

Subject card

Subject name and code	European human rights standards - lecture, PG_00134402						
Field of study	Criminology						
Date of commencement of studies	October 2024	Academic year of realisation of subject			2026/2027		
Education level	undergraduate studies	Subject group			Optional subject group		
Mode of study	part-time studies	Mode of delivery			at the university		
Year of study	3	Language of instruction			Polish Polish		
Semester of study	5	ECTS credits			1.0		
Learning profile	academic	Assessment form					
Conducting unit	Faculty of Law and Administration						
Name and surname of lecturer (lecturers)	Subject supervisor		dr Maciej Fingas				
	Teachers						
Lesson types	Lesson type	Lecture	Tutorial	Laboratory	Project	Seminar	SUM
	Number of study hours	10.0	0.0	0.0	0.0	0.0	10
	E-learning hours included: 0.0						
Learning activity and number of study hours	Learning activity	Participation in didactic classes included in study plan	Participation in consultation hours	Self-study	SUM		
	Number of study hours	10	0.0	15.0	25		
Subject objectives	The aim is to gain the necessary knowledge about the human rights standards in force in Europe and their importance in the national, integrated legal system.						
Learning outcomes	Course outcome		Subject outcome		Method of verification		
	[KRYML3_UW01] The graduate can observe and interpret social phenomena, analyzes their relations with various areas of criminology.		Is able to observe and interpret social phenomena in the field of the development of human rights.		[SU4] test/exam - oral or written		
	[KRYML3_WG01] The graduate demonstrates fundamental knowledge of the nature of legal disciplines and crime, their place in the system of sciences and their mutual relations.		Has elementary knowledge of human rights.		[SW4] test/exam - oral or written		
	[KRYML3_KK01] The graduate is aware of the level of his/her knowledge and skills and understands the need for lifelong learning.		Is aware of the level of his/her knowledge of European human rights standards.		[SK4] test/exam - oral or written		

Subject contents	<p>1. Introductory characteristics of human rights protection in Europe. Protection of human rights within European regional organizations: Council of Europe, European Union, OSCE. 2. Principles and scope of human rights protection in Europe. ECHR in the European legal space, ECHR and Polish law Obligation to respect human rights, principle of subsidiarity, principle of effectiveness, dynamic interpretation of the Convention, principle of consensus, autonomous interpretation, principle of proportionality and fair balance, margin of appreciation doctrine, concept of positive obligations, limitations of rights 3. Characteristics of selected human rights with particular emphasis on criminal law issues. Freedom of expression, right to privacy, right to personal liberty and security, freedom of assembly and association, rights related to the administration of justice. 4. The ECHR control mechanism: jurisdiction of the European Court of Human Rights: scope of state responsibility, the concept of a victim of a violation of the Convention, personal, substantive and temporal jurisdiction, the issue of the extraterritorial scope of application of the ECHR, individual application: conditions of admissibility, inter-state application, proceedings before the Strasbourg Court, enforcement of ECHR judgments. 5. The European Convention on Human Rights and the Charter of Fundamental Rights. The issue of EU accession to the ECHR.</p>								
Prerequisites and co-requisites									
Assessment methods and criteria	<table border="1"> <thead> <tr> <th data-bbox="453 687 790 719">Subject passing criteria</th> <th data-bbox="794 687 1141 719">Passing threshold</th> <th data-bbox="1145 687 1492 719">Percentage of the final grade</th> </tr> </thead> <tbody> <tr> <td data-bbox="453 725 790 824">The grading method is in accordance with the percentage scale specified in the Study Regulations.</td> <td data-bbox="794 725 1141 824">51.0%</td> <td data-bbox="1145 725 1492 824">100.0%</td> </tr> </tbody> </table>	Subject passing criteria	Passing threshold	Percentage of the final grade	The grading method is in accordance with the percentage scale specified in the Study Regulations.	51.0%	100.0%		
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Recommended reading	Basic literature	L. Garlicki (ed.), Convention for the Protection of Human Rights and Fundamental Freedoms, Volume I, Warsaw 2010, M.A. Nowicki, Around the European Convention. Commentary to the European Convention on Human Rights, ed. V, Warsaw 2010							
	Supplementary literature	<p>L. Garlicki, Local values and supranational case law - "cultural margin of assessment", European Court Review, no. 4/2008; C. Mik, Theory of positive obligations of states-parties to treaties in the field of human rights (based on the example of the European Convention on Human Rights), (in:) C. Mik et al. (eds.), Jubilee Book of Professor Tadeusz Jasudowicz, Toruń 2004, pp. 257-276; C. Kamiński, Extraterritorial application of the European Convention on Human Rights, [in:] J. Menkes (ed.), International law. Memorial book of professor Renata Szafarz, Warsaw 2007, pp. 208 et seq.; M. Kowalski, First advisory opinion of the European Court of Human Rights, European Court Review 7/2008, pp. 49 et seq.; M. Kowalski, Efficiency or omnipotence - remarks on the interpretation and application of the European Convention on Human Rights on the example of the guarantees of Article 8 [in:] J. Menkes (ed.), International law. A commemorative book of prof. Renata Szafarz, Warsaw 2007, pp. 294 et seq.; Michał Matyasik, The influence of selected case law of the European Court of Human Rights on the Polish legal order, (in:) I. Gluszyńska, K. Lankosz (eds.), The Council of Europe - 60 years for European unity, Bielsko-Biała 2008, pp. 129-135; Agnieszka Szklanna, Control of the execution of judgments of the European Court of Human Rights by the Committee of Ministers - evolution, procedure and current status, (in:) H. Machińska (ed.), 60 years of the Council of Europe. Creation and application of legal standards, Warsaw 2009, pp. 247-266; B. Latos, Derogation and limitation clause in the European Convention on Human Rights for the Protection of Human Rights and Fundamental Freedoms, Warsaw 2008; A. Wiśniewski, The concept of the margin of appreciation in the case law of the European Court of Human Rights, University of Gdańsk Foundation Publishing House, Gdańsk 2008; A. Wiśniewski, Problems of interpretation of the European Convention on Human Rights, Gdańskie Studia Prawnicze XXVI, Gdańsk 2011</p>							
	eResources addresses	Adresy na platformie eNauczanie:							
Example issues/ example questions/ tasks being completed	Describe the method of filing complaints with the European Court of Human Rights Describe the significance of the European Convention on Human Rights for the national legal order								
Work placement	Not applicable								

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