**SYLLABUS**

**Fall semester 2023-2024 academic year**

**Educational program «7M04201 - International Law»**

**1st year**

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| **ID**  **and name**  **of course** | **Independent work**  **of the student**  **(IWM)** | | **Number of credits** | | | **General**  **number**  **of credits** | **Independent work**  **of the student**  **under the guidance**  **of a teacher (IWMT)** |
| **Lectures (L)** | **Practical classes (PC)** | **Lab. classes (LC)** |
| 102896 **-** International legal aspects of Human Rights Protection | 4 | | 15 | 30 | 0 | 5 | 6 |
| **ACADEMIC INFORMATION ABOUT THE COURSE** | | | | | | | |
| **Learning Format** | **Cycle,**  **component** | **Lecture**  **types** | | **Types**  **of practical classes** | | **Form and platform final control** | |
| *Offline* | CD. EC. M-3. | Informational, debatable, problematic | | Mixed form of seminars: tests, group work, case studies, etc. | | Standard orally offline  IS «Univer» | |
| **Lecturer - (s)** | Otynshiyeva Aidana Aitukyzy, acting associate professor | | | | |
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| **ACADEMIC COURSE PRESENTATION** | | | | | | | |
| **Purpose**  **of the course** | **Expected Learning Outcomes (LO) \*** | | | | | **Indicators of LO achievement (ID)** | |
| The discipline forms the ability of Master students to identify problematic issues of human rights protection and independently look for ways to solve them. The course teaches to analyze the main provisions of international conventions on human rights; to form their critical point of view on the implementation of the norms of the conventions. | 1. Demonstrate knowledge and understanding of the theoretical foundations and doctrinal scientific concepts, various approaches in the field of international legal protection of human rights | | | | | * 1. Possess a conceptual apparatus in the field of international human rights protection | |
| 1.2 Formulate a system and be able to classify international human rights bodies | |
| 2. Learn to develop legal documents of domestic and international legal nature in the field of human rights protection | | | | | 2.1 Knows the causes and conditions that contribute to the commission of human rights violations | |
| 2.2 Can use methods of historical and legal comparison, complex and situational analysis of the general and special in the mechanism of legal regulation, implementation and protection of conventional and constitutional rights and freedoms | |
| 3. Competently analyze, interpret and correctly apply legal norms;  - analyze legal facts and legal relations arising in connection with them;  -make decisions and perform legal actions in strict accordance with the law;  - understand their purpose and role in solving professional tasks | | | | | 3.1 Provides qualified legal opinions and advice on the enforcement of decisions of the European Court of Human Rights in the legal system of the CIS countries | |
| 3.2 Analyzes the nature and essence of international human rights protection bodies | |
| 3.3 Knows main patterns of the European Convention for the Protection of Human Rights and Fundamental Freedoms; features of functioning in the legal system of the Republic of Kazakhstan;  Resolves legal problems and conflicts in the field of international legal protection | |
| 4. To assess the degree of effectiveness of the interaction of the EU countries to obtain practically significant conclusions for the international legal practice of the Republic of Kazakhstan | | | | | 4.1 Carries out legal expertise of international and national normative acts in the field of human rights protection | |
| 4.2 Uses statistical data on judicial procedures within the EU, navigate quantitative and qualitative assessments of international legal procedures | |
| 4.3 Monitors, analyzes and forecasts EU decisions for the law enforcement practice of the Republic of Kazakhstan | |
| 5. Conduct and substantiate scientific results in the field of international legal protection of human rights | | | | | 5.1 Knows practical methods of scientific cognition using innovative technologies. | |
| 5.2 Owns considering legal, social, ethical and scientific aspects. | |
| **Prerequisites** | Theory of State and law, Constitutional law of the Republic of Kazakhstan, Constitutional law of foreign countries, International law, Human rights | | | | | | |
| **Postrequisites** | European law, International humanitarian law | | | | | | |
| **Learning Resources** | **Literature:**  1. International protection of human rights: textbook/ A. H. Abashidze [et al.] ; Russian Peoples' Friendship University, Consortium of Russian Universities. -Moscow: RUDN, 2019.-466 p..  2. International legal foundations of the right to health: a textbook. Moscow: RUDN, 2020.-325 p.  3. Human rights and challenges of the XXI century: textbook/ A. H. Abashidze [et al.] -Moscow: Peoples' Friendship University of Russia, 2019.-332 p.  4. Kiseleva E. V. Discrimination and gender issues in modern international law: textbook/ Peoples' Friendship University of Russia, 2021.-271 p.  5. Keshner M. V. International responsibility of States for violations of obligations in the field  of human rights protection/ M. V. Keshner. -Moscow: RUDN, 2020.-343 p.  **Internet resources**  1. <https://www.concourt.am/hr/rus/indtop.htm>  2. <https://www.coe.int/ru/web/compass/legal-protection-of-human-rights>  3. <https://www.un.org/ru/chronicle/article/21878>  4. <https://www.ohchr.org/RU/Issues/Migration/Pages/InternationalBorders.aspx> | | | | | | |

