

Irish Centre for Human Rights, University of Galway

**European Convention on Human Rights: Law and Politics
LW5120**

2024-2025 Course Outline

Objective	<p>This module gives students a solid grounding in the normative framework of the European Convention on Human Rights, as it has been elaborated by the European Court of Human Rights in its caselaw. In addition to studying the Strasbourg Court's basic doctrine under a wide range of Convention articles, we will examine areas of doctrinal tension and expansion including through comparison with other human rights treaty bodies' approaches to similar provisions of law. We will also explore a range of issues, mechanisms and practices affecting the influence of the Convention and the Court on European legal and political systems.</p>						
Lecturer	<table><thead><tr><th>Name</th><th>Office Hours</th><th>E-mail</th></tr></thead><tbody><tr><td>Dr. Maeve O'Rourke</td><td>Email for appointment</td><td>maeve.orourke@nui-galway.ie</td></tr></tbody></table>	Name	Office Hours	E-mail	Dr. Maeve O'Rourke	Email for appointment	maeve.orourke@nui-galway.ie
Name	Office Hours	E-mail					
Dr. Maeve O'Rourke	Email for appointment	maeve.orourke@nui-galway.ie					
Learning Outcomes	<p>On successful completion of this module students will have:</p> <ul style="list-style-type: none">• Researched and discussed the procedures of the European Court of Human Rights (ECtHR);• Read, summarised the key facts and legal findings of, and critically appraised case law relating to numerous articles of the European Convention on Human Rights (ECHR);• Demonstrated a clear understanding of the key underpinning principles, and the doctrinal development in a range of areas, of ECHR law; and• Communicated their critical analysis of the current position of ECHR law as it relates to an issue or set of issues arising in one or more European jurisdictions.						
Timetable & Venue	<p>Semester 1 Weeks 2-9: Mondays 11am – 2pm Venue: ICHR Seminar Room</p>						
Workload	<p>250 hours in total (10 ECTS)</p>						
Programme(s)	<p>All LLM programmes at the School of Law, University of Galway.</p>						
Course Material	<p>Course materials will be available on Canvas and through the University of Galway Library. Required reading will be posted a week in advance of each seminar.</p>						

Core texts

William A Schabas, *The European Convention on Human Rights: A Commentary* (OUP 2015), **available online:**
https://search.library.nuigalway.ie/permalink/f/3b1kce/TN_cdi_a_skewshots_vlebooks_9780191066771

Jacobs, White and Ovey, *The European Convention on Human Rights* (8th edn, OUP 2020)

Harris, O'Boyle and Warbrick, *Law of the European Convention on Human Rights* (5th edn, OUP 2023)

The European Court of Human Rights' case-law guides are another extremely useful resource:

<https://www.echr.coe.int/Pages/home.aspx?p=caselaw/analyses/guides&c=#>

Other useful texts

Janneke Gerards, *General Principles of the European Convention on Human Rights* (CUP 2019), **available online:**
https://search.library.nuigalway.ie/permalink/f/1pmb9lf/353GAL_ALMA_DS51140097840003626

Jonas Christoffersen, Mikael Rask Madsen, *The European Court of Human Rights between Law and Politics* (OUP 2013)

Janis, Kay & Bradley, *European Human Rights Law: Text & Materials* (3rd Edition) (OUP 2008)

Merrills, *The Development of International Law by the European Court of Human Rights* (Manchester University Press, 1993)

A. Mowbray, *Cases and Materials on the European Convention on Human Rights* (OUP 2012)

See also the Council of Europe's human rights handbooks:
<https://www.coe.int/en/web/human-rights-rule-of-law/human-rights-handbooks>

Useful Web Addresses:

European Court of Human Rights Home Page:
<http://www.echr.coe.int>

European Court of Human Rights HUDOC case search page:
[https://hudoc.echr.coe.int/eng#{"documentcollectionid2":\["GRANDCHAMBER","CHAMBER"\]}](https://hudoc.echr.coe.int/eng#{)

Recent decisions by the European Court are available by accessing HUDOC. Please note, the easiest way to do a text search through HUDOC is to list the respondent (state) and by the main article involved, and then to search by date or

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	alphabetically. The system does not always respond if you list the title so make sure to try a few ways.
Assessment	This module is assessed by way of a 5,000 word essay (including footnotes, excluding bibliography) for which a choice of titles will be provided periodically as the term progresses. The essay submission date and instructions are set out in the 'Guidelines for LLM students'.

Indicative seminar outline

Week 1: Context, background and institutions; proceedings before the Court

Week 2: Principles of interpretation; scope of the Convention; reservations and derogations

Week 3: Articles 6 and 9

Week 4: Articles 2 and 3

Week 5: Articles 3 and 8

Week 6: Articles 5 and 8

Week 7: Articles 10 and 14

Week 8: Current Issues

Please note: The above schedule is indicative only and the module will include guest contributions on topical issues.