

**Ministry of Education and Science of Ukraine
Yaroslav Mudryi National Law University
European Union Law Department**

**WORK PROGRAMME OF ACADEMIC DISCIPLINE
«PROTECTION OF RIGHTS AT THE EUROPEAN COURT OF HUMAN
RIGHTS»**

Level of higher education – the second (master's) level

Degree of higher education – master

Field of Knowledge – 29 «International Relations»

Speciality – 293 «International Law»

Educational programme / specialization – «International Law»

Discipline status – optional

Kharkiv 2022

Work programme of the educational discipline "Protection of rights in the European Court of Human Rights" for students of higher education of the second (master's) level of higher education in the field of knowledge 29 "International Relations" specialty 293 "International Law". Kharkiv: Yaroslav Mudryi National Law University of Ukraine, 2022. 27 p.

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1. Description of the academic discipline

Work programme of the academic discipline "Protection of rights at the European Court of Human Rights" was developed in accordance with the educational and professional programme "International Relations" of the second (master's) level of higher education of the field of knowledge 29 "International Relations" specialty 293 "International Law".

Name of indicators	Field of knowledge, specialty, level of education	Didactic structure of the educational discipline	
		full-time education	external form of education
The number of ECTS credits is 4	Field of knowledge - 29 "International relations"	At the student's choice	Compulsory
Modules - 2		Year of training: 2020–2024	Year of training: 2020–2024
	Specialty - 293 "International Law"	7th semester	7th semester
The total number of hours is 120	Level of education – second (master's)		
Weekly hours for full-time education: classrooms - 2-4, individual student work - 6-8.		Lectures	Lectures
		18 hours	6 hours
		Practical training	Practical training
		20 hours	4 hours
		Individual work	Individual work
		82 hours	110 hours
	Types of control: Ongoing monitoring; final control of knowledge (credit)	Types of control: Ongoing monitoring; final control of knowledge (credit)	

The purpose of teaching the academic discipline – is the formation of a comprehensive system of professional knowledge, abilities, skills and other competencies of higher education students and the expansion, systematization and deepening of knowledge about the main legal positions of the European Court of Human Rights in its interpretation and application of the Convention on the Protection of Human Rights and Fundamental Freedoms, mastering the practical skills of applying to the European Court of Human Rights.

Tasks:

- to find out the structure, order of its formation, composition, forms of activity of the European Court of Human Rights and features of the human rights protection mechanism in accordance with the Convention on the Protection of Human Rights and Fundamental Freedoms;

- to form a holistic view of the Conventional mechanisms for the protection of human rights;

- to understand the essence and content of the Convention on the Protection of Human Rights and Fundamental Freedoms of 1950 and the practice of the European Court of Human Rights as a source of law, to investigate their influence on the development and transformation of the legal system of Ukraine;

- to determine the peculiarity of the structure and composition of the European Court, the order of its formation and the process of consideration of applications;

- to learn the basic conditions for the admissibility of applications, and certain practical aspects of submitting an application and further communication with the court;

- to learn to establish the facts of violation of convention rights by the state in specific situations;

- to analyze the most significant areas of protection of the ECHR in certain categories of human rights.

Prerequisites: Legal regulation of the EU internal market, Competition (antimonopoly) law, Tax law.

Corequisites: European private international law, European Internet law, WTO law, International contract law, International tax law.

Postrequisites: Corporate law and EU governance, International intellectual property law, Legal aspects of e-commerce, Judicial protection in the European Union.

2. Expected learning outcomes

As a result of mastering the academic discipline, the student of higher education must demonstrate the following learning outcomes:

- LO 1. To demonstrate knowledge of the main categories and institutions of human rights protection, be able to reveal their content.
- LO 2. To know the essence and to be able to qualify the legal relations of the protection of human rights.
- LO 3. To conduct a comparative legal analysis of individual legal institutions of different legal systems, taking into account the relationship between the legal system of Ukraine and the legal systems of the Council of Europe and the European Union.
- LO 4. To demonstrate the ability to determine the jurisdiction of the European Court of Human Rights: subject (*ratione materiae*), territorial (*ratione loci*), in time (*ratione temporis*) and by the circle of subjects (*ratione personae*).
- LO 5. To be able to interpret and use the norms of national legislation, taking into account the principles of interpretation of the provisions of the Convention on the Protection of Human Rights and Fundamental Freedoms in the practice of the European Court of Human Rights.
- LO 6. To know the requirements for the content of an individual application and the jurisdictional, procedural and substantive criteria for its admissibility.
- LO 7. To demonstrate knowledge of the procedure for consideration of cases in the European Court of Human Rights, sources of procedural norms and main stages of proceedings, the procedure for making court decisions and their implementation, and measures taken to implement these decisions.
- LO 8. To demonstrate knowledge of the content and scope of rights related to the personal integrity of a person, legitimate grounds for limiting the right to life and personal integrity of a person, and the obligations of states arising from guarantees of compliance with these rights under the Convention for the Protection of Human Rights and Fundamental Freedoms.
- LO 9. To demonstrate knowledge and understanding of the elements of the right to a fair trial and the provision of judicial guarantees, and legitimate restrictions on the right of access to the court.
- LO 10. To characterize the content and limits of the right to respect for private and family life and the criteria of primacy of interference with the rights protected in accordance with Art. 8 of the Convention on the Protection of Human Rights and Fundamental Freedoms.
- LO 11. To demonstrate knowledge of the conventional system of protection of the right to property, the conditions of legitimate interference with the right to peaceful possession of property and analyze and evaluate the practice of the European Court of Human Rights regarding the protection of this right.
- LO 12. To provide professional advice and conclusions on the protection of personal rights and freedoms guaranteed by the European Convention.