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| **Academic**  **course policy** | | The academic policy of the course is determined by [the Academic Policy](https://univer.kaznu.kz/Content/instructions/%D0%90%D0%BA%D0%B0%D0%B4%D0%B5%D0%BC%D0%B8%D1%87%D0%B5%D1%81%D0%BA%D0%B0%D1%8F%20%D0%BF%D0%BE%D0%BB%D0%B8%D1%82%D0%B8%D0%BA%D0%B0.pdf) and [the Policy of Academic Integrity of Al-Farabi Kazakh National University .](https://univer.kaznu.kz/Content/instructions/%D0%9F%D0%BE%D0%BB%D0%B8%D1%82%D0%B8%D0%BA%D0%B0%20%D0%B0%D0%BA%D0%B0%D0%B4%D0%B5%D0%BC%D0%B8%D1%87%D0%B5%D1%81%D0%BA%D0%BE%D0%B9%20%D1%87%D0%B5%D1%81%D1%82%D0%BD%D0%BE%D1%81%D1%82%D0%B8.pdf)  Documents are available on the main page of IS Univer.  **Integration of science and education.** The research work of students, undergraduates and doctoral students is a deepening of the educational process. It is organized directly at the departments, laboratories, scientific and design departments of the university, in student scientific and technical associations. Independent work of students at all levels of education is aimed at developing research skills and competencies based on obtaining new knowledge using modern research and information technologies. A research university teacher integrates the results of scientific activities into the topics of lectures and seminars (practical) classes, laboratory classes and into the tasks of the IWMT, IWM, which are reflected in the syllabus and are responsible for the relevance of the topics of training sessions andassignments.  **Attendance.** The deadline for each task is indicated in the calendar (schedule) for the implementation of the content of the course. Failure to meet deadlines results in loss of points.  **Аcademic honesty.** Practical/laboratory classes, IWM develop the student's independence, critical thinking, and creativity. Plagiarism, forgery, the use of cheat sheets, cheating at all stages of completing tasks are unacceptable.  Compliance with academic honesty during the period of theoretical training and at exams, in addition to the main policies, is regulated by [the "Rules for the final control"](https://univer.kaznu.kz/Content/instructions/%D0%9F%D1%80%D0%B0%D0%B2%D0%B8%D0%BB%D0%B0%20%D0%BF%D1%80%D0%BE%D0%B2%D0%B5%D0%B4%D0%B5%D0%BD%D0%B8%D1%8F%20%D0%B8%D1%82%D0%BE%D0%B3%D0%BE%D0%B2%D0%BE%D0%B3%D0%BE%20%D0%BA%D0%BE%D0%BD%D1%82%D1%80%D0%BE%D0%BB%D1%8F%20%D0%9B%D0%AD%D0%A1%202022-2023%20%D1%83%D1%87%D0%B3%D0%BE%D0%B4%20%D1%80%D1%83%D1%81%D1%8F%D0%B7%D1%8B%D0%BA%D0%B5.pdf) , ["Instructions for the final control of the autumn / spring semester of the current academic year"](https://univer.kaznu.kz/Content/instructions/%D0%98%D0%BD%D1%81%D1%82%D1%80%D1%83%D0%BA%D1%86%D0%B8%D1%8F%20%D0%B4%D0%BB%D1%8F%20%D0%B8%D1%82%D0%BE%D0%B3%D0%BE%D0%B2%D0%BE%D0%B3%D0%BE%20%D0%BA%D0%BE%D0%BD%D1%82%D1%80%D0%BE%D0%BB%D1%8F%20%D0%B2%D0%B5%D1%81%D0%B5%D0%BD%D0%BD%D0%B5%D0%B3%D0%BE%20%D1%81%D0%B5%D0%BC%D0%B5%D1%81%D1%82%D1%80%D0%B0%202022-2023.pdf) , "Regulations on checking students' text documents for borrowings".  Documents are available on the main page of IS Univer.  **Basic principles of inclusive education.** The educational environment of the university is conceived as a safe place where there is always support and equal attitude from the teacher to all students and students to each other, regardless of gender, race / ethnicity, religious beliefs, socio-economic status, physical health of the student, etc. All people need the support and friendship of peers and fellow students. For all students, progress is more about what they can do than what they can't. Diversity enhances all aspects of life.  