Belarusian State University

APPROVE
Vice Rector

___________________ C.N. Hodin

« 29 » Jule 2015 y.

Registration № УД-1400/уч.

Human Rights

The curriculum of institutions of higher education in academic discipline for the specialty:
1-23 80 07 Political Science
1-24 01 02 Jurisprudence

2015 y.
SYLLABUS

Description of the Teaching Course

Human Rights

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Introduction

The process of democratization of society and the creation of a state of law are organically linked with the development of human rights and freedoms. An important role in this process is to be played by the mastering of knowledge about human rights and freedoms. The greatest potential for solving this problem is in educational institutions of the educational system, where the course “Human Rights” is being studied.

The main goal of this course should be the formation of a humanistic world outlook, a sense of human dignity, civic responsibility, and a deep people’s understanding of their rights and obligations. Human rights education will contribute to a significant increase in the level of the spiritual and moral state of society. Humanization of education and its development trends objectively require the study of human rights at all levels, so knowledge of human rights should become an important part of the educational and educational process in the modern education system.

The aims of the course:

- to form students' humanistic understanding of the world, a sense of human dignity, civic responsibility, a deep understanding of their rights and obligations;
- to ensure the possibility of further self-education of students in the field of human rights;
- foster a culture of human rights, the acquisition by students of practical skills to protect their rights.

Upon completion the course students expected to:

- know the essence of the basic concepts and categories of human rights;
- know and be able to analyze national, international legal acts and scientific literature on human rights;
- know the main principles and concepts of protecting the rights and freedoms of the individual;
- know the national and international mechanisms for the protection of human rights.

**Learning outcomes**

- to be guided in regulatory legal acts and legal institutions in the field of human rights;
- find the most effective, appropriate to the law and morals, ways and methods of protection of human rights;
- analyze the state and trends of the realization of fundamental human rights and freedoms in the modern world and in your country;
- protect the rights and freedoms of social groups and citizens.

Academic hours for the teaching course in the class: 20 h. lec., 22 h. sem. Final exam.

Total Academic hours – 138 h.
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Course content

The history of the formation of human rights as an independent academic discipline. The creation of the United Nations (UN, 1945) is the beginning of the formation of a new field of social and humanitarian knowledge and a special academic discipline. Universal Declaration of Human Rights and its importance in the dissemination of knowledge about human rights and freedoms. International Conference on Human Rights (Tehran, 1968). Recommendations of the UN Commission on Human Rights to member states on the introduction of a special educational discipline on human rights into the educational system (1971).
The subject, goals and objectives of the study of human rights. The purpose of the subject of human rights is the mastering by students of a certain system of knowledge on human rights and freedoms, the cultivation of a culture of human rights, and the acquisition by students of practical skills to protect their rights. The structure of the educational subject of human rights. Problems associated with teaching a new academic discipline.

**Topic 2. History of Ideas and Insights About Human Rights**
Man in the economic, social and spiritual structure of the feudal society. Medieval system of suppression of personality. The struggle for the approval of the dignity of the individual. Magna Carta (1215) and its historical significance.
The Renaissance (XV – XVI centuries): the spiritual emancipation of the individual, the assertion of its dignity, rights and freedoms. Ethical teachings of Italian humanists about man.
The development of the idea of personal dignity in the period of the Reformation and the early bourgeois revolutions (XVI – XVII centuries). Reformation in Germany in the XVI century. Luther and his role in the development of freethinking in matters of faith. Formation of the concept of human rights. The teachings of Grotius, Locke, Spinoza, Hobbes on the natural rights of man. The development of the problem of freedom in the works of artists and writers of the New Time (Cervantes, Shakespeare, Moliere, Rembrandt, etc.)
The concept of human rights, its dignity and their normative consolidation in the conditions of bourgeois revolutions of the end of the XVIII century. Characteristics of the American Declaration of Independence (1776) and the American Bill of Rights (1791).


Humanistic ideas of the Enlightenment (XVIII century.). Political and legal concepts of Rousseau, Montesquieu about a man as a subject of freedom, about human rights and a citizen. Creativity Voltaire and his human rights activities.

The problem of dignity and human rights in philosophical, political and ethical theories of the late XYIII - early XIX century. (Kant, Hegel, Feuerbach). Development of the issue of democratic freedoms in the works of representatives of classical liberalism (Bentham, Locke, Tocqueville, Miles, etc.). Human rights in the philosophical concepts of Kierkegaard and Schopenhauer.