The teaching of the academic discipline ensures the formation of general and special competences in the student of higher education and the achievement of

learning outcomes determined by the standard of higher education of the relevant specialty and the educational and professional programme "Law", namely:

General competencies:

- GC 1. The ability to think critically, analyze and synthesize.
- GC 2. The ability to identify and solve problems arising in the professional sphere, to formulate and ask questions for their further solution.
- GC 6. The ability to work effectively in an intercultural environment, including developing and managing international projects.
- GC 7. The ability to conduct research at an appropriate level.
- GC 10. The ability to work (collect, receive, systematize and synthesize) with various information and large volumes of information from various sources, analyze and critically and constructively evaluate it, taking into account the cross-cultural characteristics of the subjects of international relations.
- GC 11. The ability to use the latest information and communication technologies for professional purposes.
- GC 12. The ability to formulate a personal opinion and present it with evidence.
- GC 15. The ability to understand the specifics of the subject area and professional activity, to make well-founded, balanced decisions and to be aware of their ethical consequences.
- GC 16. The ability to communicate with representatives of other professional groups of different levels, from other fields of knowledge and activities, as well as the ability to work in an international professional environment.

Special competencies:

- SC 3. The ability to independently provide legal representation of the interests of individuals, legal entities or the state when considering cases in national and international institutions and organize the provision of legal services.
- SC 4. The ability to use comprehensively highly specialized knowledge in specific areas of regulation of international public law, international private law, and European law to solve applied problems.
- SC 7. The ability to represent the interests of Ukraine or individuals and legal entities in international judicial institutions, arbitrations, national courts of foreign countries.
- SC 8. The ability to work and represent the interests of Ukraine in international intergovernmental organizations.
- SC 11. The ability to ensure the implementation of international legal standards in certain areas of national legislation.
- SC 12. The ability to conduct research and/or introduce innovations in various fields and institutions of public international law, private international law, EU law.
- SC 14. The ability to apply an interdisciplinary approach in the assessment of international legal phenomena and international relations using legal tools.
- SC 16. The ability to work with international documentation (treaties, acts of international organizations and bodies, etc.), determine their legal nature, draft projects and accompanying documentation in Ukrainian and foreign languages.
- SC 20. The ability to provide a proper legal assessment of evidence in a legal case and in a specific procedural situation, the ability to work with evidence, to solve problems related to the planning and organization of the legal process, the resolution of a legal

case within different jurisdictions.

- SC 21. The ability to communicate effectively in an international, multicultural environment using knowledge in the fields of international law, European law and international relations.

Programme training outcomes:

- PTO 1. To analyze multifaceted problems of international and national legal content and propose ways to solve them.
- PTO 4. To understand the international legal situation, forecast its development, professionally and critically evaluate events and phenomena in the field of international relations and world politics, using legal tools.
- PTO 5. To provide legal representation of the client in national courts, international commercial arbitrations, state authorities and local self-government bodies.
- PTO 6. To protect the interests of the state in national courts, international commercial arbitrations, international courts and organizations, in particular integration ones, and at international conferences.
- PTO 11. To demonstrate communication skills with representatives of other professional groups of different levels, other fields of knowledge and types of activities, as well as the ability to work in an international, intercultural environment; to organize and conduct negotiations.
- PTO 14. To demonstrate the ability to convey one's own knowledge, conclusions and arguments to specialists and non-specialists.
- PTO 17. To carry out research on international legal topics, using primary sources and methods of legal interpretation of complex problems arising from this research, justify the conclusions and present the results of the research.
- PTO 18. To freely use available information, communication technologies and databases for professional activities.
- PTO 19. To demonstrate knowledge of the evolution, current state and prospects for the development of legal regulation of various spheres of international cooperation, to be aware of the consequences of the convergence of legal systems in the conditions of globalization and regional integration.

