement, instructor may give from an “F” for the work up to an “F” for the whole course depending on the type of assignment and other circumstances.

## V. Grading

1. Grading will be based on following components:

- a) Class participation and routine written assignments: 25%
- b) Mid-term exam: 35 %
- c) Final exam: 40%

*Class participation can be defined as following: constant attendance and participation in class, which shows his or her preparation for the class with either the use of and/or citation to the home material assignment that the student was assigned to read or to prepare.*

*Routine written assignments can be defined as following: students will be regularly assigned to take on individually or in group written assignments. Written assignments can include such assignments as small research work, comparative work, summary work, construction of schemes and structures, etc.*

2. Grading criteria:

A	94-100%	B	80-85%	C	68-73%	D	54-59%	F	below 50%
A-	90-93%	B-	77-79%	C-	64-67%	D	54-59%		
B+	86-89%	C+	74-76%	D+	60-63%	D-	50-53%		

## VI. Learning outcomes

The course seeks to provide AUCA students with a general introduction to the sources, systems and foundations of international human rights law.

Upon successful completion of the course, students should be able to:

- Be able to conduct effective research in the field of international human rights law.
- Be familiar with the major universal and regional systems of human rights law, their relationships to each other, and the legal value and authority of declarations, decisions, judgments and other materials generated by them.
- Be comfortable with general concepts of public international law, to the extent that they are relevant in the field of human rights.
- Practically know how to apply International Human rights law to the specific situations of human rights abuse through identifying the human rights abuse, finding the violation of particular law and argue for the violation.
- Develop an awareness of the primary areas of concern within the field of international human rights law and other relevant branches of international law, and the ways in which human rights are promoted and protected.

## VII. Course Content

### Sep. 3- 5-10: INTRODUCTION TO HUMAN RIGHTS DEVELOPMENT

Sep. 3: Introduction class

Sep. 5: International Human Rights Law, *Weissbrodt* and de la Vega (Univ.Penn. Press, 2007), pp. 1-26: A. Introduction to Human rights, B. Overview and the history of International Human rights.

Universal Declaration of Human Rights (UDHR) comparison between Constitution of KR - Chapter on Human rights

Sep. 10: International Human Rights Lawyering, *Steinhardt*, Hoffman, Camponovo (West Pub., 2009), pp. 6-22: Generations of International Human rights law. International Covenant on Civil and Political Rights (ICCPR) comparison between Constitution of KR - Chapter on Human rights; International Covenant on Economic, Social and Cultural Rights (ICESCR) comparison between Constitution of KR - Chapter on Human rights.

### Sep. 12: HUMAN RIGHTS LAW: INTERNATIONAL BILL OF HUMAN RIGHTS

*Steinhardt*: Surviving International Law and Filartiga v. Pena Irala case, pp. 22-49

### Sep. 17-19-24: CIVIL AND POLITICAL RIGHTS - FUNDAMENTAL RIGHTS

Sep. 17 ICCPR and Self-Determination materials  
Zhumbaeva v. Kyrgyzstan (Human Rights Committee) (Eng or Russian)

Sep. 19: Recommendations of UN bodies to Kyrgyzstan on Torture and detention comparison with Criminal Procedural Code of KR and Criminal Executive Code of KR

Sep. 24: Excerpts from Akhadov v. Kyrgyzstan; Kulov v. Kyrgyzstan (Human Rights Committee) (full cases in Russian available)

CharlesChitatNg v Canada (Full Case)(Human Rights Committee)

### Sep. 26-Oct. 1: RIGHT TO FAIR HEARING

Human Rights Committee General Comment 32 (Eng or Russian)

Human Rights Committee Decisions:

Litvin v Ukraine (not dissenting opinion) (Eng or Russian)

Gunan v Kyrgyzstan (including dissenting opinions)

Excerpt of Gridin v. Russia (Eng or Russian)

### Oct. 3-8: FREEDOM OF EXPRESSION, ASSOCIATION AND RELIGION

Ismayilov v Azerbaijan (excerpt European Court of Human Rights)

Hudoyberganova v. Uzbekistan (excerpt Kyrgyz Constitutional Court)

Ismailova v Kyrgyzstan (excerpt Human Rights Committee)

**Oct. 10-18: HUMANITARIAN INTERVENTION AND REFUGEES**

*Weissbrodt*, pp. 409-420 UN Standards Humanitarian Intervention  
Maksudov v Kyrgyzstan (Eng or Russian)  
Goodwin-Gill, Oxford, on Hirsi and others v Italy (case pending before European Court Human Rights)

**MID-TERM EXAM**

☺ ☺ ☺ ☺ ☺ Fall break ☺ ☺ ☺ ☺ ☺

**Oct. 29-31-Nov. 5: ECONOMIC, SOCIAL CULTURAL RIGHTS**

*Weissbrodt* pp. 97-114, 117-124  
Art. 11 and 12, ICESCR Right to Health  
General Comment for Art. 12  
ESCR Committee Concluding Observations on Kyrgyzstan

**Nov. 12-14: PROTECTION OF GROUPS: WOMEN AND CHILDREN**

CEDAW, Rights of Child Convention  
Case on Women's rights  
Excerpts of Graham v Florida (cruel/unusual sentencing)  
Child Labor issues Central Asia, Global

**Nov. 19-21: PROTECTION OF ENVIRONMENT, HUMAN RIGHTS AND CORPORATE ACCOUNTABILITY**

*Weissbrodt*: p.53-57 w/questions, 83-93

**Nov. 19-Dec. 3: INTERNATIONAL AND REGIONAL SYSTEMS OF ENFORCEMENT**

Weissbrodt and Lillich excerpts (20 p)  
European System: Text: pp. 189-201  
Budayeva v. Russia (excerpts European Court Human Rights)

**Dec. 3-5: INTERNATIONAL AND REGIONAL SYSTEMS CONT.**

Students do research on a case before one body and present class briefings based upon questions handed out and regions assigned in class

**Dec. 10-12: NGOS AND U.N. LAW-MAKING**

*Steinhardt*: pp. 849-872  
Case hypothetical/role-playing

**Dec. 17: FINAL EXAM**