Socialist teachings on human rights. Fourier on the human right to work. Human rights and citizen in Marxism. Human rights in anarchist teachings (Proudhon, Bakunin, Kropotkin). The interpretation of human rights in Freidianism. Attitude to the subjective rights of a citizen in legal theories of legal positivism (Labland, Esman), sociological jurisprudence (Iering). The problem of man, the protection of his social value in the spiritual culture of the XIX century. (Byron, Stendal, Balzac, L.N. Tolstoy, F.M. Dostoevsky, etc.).

The natural-historical concept of human rights (Bentham, Grotius, Locke, Montesquieu, etc.). Naturalness, inalienability and sacredness of human rights. The main determinants of natural human rights. Human rights as the highest value of the state and society.


**Topic 3. Human Rights – The Phenomenon of World Culture and Civilization**


**Topic 4. Modern Structure of Human Rights**

Socio-economic, cultural, civil and political rights and freedoms of a person: their nature, nature and interrelation.

Civil rights. The concept and content of civil rights; forms of their implementation. The right to life is the main human right. The right to life and the death penalty. The right to security, personal integrity, the creation and protection of the family, freedom of belief and conscience, honor and dignity, citizenship, the presumption of innocence, equality before the law, the restoration of rights - basic civil rights.

Political rights of man. The concept, content and forms of their implementation. Human rights associated with participation in the governance of their country. The right of equal access to public service. The right to freedom of speech and press, thought, conscience, religion and belief, peaceful meetings, rallies, processions, demonstrations, associations.

The concept of economic human rights, forms of their implementation. Property rights and free enterprise. The right to work, the right to fair and favorable working conditions, the right to protection against unemployment, the right to equal pay for equal work. Rights ensuring conditions and means of protecting the rights of workers: the right to form and join trade unions, the right to strike.

Social rights. The system of social rights, the characteristics of their species. The right to an adequate standard of living, the right to be free from hunger, the right to health and a healthy environment. The rights of persons in need of special social protection.

Cultural rights. The right to education. The right to participate in cultural life. The right to use the results of scientific progress. The right to development.

**Topic 5. International Protection of Human Rights and Freedoms**

International mechanism for the protection of human rights, the characteristics of its components. International human rights instruments are the basis for the legal protection of human rights and freedoms throughout the world. Forms of international monitoring of human rights. UN General Assembly, UN Economic and Social Council (ECOSOC), Commission on Human Rights. Organizations established in accordance with international conventions on human rights. Center for Human Rights at the UN. High Commissioner for Human Rights.

Human rights protection mechanisms in Council of Europe member states: European Commission of Human Rights, European Court of Human Rights, Council of Ministers.

International human rights non-governmental organizations and their role in protecting the rights and freedoms of citizens.


Structure of national institutions: human rights commissions, ombudsmen, specialized national institutions. The content of the human rights commissions. Specialized human rights institutions.

The head of state is the guarantor of the rights and freedoms of citizens. The role of parliament and government in protecting the rights of citizens. The judiciary in the
national system for the protection of human rights. Human Rights Commission. Ombudsman’s institution and its functions. Non-governmental human rights organizations (NGOs) as the most important institutions for the protection of human rights and freedoms. Goals and objectives of public human rights organizations. The protection of civil and political rights, the struggle for the observance of due process in the course of legal proceedings to protect the rights and freedoms of individuals. Development of human rights educational programs for law enforcement officers, teachers of educational institutions, other categories of the population. Assistance to citizens in the judicial protection of their rights and freedoms.

**Topic 7. The Rights and Freedoms of Social Communities**


Women's rights. The main international documents on women's rights. Women's rights in the Republic of Belarus.

Refugee rights. The problem of refugees at the turn of the XX - XXI centuries. The Office of the United Nations High Commissioner for Refugees (UNHCR) and the protection of the rights of refugees in the Republic of Belarus.

The rights of persons with disabilities and their protection in the Republic of Belarus.

The rights of youth. Children's rights are a global problem of humanity. UNICEF and the protection of the rights of the child. The UN Convention on the Rights of the Child is an international constitution for the protection of the rights of children.

**Topic 8. Civil Society and Human Rights**

Civil society and human rights. The concept and basic principles of social and legal state. Genesis and development of the idea of a social state. The creation of special institutions of the welfare state: the system of compulsory social insurance; compulsory health insurance system; an accident insurance system at an industrial enterprise; social insurance system due to disability and old age (German Empire, the 90s of the XIX century.).

The main characteristics of the welfare state. The legal and factual right of every person to a decent standard of living. Social equality as equality of social opportunities for the realization of the creative potential of each person. State social security system. Creating conditions for continuous improvement of the welfare of each person.