3. Contents of the curriculum

Module 1. General theoretical characteristics of the European Convention and its control mechanism.

General characteristics and control mechanism of the Convention on the Protection of Human Rights and Fundamental Freedoms. General characteristics of the modern European system of human rights protection: contractual and institutional aspects. The Convention as an international treaty in the field of human rights protection: legal nature. The relationship between international humanitarian law and European human rights law. Implementation of the Convention in the national legal order: general characteristics. Place of the Convention in the legal system of Ukraine. Withdrawal of Ukraine from certain obligations under the Convention. General characteristics of the control mechanism of the Convention. Bodies of the European Convention on Human Rights: European Court of Human Rights, Committee of Ministers, Parliamentary Assembly of the Council of Europe, Secretary General of the Council of Europe, Commissioner of the Council of Europe for Human Rights. Cooperation between the Council of Europe and the European Union in the field of human rights protection.

The European Court of Human Rights: procedure, forms of activity and features of interpretation of the provisions of the European Convention. The European Court of Human Rights: the main body of the Convention. Composition and organizational structure of the European Court of Human Rights. Jurisdiction of the European Court of Human Rights: substantive (*ratione materriae*), territorial (*ratione loci*), in time (*ratione temporis*) and over the range of subjects (*ratione personae*). Peculiarities of consideration of interstate complaints by the European Court of Human Rights. Decision on admissibility in the case "Ukraine v. Russian Federation (regarding Crimea)" No. 20298/14, 2021. The role of interstate cases in the consideration of individual applications. Institute of Prejudicial Opinion (Protocol No. 16). Functional composition of the European Court of Human Rights. Jurisdiction of single judges, three-judge committees, seven-judge chambers and the Grand Chamber. Peculiarities of the status of a judge of the ECtHR. Principles of

interpretation of the Convention by the European Court of Human Rights. The influence of the Vienna Convention on the Law of International Treaties of 1969 on the interpretation of the provisions of the Convention by the European Court of Human Rights. The principle of subsidiarity and discretion of the state as the basic principles of the control mechanism of the Convention. Application of the principle of evolutionary interpretation of the provisions of the Convention in the practice of the European Court of Human Rights. Autonomous interpretation of the provisions of the Convention by the European Court of Human Rights. The principle of effective interpretation of the provisions of the Convention by the European Court of Human Rights. Application of the doctrine of "European consensus" by the European Court of Human Rights.

Acceptance criteria for individual applications. General conditions of admissibility of an individual application and jurisdictional, procedural and substantive criteria. Jurisdictional criteria for admissibility of an individual application to the European Court of Human Rights. Substantive criteria (criteria on the merits) of the admissibility of an individual application to the European Court of Human Rights. Exhaustion of all national remedies (issues of their availability and effectiveness) and observance of the "four-month period" as procedural conditions for the admissibility of an individual application to the European Court of Human Rights. Anonymity, identity of applications and abuse of the right to submit an application as procedural conditions for the inadmissibility of an individual application to the European Court of Human Rights. Requirements for the content of an individual application and the procedure for filling out the form. Use of the HUDOC database and knowledge sharing platform (ECHR-KS) in the formation of an individual application.

Proceedings at the European Court of Human Rights. The procedure for consideration of cases in the European Court of Human Rights. Sources of procedural norms: Convention and Rules of the European Court of Human Rights. The main stages of the proceedings. The right to appeal to the court and requirements for the content of an individual application (application form, language of

proceedings). Consequences of failure to comply with the requirements of Rule 47 of the Rules of Court. Exceptional circumstances and grounds for renewal of an individual application. Submission of an application to the Court and its registration. Legal representation of the applicant at the stage of application submission. Application of temporary (protective) measures by the European Court (concept and conditions of their application) and priority consideration of the case. Transfer of the case to the judicial formation. Consideration of a case by a judge sitting alone, by a committee, by a chamber or by a Grand Chamber. Notice of Statement of the Respondent Government. Application communication and exchange of competitive documents. Legal representation of the applicant at this stage. Friendly settlement of the case. Unilateral statement (declaration) of the respondent government. Withdrawal and reinstatement of the case in the Court's case register. Consideration of the application on the merits and adoption of a decision in the case. The Court's decision, its structure, entry into force, interpretation and review. Types of decisions of the European Court of Human Rights. Possibilities of the Court: just satisfaction, individual and multiple measures, pilot and quasi-pilot decisions, duration of case consideration.