All students, especially those with disabilities, can receive counseling assistance by phone / e-mail [aidana-best91@mail.ru](mailto:aidana-best91@mail.ru) or via video link in MS Teams  <https://teams.microsoft.com/l/meetup-join/19%3ad468695d3ea14195bf84e179593975fb%40thread.tacv2/1694063904429?context=%7b%22Tid%22%3a%22b0ab71a5-75b1-4d65-81f7-f479b4978d7b%22%2c%22Oid%22%3a%22f7f27e31-33e7-48cb-95d2-f66e7d87d8fd%22%7d>.  **Integration MOOC (massive open online course).** In the case of integrating MOOC into the course, all students need to register for MOOC. The deadlines for passing MOOC modules must be strictly observed in accordance with the course study schedule.  **ATTENTION!** The deadline for each task is indicated in the calendar (schedule) for the implementation of the content of the course, as well as in the MOOC. Failure to meet deadlines results in loss of points. | | | | |
| **INFORMATION ABOUT TEACHING, LEARNING AND ASSESSMENT** | | | | | | |
| **Score-rating letter system of assessment of accounting for educational achievements** | | | | | **Assessment Methods** | |
| **Grade** | **Digital**  **equivalent**  **points** | | **points,**  **% content** | **Assessment according to the traditional system** | **Criteria-based assessment** is the process of correlating actual learning outcomes with expected learning outcomes based on clearly defined criteria. Based on formative and summative assessment.  **Formative assessment is** a type of assessment that is carried out in the course of daily learning activities. It is the current measure of progress. Provides an operational relationship between the student and the teacher. It allows you to determine the capabilities of the student, identify difficulties, help achieve the best results, timely correct the educational process for the teacher. The performance of tasks, the activity of work in the classroom during lectures, seminars, practical exercises (discussions, quizzes, debates, round tables, laboratory work, etc.) are evaluated. Acquired knowledge and competencies are assessed.  **Summative assessment** -type of assessment, which is carried out upon completion of the study of the section in accordance with the program of the course.Conducted 3-4 times per semester when performing IWM. This is the assessment of mastering the expected learning outcomes in relation to the descriptors. Allows you to determine and fix the level of mastering the course for a certain period. Learning outcomes are evaluated. | |
| A | 4.0 \_ | | 95-100 | Great |
| A- | 3.67 | | 90-94 |
| B+ | 3.33 | | 85-89 | Fine |
| B | 3.0 | | 80-84 | **Formative and summative assessment** | **Points % content** |
| B- | 2.67 | | 75-79 | Activity at lectures | 0 |
| C+ | 2.33 | | 70-74 | Work in practical classes | 42 |
| C | 2.0 | | 65-69 | Satisfactorily | Independent work | 18 |
| C- | 1.67 | | 60-64 | Design and creative activity | 0 |
| D+ | 1.33 | | 55-59 | Final control (exam) | 40 |
| D | 1.0 | | 50-54 | TOTAL | 100 |
| FX | 0,5 | | 25-49 | Unsatisfactory |
| F | 0 | | 0-24 |
| **Calendar (schedule) for the implementation of the content of the course. Methods of teaching and learning.** | | | | | | |