The rule of law in the system of protection of human rights and freedoms. The philosophical and ethical substantiation of the idea of a legal state (I. Kant and others). The main features of the rule of law.

Topic 10. Protection of human rights in the context of armed conflict and international terrorism
The basic principles of international humanitarian law: humanity, the inadmissibility of discrimination, responsibility for violating the norms and principles of international humanitarian law, restricting the belligerents in the choice of means of warfare, environmental protection, protection of rights, immunity of non-combatants, non-aggression.

Topic 11. International human rights documents
Mandatory and recommended literature

Mandatory literature

Recommended literature

**Online resources**

1. [www.un.org](http://www.un.org)
2. [http://hrlibrary.umn.edu/](http://hrlibrary.umn.edu/)
3. [www.bayefsky.com](http://www.bayefsky.com)
Questions to Exam:
1. The concept and general characteristics of human rights.
3. The origin and formation of the idea of human rights.
5. Three generations of human rights.
7. The US Constitution of 1787 and the Bill of Rights of 1791 is an important stage in the formation of the concept of human rights.
8. The historical significance of the French Declaration of the Rights of Man and Citizen.
9. The concept of subjective rights, individual rights, freedom.
10. The ratio of fundamental, fundamental and derivative rights of a person (citizen).
12. Classification of the most important international human rights instruments.
13. The formation and activities of the League of Nations are the most important stage in the formation of an international mechanism for the protection of human rights.
14. The development and adoption of the UN Charter and the Universal Declaration of Human Rights is the most important stage in the development of norms of international law in the field of human rights protection.
17. Covenant on Civil and Political Rights: General Characteristic.
21. The system and powers of the UN and special UN bodies in the field of human rights protection.
22. UN General Assembly. UN ECOSOC. UN Commission on Human Rights.
23. UN High Commissioner for Human Rights.
25. Control bodies established in accordance with international conventions on human rights (Committee on Human Rights, Committee on the Elimination of Racial Discrimination, Committee against Torture, etc.).
26. The role of the ILO, UNESCO in the protection of human rights.
27. The role of the CSCE (OSCE) in the field of human rights protection.
31. The legal status of the European Court of Human Rights.
32. Regional cooperation in the field of human rights protection (Inter-American
Convention on Human Rights, African African Charter on Human Rights and
the Rights of Peoples).
33. Bodies and international legal documents of the CIS in the field of human rights
protection.
34. Mechanisms for the protection of human rights in Council of Europe member
states.
35. International human rights organizations and movements.
36. Concepts and basic principles of International Humanitarian Law.
37. The main stages of the formation of humanitarian law.
38. Legal restrictions on the means and methods of warfare.
39. The concept of international and non-international armed conflicts.
40. Sources of modern humanitarian law and their general characteristics.
41. Protection of victims of armed conflicts under the norms of the Geneva
Conventions of 1949 and Protocols No. 1 and No. 2 of 1977 (wounded and sick
in active armies, shipwrecked armed forces at sea civilian population during the
war).
42. The legal status of persons and objects in the period of armed conflict under
protection or having the appropriate identification marks of the Red Cross and
43. The definition of "refugee" in international documents.
44. The role of the League of Nations in shaping the rights of refugees.
45. International Refugee Control Bodies.
47. The right to asylum in international conventions and other documents and acts.
48. Protection of the rights of refugees under international law: a general description
of the main international documents.
49. Legal documents governing the rights of refugees, adopted within the
framework of the Commonwealth of Independent States.
50. Human rights and freedoms in the constitutions of foreign states.
51. The basic principles governing the limitations and limits of the exercise of
human rights and freedoms.
52. Possible limitations of human rights.
53. The concept of forms of protection of the rights of man and citizen.
54. The concept of legal protection of a person and a citizen.
55. The concept of state protection of human rights and citizens.
56. Protection of the rights of man and citizen in the implementation
1. constitutional justice.
57. Judicial form of protection of the rights of man and citizen.
58. Protection of the rights of a person and a citizen by the prosecution authorities.
59. Protection of the rights of man and citizen by the bar.
60. Administrative and legal form of protection of the rights of man and citizen.
61. The concept of the public form of the protection of the rights of man and citizen.
62. Ombudsman’s institution as a defender of human and citizen’s rights.
63. International protection of the rights of the child.
64. General characteristics of the main international legal acts in the field of the protection of women's rights.
65. The role of civil society and social legal state in ensuring human rights.
66. Terrorism and human rights.
68. The basic principles of international humanitarian law.