Execution of decisions and application of the practice of the European Court of Human Rights. Execution of decisions of the European Court of Human Rights. Supervision of the implementation of decisions of the European Court of Human Rights by the Committee of Ministers of the Council of Europe in accordance with Art. 46 of the Convention. National procedure for the execution of decisions of the European Court of Human Rights. Law of Ukraine "On Implementation of Decisions and Application of the Practice of the European Court of Human Rights" dated February 23, 2006 No. 3477-IV. General and individual measures taken to implement the decision of the European Court of Human Rights. Powers of the Commissioner in the process of execution of ECtHR decisions.

Module 2. Protection of certain categories of personal rights and provision of judicial guarantees.

Protection of rights related to personal integrity of a person. The right to life. General characteristics of the right to life. Negative and positive obligations of states under Art. 2 of the Convention. Procedural obligations of the state. Prohibition of intentional deprivation of life. Protection of persons from the use of force, causing fatal consequences, by representatives of the state. Legitimate grounds for restricting the right to life (clause 2 of article 2 of the Convention). The positive and negative duty of the state regarding the life of a person in other situations: protection from violence by private individuals, a safe environment, extradition and extradition, etc. Application of Art. 2 Conventions in conditions of armed conflict and state of emergency. The practice of the European Court of Human Rights regarding the right to life (the case of *McCann and Others v. United Kingdom* [*case of McCann and Others v. United Kingdom, App. no. 18984/91*]; the case of *Lopez de Souza Fernandes v. Portugal* [*case of Lopes de Sousa Fernandes v. Portugal, App. no. 56080/13*]).

Prohibition of torture and other inhuman treatment or punishment. European Convention and other international acts: 1949 Geneva Conventions, 1966 Covenant on Civil and Political Rights, 1984 UN Convention against Torture, and 1987 European Convention for the Prevention of Torture. The main content of legal relations protected by Art. 3 of the Convention. The concept of torture: intensity, intention, purpose. Concept of inhuman and degrading treatment: signs. Absolute prohibition of harsh treatment. Negative and positive obligations of the state in accordance with Art. 3 of the Convention. Rights of prisoners. Duty to investigate incidents of ill-treatment. Criteria for the effectiveness of the investigation of harsh treatment. Features of the application of Art. 3 Conventions in conditions of armed conflict. The practice of the European Court of Human Rights regarding the prohibition of torture, inhuman or degrading treatment or punishment (case of *Soering v. United Kingdom* [*case of Soering v. United Kingdom, App. no. 14038/88*]; case " *Gafgen v. Germany*" [*case of Gafgen v. Germany, App. no. 22978/05*]; case " *Kaverzin v. Ukraine*" [*case of Kaverzin v. Ukraine, App. no. 23893/03*]).

The right to freedom and personal integrity (Article 5 of the Convention).

Scope of application of Art. 5 of the ECHR. Types of restriction of freedom, which are provided for in clause 1 of Art. 5. The concept of deprivation of liberty; criteria. Positive obligations of the state in the context of the right to freedom and personal integrity. Grounds for deprivation of liberty under Art. 5 of the ECHR. Lawfulness of detention: legal certainty, inadmissibility of arbitrariness, justification of the decision, proportionality. Criminal and civil grounds for deprivation of liberty. Guarantees of the human right to freedom and personal integrity: notification of reasons for arrest; the right to appear before a judge immediately; the right to a trial within a reasonable time or to be dismissed during the proceedings; the right to a court review without delay of the legality of detention; the right to compensation for unlawful deprivation of liberty. The practice of the European Court of Human Rights regarding the right to freedom and personal integrity (case of *Kharchenko v. Ukraine*, [case of *Kharchenko v. Ukraine*, App. no. 40107/02]; case of "*Austin and others v. United Kingdom*" [case of *Austin and Others v. United Kingdom*, App. no. 39692/09]). Peculiarities of the content of individual statements in cases of violation of the rights of persons serving a sentence and facts of harsh treatment.

The right to a fair trial and the provision of judicial guarantees. The concept of the right to a trial, its elements. Independence and impartiality of the court. Court established by law. Scope of application of Art. 6 of the Convention. Peculiarities of the ECtHR's interpretation of the terms "dispute", "civil rights and obligations" and "criminal prosecution". Right of access to court. Legitimate restrictions on access to court. General characteristics of a fair trial (Article 6 of the Convention). Competitive process, equality of parties, publicity of hearings. The concept of a reasonable period of trial. Criteria and principles for determining the reasonableness of the term. Reasoning of the court's decision. Execution of court decisions as a component of the right to a fair trial. Presumption of innocence and the right of the accused as a guarantee of the right to trial. The practice of the European Court of Human Rights regarding the right to a fair trial and an effective remedy (the case of *Oleksandr Volkov v. Ukraine*, App. no. 21722/11, the case of *Burmych et al. v.*

Ukraine » [*case of Burmych and Others v. Ukraine, App. nos. 46852/13, 47786/13, 54125/13*]). Features of the content of individual statements in cases of violation of the provisions of Art. 6 of the Convention.