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| A week | Topic name | Number of hours | Max.  ball |
| MODULE 1 | | | |
| 1 | L 1. The formation of an international system for the protection of human rights | 1 |  |
| PC 1. The history of formation from ancient times to the end of the Second World War | 2 | 10 |
| 2 | L 2. International protection of human rights and the main international acts in the field of human rights | 1 |  |
| PC 2. List and give a brief description of the main international, regional and national sources of human rights | 2 | 10 |
| IWMT 1. Consultations on the implementation of IWMT 1 |  |  |
| 3 | L 3. International Institutions for the Protection of Human Rights | 1 |  |
| PC 3. The system of international institutions for the protection of human rights, its goals and objectives. 2.Universal level of human rights protection. 3. Regional level of human rights protection 1993). | 2 | 10 |
| IWM 1. Analysis of the rights and fundamental freedoms recognized within the framework of the Council of Europe (by the example of a certain right or type of rights enshrined in the European Convention for the Protection of Human Rights of 1950). Essay |  | 15 |
| 4 | L 4. Functioning of the universal human rights protection system in connection with the creation of the UN | 1 |  |
| PC 4. Formation and operation of the global human rights protection system under the auspices of the UN. Kazakhstan and the UN: Glossary on topic 4. | 2 | 10 |
| 5 | L 5. Council of Europe: main characteristics. | 1 |  |
| PC 5. Get to know the history of the creation and the main stages of the development of the Council of Europe.  To fix in the summary the goals, objectives and principles of the Council of Europe. Scope of responsibilities. Resources. Privileges and immunities. Official and working languages. Location. To study the legal nature of the constituent documents. Charter of the Council of Europe Statutory resolutions. Statutory conventions. Final declarations of the summits. | 2 | 10 |
| MODULE 2 | | | |
| 6 | L 6. The system of bodies of the Council of Europe | 1 |  |
| PC 6. To reveal the legal status of the bodies of the Council of Europe.  To draw schematically the structure of the Council of Europe:  statutory bodies:  special bodies: | 2 | 10 |
| IWMT 2. Consultations on the implementation of IWM 2 |  |  |
| 7 | L 7. Council of Europe standards in the field of human rights | 1 |  |
| PC 7. Analyze the norms of international legal acts of the Council of Europe in the field of human rights. The place of the European Convention for the Protection of Human Rights and Fundamental Freedoms of November 4, 1950 and its Protocols (Protocols No. 1-11) in the system of international legal acts of the Council of Europe. Protocols No. 12, No. 13 and No. 14. | 2 | 10 |
| IWM 2. Drawing up a diagram illustrating various approaches to the classification of international mechanisms for ensuring human rights (contractual and non-contractual, individual and collective) |  | 15 |
| RK 1 100 | | | |
| 8 | L 8. Fundamental rights and freedoms guaranteed by the Convention on the Protection of Human Rights | 1 |  |
| PC 8. Disclose in written form the question "Fundamental rights guaranteed by the Convention for the Protection of Human Rights and Fundamental Freedoms, and their development in the Protocols №1, №4, №6, №7, №12, №13" | 2 | 8 |
| IWMT 3. Consultations on the implementation of IWM 3 |  |  |
| 9 | L 9. Organization and general issues of the European Court of Human Rights | 1 |  |
| PC 9. Analyze a historical sketch of the creation and activities of the European Court of Justice. Basic information about the Court.  2. Organization of the court.  3. Judges and their elections.  4. Jurisdiction of the court  5. Conditions of admissibility of the complaint in the European Court | 2 | 8 |
| IWM 3. Development of a scheme of the main activities of the UN Human Rights Council. Convention and institutional cooperation in the field of human rights within the framework of the United Nations. |  | 15 |
| 10 | L 10. The procedure for filing a complaint with the European Court of Human Rights | 1 |  |
| PC 10. To analyze the legislation and law enforcement practice of any EU member state.  Prepare answers to questions:  - Complaint procedure.  - The content of the complaint form.  - The procedure for filling out the complaint form in the EU.  - The procedure and terms of consideration of the complaint. | 2 | 8 |
| IWMT 4. Consultation on the implementation of IWM 4 |  |  |
| MODULE 3 | | | |
| 11 | L 11. The control mechanism of the Council of Europe and its reform under Protocol No. 11 | 1 |  |
| PC 11. Analyze the control mechanism of the Council of Europe  - before the reform under Protocol No. 11 to the Convention.  Control bodies of the Convention.  - after the entry into force of Protocol No. 11 to the Convention of May 11, 1994.  General characteristics of the Institute of interstate Complaints. General characteristics of the Institute of individual Complaints. Specific issues of admissibility of individual complaints under the Convention for the Protection of Human Rights and Fundamental Freedoms | 2 | 8 |
| IWM 4. Regional human rights protection systems: African, inter-American, Arab, in the CIS space. Presentation, pre-order |  | 15 |
| 12 | L 12. Improvement of the control mechanism of the Council of Europe under Protocol No. 14 to the Convention of May 13, 2004. | 1 |  |
| PC 12. The control mechanism of the Council of Europe after the entry into force of Protocol No. 14  Rules of Procedure of the European Court of Human Rights. Organization and work of the Court. Precedents of the European Court of Human Rights | 2 | 8 |
| 13 | L 13. The system and legal significance of human rights protection in the context of the competence of the OSCE and the European Union | 1 |  |
| PC 13. The Human Dimension of the OSCE and some individual aspects of its modernization;  Vectors of evolution of the human protection system within the framework of the European Union | 2 | 10 |
| IWMT 5. Consultation on the final exam |  |  |
| 14 | L 14. The international system for the protection of human rights in other regions of the planet. | 1 |  |
| PC 14. To reveal the content of the human rights protection system in other regions of the world (using the example of the analysis of the activities of the OAS, the African Union and the OIC). To reveal the prospects of strengthening the international system of human rights protection in other regions of the world  - OAS;  - African Union and OIC). | 2 | 10 |
| 15 | L 15. International legal mechanisms for the protection of refugee rights | 1 |  |
| PC 15. In this topic, a master's student should study the 1951 Convention on the Status of Refugees and prepare to answer the following questions:  • Internally displaced persons, their types  •The content of the concept of migrant  •Vulnerable groups  •To study the articles of the Convention for the Protection of Human Rights and Fundamental Freedoms, 1950; the Convention on the Status of Refugees, 1951 | 2 | 10 |
| IWMT 6. Consultation on the final exam |  |  |
| RK 2 | | | 100 |
| Final control (exam) | | | 100 |
| TOTAL | | | 100 |

