

NIRMA UNIVERSITY
Institute of Law
B.A.,LL.B (Hons.) and B.Com., LL.B (Hons.) Programmes
Academic Year 2020-2021
Institute Elective

L	T	P	C
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Course Code:	2IE2005
Course Title:	Human Rights Law

Course Learning Outcomes (CLO):

At the end of the course, students will be able to –

1. Appraise the concept and growth of human rights.
2. Categorize and examine the sources of international human rights law.
3. Appraise the legal framework of human rights at national and supranational level.
4. Critically examine the organizational structure and working of human rights organizations and regional institutions.
5. Reflectively evaluate the effectiveness of human rights practices on emerging issues of sustainable development.
6. Identify and recommend solutions to the human right related issues.

Syllabus

Teaching Hours: 60
10 hours

Unit. I Concept and discourse of human rights

- Introduction to the concepts of Human Rights
- Background and Evolution- Natural Law or Positive Law
- General Principles and State Responsibility.
- Emergence of Legal Frameworks- Supranational and Domestic Arrangements (UN Charter, UDHR, VCLT. etc.)
- Emergence of Human Rights Regime in India: Constitutional and Statutory Background.

Unit. II Sources and principles of international human rights law

10 hours

- Formal Sources.
- Principles.
- Responsibility/ Liability.
- Universality (Universalism v. Cultural Relativism).

Unit. III Normative foundations of human rights

10 hours

- Civil and Political Rights.
- Economic and Social Rights.
- Human Rights Regime in India- Constitutional and Statutory Rights.
- Comparative Overview of Human Rights Regime in India- USA, UK and India.
- Limitations on Human Rights- National Security v. Human Rights.

- Unit. IV Human rights organisations and key institutions 10 hours**
- UNHRC, Treaty Bodies and Regional Arrangements.
 - HR Tribunals, Jurisdiction, Procedures and Remedies.
 - Landmark Decisions
 - Enforcement of Human Rights through Indian Judicial System.
 - Judicial Trends in Indian Human Rights Adjudication.
 - Comparative Overview of HR Enforcement- USA, UK and India
- Unit. V Non- state actors and human rights 10 hours**
- Transnational Corporations and Human Rights.
 - Insurgents and Belligerents- Effect on Human Rights.
 - International and National NGOs.
 - Fixing of Responsibility in Case of Violations- Administrative Trends Globally.
- Unit. VI Emerging human rights issues and trends 10 hours**
- Sustainable Development as a Human Right.
 - Climate Change and its effect on Human Rights.
 - Counter Terrorism and Human Rights.
 - Refugees and Displaced Persons- Human Rights Protection.
 - Human Rights Education- UN Initiative.

Suggested Reading[^] :

- Henry J. Steiner, Philip Alston(2008), Ryan Goodman, International Human Rights in Context: Law, Politics, Morals : Text and Materials, (3rd edn) Oxford University Press,
- Francisco Forrest Martin, Stephen J. Schnably(2011), International Human Rights and Humanitarian Law: Treaties, Cases, and Analysis, Cambridge University Press.
- South Asia Human Rights Documentation Centre(2007), Human Rights and Humanitarian Law: Developments in Indian and International Law, Oxford University Press.
- Sarah Joseph, Adam McBeth (ed.)(2010), Research Handbook on International Human Rights Law, Edward Elgar Publishing Limited.
- Karnataka Women's Information and Resource Centre(2005), Human Rights Education for Beginners, NHRC.
- Howard Davis(2016), Human Rights Law- Directions, (4th edn) Oxford University Press.

L=Lecture, T=Tutorial, P=Practical, C=Credit

[^] This is not an exhaustive list