The right to respect for private and family life. Scope of application of Art. 8 of the Convention. Concepts of "private life", family life", "housing" and "correspondence" in the practice of the European Court of Human Rights. Conditions for legality of interference with rights protected in accordance with Art. 8 of the Convention. Legitimacy as a criterion of legality of intervention. The balance between the interests of the individual and society as a criterion for the fulfillment of the state's duties. Legitimate purpose of intervention. Necessity in a democratic society, proportionality of intervention. Duties of the state arising from Art. 8 of the Convention. Practice of the European Court of Human Rights regarding the right to respect for: private life (case of S. and Marper v. the United Kingdom [*case of S. and Marper v. the United Kingdom, App. nos. 30562/04 and 30566/04*]) case of Denisov v. Ukraine [*case of Denisov v. Ukraine, App. no. 76639/11*]), family life (case of Saviny v. Ukraine, App. no. 39948/06) case of M.R. and D.R. v. Ukraine, housing (case of Niemietz v. Germany, App. no. 13710/88], the case "Kryvitska and Kryvitsky v. Ukraine" [*case of Kryvitska and Kryvitsky v. Ukraine, App. no. 30856/03*]) and correspondence (the case "Roman Zakharov v. Russia" [*case of Roman Zakharov v. Russia, App. no. 47143/06*]; the case of "Barbulescu v. Romania", [*case of Barbulescu v. Romania, App. no. 61496/08*]). Peculiarities of the content of individual statements in cases of violation of the right to respect for private and family life, including in the conditions of russia's armed aggression.

Protection of property (property). Protection of property as an element of the conventional system of human rights protection. Autonomy of the interpretation of the concept of "property" (Article 1 of the First Protocol). Property value as a criterion for determining the scope of application of Art. 1 of the First Protocol. The content of the concept of "peaceful possession of property". Criteria for admissibility of interference with property rights. The legality of the intervention. State control over the use of property in accordance with public interests. Proportionality of

intervention. Compensation in connection with deprivation of property and interference with the right to peaceful possession of property. Application of Art. 1 of the First Protocol of the Convention on the Protection of Human Rights and Fundamental Freedoms in the Conditions of Russia's Armed Aggression. Practice of the European Court of Human Rights on the right to property (the case of *Sporrong and Lönnroth v. Sweden* [*case of Sporrong and Lönnroth v. Sweden*, App. no. 7151/75, 7152/75]; the case of *Loizidou v. Turkey* [*case of Loizidou v. Turkey*), App. no. 15318/89]; Case of *Batkivska Turbota Foundation v. Ukraine* Ukraine, App. no. 5876/15]). Features of the content of individual statements in cases of violation of property rights.

4. The scope and structure of the discipline

4.1. For full-time students

№	Date of the class (due to schedule)	Topic	Volume in numbers			
			Total	Including		
				Lectures	Seminars	Individual work
		Module 1. General theoretical characteristics of the European Convention and its control mechanism.				
		Topic 1. General characteristics and control mechanism of the Convention on the Protection of Human Rights and Fundamental Freedoms.		2	2	8
		Topic 2. The European Court of Human Rights: procedure, forms of activity and features of interpretation of the provisions of the European Convention		2	2	8
		Topic 3. Acceptability criteria of individual applications.		2	2	8
		Topic 4. Proceedings at the European Court of Human Rights.		2	2	8
		Topic 5. Execution of decisions and application of the practice of the European Court of Human Rights.		2	2	8
		<i>Total</i>		<i>10</i>	<i>10</i>	<i>40</i>
		Module 2. Protection of certain categories of personal rights and provision of judicial guarantees				
		Topic 6. Protection of rights related to personal integrity of a person.		2	4	10
		Topic 7. The right to a fair trial and the provision of judicial guarantees.		2	2	10
		Topic 8. The right to respect for private and family life.		2	2	10
		Topic 9. Protection of property (property).		2	2	12
		<i>Total</i>		<i>8</i>	<i>10</i>	<i>42</i>
		Overall hours / credits ECTS	<i>120/4</i>	18	20	82