**Dean \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_** Zhekenov D.K.

**Head of Department \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_** Sairambayeva Zh.T.

**Lecturer \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_** Otynshiyeva A.A.

**RUBRICATOR OF THE SUMMATIVE ASSESSMENT**

**CRITERIA EVALUATION OF LEARNING OUTCOMES**

**Written assignment (25% of 100% MC)**

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| **Criterion** | **"Excellent"**  20-25% | **"Good"**  15-20% | **"Satisfactory"**  10-15% | **"Unsatisfactory"**  0-10% |
| **Research** | The submission shows evidence of outstanding research that goes far beyond the suggested reading for the module. | The submission shows a very capable research effort with a good use of the suggested reading materials for the module, perhaps with some use of additional sources | The submission shows at least a general familiarity with the research sources suggested in the module and an ability to use these reasonably effectively | 1. Research: The submission makes some reference to suggested reading material for the module, but reproduces this with little discussion or evaluation in a way that shows a limited grasp the subject matter |
| **Knowledge** | The work shows an impressive knowledge of the subject area and an exceptional ability to identify peculiar or novel aspects for consideration. | The work shows an informed knowledge of the subject area and awareness of key issues and their gravity | The work demonstrates a sound basic knowledge of the subject area and presents a clearly organised account of this | The work shows a significant lack of understanding of the issues, perhaps due to misunderstandings or shortcomings in research |
| **Critical thinking** | The discussion shows extremely incisive analysis and reasoning demonstrating an exceptional perception and capacity for independent critical evaluation of the subject area, perhaps by suggesting novel or alternative ways of addressing the issues. | There is some evidence of perceptive and evaluative thinking, and the ability to construct a reasoned and substantiated argument towards a clear conclusion | The discussion shows relatively little capacity for critical evaluation | There is a lack of coherence in the overall argument |
| **Presentation** | The essay is extremely well structured and lucidly presented, with no serious typographical or grammatical errors. There are only very minor amendments | The work is reasonably well organised with relatively few typographical or grammatical errors | The work is reasonably well organised, with some typographical or grammatical errors. Comment: Typically, an answer in this category may fall short of a merit classification because of over-dependency on secondary sources, shortcomings in coverage, misunderstandings of critical issues, or because the presentation, organisation or writing style are deficient. A bare pass mark might be awarded where the work involves a purely descriptive treatment of the subject area with little attempt to offer any evaluative discussion | The work shows serious weakness in presentation, because of a lack of structuring and/or serious grammatical or typographical errors |
| **Letter,**  **APA style** | The writing demonstrates clarity, conciseness, and correctness. Strictly follows the APA style. | The letter demonstrates clarity, and correctness. Basically, follows the APA style. | The letter has some key errors and clarity needs to be improved. There are mistakes in following the APA style. | The writing is unclear, it is difficult to follow the content. Lots of mistakes in following the APA style. |