4.2. For part-time students

№	Date of the class (due to schedule)	Topic	Volume in hours			
			Total	Including		
				Lectures	Seminars	Individual work
		Module 1. General theoretical characteristics of the European Convention and its control mechanism.				
		Topic 1. General characteristics and control mechanism of the Convention on the Protection of Human Rights and Fundamental Freedoms.				10
		Topic 2. The European Court of Human Rights: procedure, forms of activity and features of interpretation of the provisions of the European Convention		1	1	10
		Topic 3. Acceptability criteria of individual applications.		1	1	10
		Topic 4. Proceedings at the European Court of Human Rights.				10
		Topic 5. Execution of decisions and application of the practice of the European Court of Human Rights.				10
		<i>Total</i>		2	2	50
		Module 2. Protection of certain categories of personal rights and provision of judicial guarantees				
		Topic 6. Protection of rights related to the personal integrity of a person.		1	1	12
		Topic 7. The right to a fair trial and the provision of judicial guarantees		1	1	12
		Topic 8. The right to respect for private and family life.		1		18
		Topic 9. Protection of property (property).		1		18
		<i>Total</i>		4	2	60
		Overall hours / credits ECTS	<i>120/4</i>	6	4	110

5. Forms of pedagogical control and means of assessment of the learning outcomes

The evaluation of the results of learning the educational discipline "Protection of rights at the European Court of Human Rights" involves ongoing monitoring and final control and is carried out on the basis of a cumulative point-rating system.

Ongoing monitoring of students' knowledge includes:

- quality control of students' assimilation of the programme material of the educational discipline in practical classes using the following means: oral, written or express survey, performance of test tasks, solving practical tasks or problems, participation in case development, protection of the portfolio of the practice of the European Court of Human Rights, defense of the essay at the initiative of the student, etc. Ongoing monitoring is aimed at checking the level of student preparation for studying the current material. In the course of the practical session, the student can receive an assessment on a four-point scale (0, 3, 4, 5);

- quality control of the students' assimilation of the programme material of the educational discipline, which is conducted at the end of the modules in the form of a test or colloquium;

Based on the results of practical classes from each of the two modules, the total number of points is calculated (the maximum score for each module is 40 points), which is included in the final assessment of knowledge.

During the semester, students perform tasks for **individual work** (processing of statistical data of the institutions of the Council of Europe, decisions of the European Court of Human Rights; preparation of abstracts of reports for scientific and practical conferences and articles; taking online courses on the European educational platform in the field of human rights for lawyers (HELP); conducting a research (project) on a narrow issue with its subsequent presentation, etc.). The work is individual and independent, and therefore co-authorship of students and other forms of assistance to each other are not allowed. When performing individual work, the student is obliged to observe the rules regarding academic integrity and the direct prevention of plagiarism. The maximum number of points for individual work is 20.

The form of final control of the knowledge of higher education students in the academic discipline is the assessment. The minimum number of points to receive credit is 60.

Distribution of points between forms of organization of the educational process and types of control measures of the discipline "Protection of rights in the European Court of Human Rights":

Ongoing monitoring during seminars/workshop					Final assessment (credit)
Module № 1		Module № 2		Individual work	
s/w	Tests	s/w	Tests		
Max 25	Max 15	Max 25	Max 15	Max 20	Max 100

6. Criteria for evaluating learning outcomes:

Evaluation criteria for the discipline "Protection of rights at the European Court of Human Rights":

Types of assessment	Points	Criteria (for each point)
Assessment during seminars	Max 5	Excellent assimilation of educational material on the topic, some minor shortcomings are possible.
	4	Good assimilation of the material on the topic, but there are some mistakes.
	3	Satisfactory level of assimilation of the material, a significant number of errors.
	2	Minimum results sufficient to receive a positive evaluation.
	1	Insufficient level of mastery of the material, a significant number of significant errors.
	Min 0	Unsatisfactory level of assimilation of the material.
Tests / colloquium	Max 15	Deep knowledge of the problems related to the topic, fluency in the material, ability to think independently and creatively, find, generalize, analyze the material, draw independent theoretical and practical conclusions.
	12	The main provisions of the topic are revealed, but there are some inaccuracies in teaching the material, theoretical concepts are not sufficiently supported by actual data.
	10	The main provisions of the topic are disclosed, but some issues are incompletely covered. The student has a good command of the material, but lacks creativity and independence in research.
	8	Satisfactory results of processing the material, a certain number of minor errors are possible.
	6	Satisfactory level of assimilation of the material, a significant number of errors.
Assessment of individual work	Max 20	The work is designed in accordance with the requirements of the department. The work does not contain methodological errors, there are references to sources and own conclusions. In the defense, in-depth knowledge of the topic is demonstrated, as well as proof of conclusions, positions, classifications, etc.
	15	The work is designed in accordance with the requirements of the department. The work contains minor methodological errors, there are references to sources, there are own conclusions. During the defense, sufficient knowledge of the topic is demonstrated, as well as proof of conclusions, positions, classifications, etc.
	10	The work is designed in accordance with the requirements of the department, but with minor errors. The work contains methodological and content errors, there are references to sources, there are own conclusions. During the defense, sufficient knowledge of the topic was demonstrated, but there were problems with the argumentation of individual concepts and judgments in the work, the proof of conclusions.
	8	The work was prepared with errors and violations of cathedral requirements regarding the form of work.

		<p>The work contains methodological and substantive errors, an insufficient number of sources were used to substantiate the research and conclusions.</p> <p>During the defense, there were difficulties in revealing the content of the topic, presenting arguments regarding individual provisions of the work and the validity and provenance of the conclusions.</p>
	<p>Min 0</p>	<p>The work is improperly designed, without references to sources, and contains methodological errors.</p> <p>During the defense, the author of the work cannot demonstrate knowledge of the chosen topic, provide arguments for concepts and perform information analysis.</p> <p>The work was performed in violation of the requirements of academic integrity.</p>

7. Pedagogic control of full-time / part-time students

Scale of final pedagogic control

Grade according to ECTS	Description	Grade under national system of assessment	Grade under 100-grades scale of the YMNLU
A	Excellent - Excellent execution, with only a small number of errors	passed	90 – 100
B	Very good - above average with a few errors		80 – 89
C	Good - generally correct work with a number of minor errors		75 – 79
D	Satisfactory - not bad, but with a significant number of shortcomings		70 – 74
E	Sufficient – performance meets minimum criteria		60 – 69
FX	Unsatisfactory - work needs to be done before rewriting	failed	35 – 59
F	Unsatisfactory - serious further work is required, a mandatory repeat course		0 – 34

8. Educational, methodical and information support of the educational discipline

Normative legal acts

1. Constitution of Ukraine. Adopted at the fifth session of the Verkhovna Rada of Ukraine on June 28, 1996 // Official Gazette of Ukraine. - 2010. - No. 72 /1. - Art. 2598 // URL: <http://zakon2.rada.gov.ua/laws/show/254k/96-вp>.

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3. The first protocol dated March 20, 1952. // URL: https://zakon.rada.gov.ua/laws/show/994_535#Text

4. Protocol No. 2 of May 6, 1963. // URL: https://zakon.rada.gov.ua/laws/show/994_854#Text

5. Protocol No. 4 of September 16, 1963. // URL: https://zakon.rada.gov.ua/laws/show/994_059#Text

6. Protocol No. 6 of April 28, 1983. // URL: https://zakon.rada.gov.ua/laws/show/994_802#Text

7. Protocol No. 7 of November 22, 1984. // URL: https://zakon.rada.gov.ua/laws/show/994_804#Text

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9. Protocol No. 10 of March 25, 1992. // URL: https://zakon.rada.gov.ua/laws/show/994_171#Text

10. Protocol No. 12 of November 4, 2000. // URL: https://zakon.rada.gov.ua/laws/show/994_537#Text

11. Protocol No. 13 dated May 3, 2001. // URL: https://zakon.rada.gov.ua/laws/show/994_180#Text

12. Protocol No. 14 dated May 13, 2004. // URL: https://zakon.rada.gov.ua/laws/show/994_939#Text

13. Protocol No. 14-bis dated May 27, 2004. // URL: https://zakon.rada.gov.ua/laws/show/994_939#Text

14. Protocol No. 15 of June 24, 2013. // URL: https://zakon.rada.gov.ua/laws/show/994_001-13#n2

15. Protocol No. 16 of October 2, 2013. // URL: https://zakon.rada.gov.ua/laws/show/994_002-13#n2

16. European Agreement on Persons Taking Part in the Process of the European Court of Human Rights of March 5, 1996 // URL:

http://zakon5.rada.gov.ua/laws/show/994_324.

17. Regulations of the European Court of Human Rights. 2021. // URL: https://www.echr.coe.int/Documents/Rules_Court_ENG.pdf

18. Law of Ukraine "On Implementation of Decisions and Application of Practice of the European Court of Human Rights" dated February 23, 2006. // URL: <https://zakon.rada.gov.ua/laws/show/3477-15#Text>

19. On ensuring the rights and freedoms of internally displaced persons: Law of Ukraine of October 20, 2014 No. 1706-VII // Official Gazette of Ukraine. – 2014. – No. 94. – Art. 2709 // URL: <http://zakon4.rada.gov.ua/laws/show/1207-vii>

20. On ensuring the rights and freedoms of citizens and the legal regime in the temporarily occupied territory of Ukraine: Law of Ukraine dated April 15, 2014 No. 1207-VII (as amended on March 4, 2015) // Official Gazette of Ukraine. – 2014. – No. 36. – Art. 957 // URL: <http://zakon4.rada.gov.ua/laws/show/1207-vii>

21. About the Human Rights Commissioner of the Verkhovna Rada of Ukraine: Law of Ukraine dated December 23, 1997 No. 776/97–VR // Bulletin of the Verkhovna Rada of Ukraine. – 1998. – No. 20. – Art. 99 // URL: <http://zakon2.rada.gov.ua/laws/show/776/97-%D0%B2%D1%80>

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23. Practical guide on admissibility of applications. Council of Europe / European Court of Human Rights. Strasbourg, 2014. // URL: https://www.echr.coe.int/Documents/Admissibility_guide_UKR.pdf

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26. Practical guide on the admissibility of applications. Council of Europe / European Court of Human Rights. Strasbourg, 2014. // URL: https://www.echr.coe.int/Documents/Admissibility_guide_UKR.pdf

Literature

Basic literature

1. Theory and practice of application of the Convention on the Protection of Human Rights and Fundamental Freedoms: compendium / [O. V. Serdyuk, Yu. V. Shchokin, I. V. Yakovyuk, etc.]; in general ed. O. V. Serdyuk, I. V. Yakovyuk. – 2nd ed., supplement. - Kharkiv: Pravo, 2019. - 404 p.

2. Convention on the Protection of Human Rights and Fundamental Freedoms (in questions and answers) study guide/[O.V. Serdyuk, O. Ya. Tragnyuk, I. V. Yakovyuk, etc.]; in general ed. I.V. Yakovyuk - Kind. 2nd, ex. - Kharkiv: Pravo, 2020. - 126 p.

3. Dudash T. I. Practice of the European Court of Human Rights: training. manual / T. I. Dudash. – 3rd ed., stereotypical. - K.: Alerta, 2016. - 488 p.

4. Dudash T.I. Practice of the European Court of Human Rights: training. manual - K.: Alerta, 2016. - 413 p.

5. Prohibition of torture: practice of the European Court of Human Rights, international normative acts and legislation of Ukraine. Scientific and practical manual: edited by doctor of law A. V. Stolitnyi and Candidate of Sciences law Sciences S. V. Shmaleni. - Kyiv: Norma Prava, 2019. - 819 p.

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10. Razmetayeva, Yuliya Serhiivna. The doctrine and practice of human rights protection: a study guide / Yu. S. Razmetaeva. - Kyiv: FOP Golembovska O.O., 2018. - 364 p

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12. Harris, O'Boyle, and Warbrick: Law of the European Convention on Human Rights (5th edn), Oxford University Press, 2023, 1088 p.

13. Jacobs, White, and Ovey: The European Convention on Human Rights (8th edn), Oxford University Press, 2021, 792 p.

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1. Bakumov, O. S. Legal positions of the European Court of Human Rights regarding the right to free elections: controversial issues of practice. Bulletin of the National Academy of Legal Sciences of Ukraine. 2016. No. 3 (86). P. 183-193.

2. Butkevich, V. The European Convention on Human Rights and Fundamental Freedoms: the genesis of intentions and rights. Law of Ukraine. 2010. No. 10: 60 years of the Convention on the Protection of Human Rights and Fundamental Freedoms. P. 60-88. Genevieve Mayer. Regarding the role of the judicial system in the implementation of decisions of the European Court of Human Rights at the national level. Bulletin of the Supreme Court of Ukraine. 2017. No. 6 (202). P. 45-48.

3. Gudyma D. A. The principle of legality of restriction of physical freedom in the practice of the European Court of Human Rights. Bulletin of the National Academy of Legal Sciences of Ukraine. 2016. No. 3. P. 128-140.

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Internet resources:

1. Council of Europe // URL: Council of Europe (coe.int)
2. European Court of Human Rights // URL: European Court of Human Rights - ECHR, CEDH, news, information, press releases (coe.int)
3. HUDOC database // URL: <http://hudoc.echr.coe.int/>
4. Knowledge Exchange Platform (ECHR-KS) // URL: <https://ks.echr.coe.int/web/echr-ks/home>
5. European Human Rights Education Platform for Lawyers (HELP) // URL: Council of Europe HELP (coe.int)
6. European Court of Human Rights Commissioner // URL: <https://minjust.gov.ua/m/uryadoviy-upovnovajeniy-u-spravah-evropeyskogo-suduz-prav-lyudini>
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8. Information based on annual reports of the ECHR. // URL: https://minjust.gov.ua/cat_9329

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Standardized electronic educational and methodological complex of the Department of Law of the European Union. URL: <https://library.nlu.edu.ua/senmk/item/964-yevropeiska-konventsii-po-zakhystu-prav-liudyny.html>

Open access to the online resources of Oxford University Press, to the information and legal systems LIGA:LAW (the GRAND system and the VERDICTUM judgment analysis system).

Access is possible in the legal information hall of the Educational Library Complex (84-A Pushkinska St., 3rd floor).