



NATIONAL UNIVERSITY HANOI
SCHOOL OF LAW

COURSE SYLLABUS
Đề cương môn học

**MASTER
PROGRAMME
ON HUMAN
RIGHTS
LAWS**

**Thạc sỹ Pháp
Luật về Quyền
con người**

Class

2011-2013

CAL 6011

*National Human Rights Laws and
Mechanisms*

**Pháp luật và cơ chế quốc
gia về quyền con người**

With the support of

*Norwegian Center for Human Rights of
University of Oslo*



NỘI DUNG MÔN HỌC/ COURSE SYLLABUS

Mã/Code Elective	*CAL 6011 - Môn lựa chọn
Tên Course title	Pháp luật và cơ chế quốc gia về quyền con người National Human Rights Laws and Mechanisms
Số tín chỉ/# of credits	2
Số thời gian lên lớp / Lecturing hours	14-15 June/ 25-27 June 4 teaching sessions @ 3 hours = 12 teaching hours 6 seminar sessions @ 2 hours= 12 seminar hours
Tên giảng viên dự kiến Name of course instructors/lecturers	1. Dr. Sriprapha Petcharamesree – Mahidol University 2. TS Vu Cong Giao –Khoa Luật ĐHQG HN 3. Camilla Buzzi - Mahidol University (Thailand). 4. NCS La Khanh Tung 5. NCS Ngo Huong
Language conduct	English with Vietnamese Assistance

1. Course objective

The course aims to build knowledge of students on development history, structure and operations of national HR mechanisms and institutions. The student gain deep knowledge about national laws that protect and promote HR of some countries in the world.

2. Course content summary

1. Relationship of national mechanism and international and regional mechanism on HR
2. Role of national laws with protection, implementation and promotion of HR
3. Institutions on HR and citizen's rights in the Constitutions of some countries
4. Elements to build National HR institution: Parliament, Court, Government, Civil Society
5. Examples of national HR institution in some countries

3. Criteria for Evaluation and Exam:

One paper (hand-in in Vietnamese or English)	20 %
Class Participation and	15 %
Group Assignment/Presentation	15 %
Final exam	50 %.

Mid term paper:

The paper will be two academic paper in English of around 1500-2000 words, of publishable standard (this means a critical analytical paper. The paper topic is “.....”).

Group assignment:**COURSE DETAILS**

STT	Ngày	Nội dung chuyên đề/Lecture title	Giảng viên
	Date & Time		Lecturer
1	14/6 13:00 – 16:00	Lecture 1: National Human Rights Institutions and Paris principles	Dr Sriprapha Petcharamesree – Mahidol University (Thailand)
2	14/6 17:00 – 20:00	Lecture 2: Roles of NHRIs and other actors	Dr Sriprapha Petcharamesree – Mahidol University (Thailand)
3	15/6 9:00 – 12:00	Lecture 3: Assessing NHRIs in SEA (Malaysia, Indonesia, Cambodia)	Dr Sriprapha Petcharamesree – Mahidol University (Thailand)

4	15 /6 13:00 – 16:00	Lecture 4: Assessing NHRIs in SEA (Thailand, Myanmar)	Dr Sriprapha Petcharamesree – Mahidol University (Thailand)
5	10/7 13:00 – 16:00	Seminar 1: HR in context: Case of Indonesia and Philipin/ Vai trò và hoạt động của Xã hội dân sự về lĩnh vực quyền con người trong khu vực ASEAN	Camilla Buzzi - Mahidol University (Thailand)
6	10/7 17:00 – 20:00	Seminar 2: HR in context: Case of Myanmar/ Quyền con người ở Thái land, Indonesia và Myanmar. Thể chế quốc gia về quyền con người của Myanmar	Camilla Buzzi - Mahidol University (Thailand)
7	tbd	Seminar 3: Relationships between international regional and national human rights systems – Role of OHCHR	OHCHR
8	tbd	Seminar 4: UPR process in Vietnam	OHCHR
9	19/6 17:00-19:00	Seminar 5: Human rights and Election Bầu cử và nhân quyền	Dr. Vu Cong Giao
10	20/6 17:00-19:00	Seminar 6: Freedom of information Quyền tự do thông tin	Dr. Vu Cong Giao + Ngo Huong

Students are required to do a group work (of three students of 5 groups). Each Group will be choosing to work on NHRIs of one country namely Indonesia, Malaysia, Myanmar, Philippines, Thailand and present in the class. Each will look at the statute of NHRIs as well as how mechanism(s) function. Each student is required to read Paris Principles.

Readings

- Burdekin, Brian, National Human Rights Institutions in the Asia-Pacific Region, The RWI Human Rights Library, Martinus Nijhoff Publishers, 2007
- Butler, Frances, (ed.), Human Rights protection : Methods and Effectiveness, Kluwer Law International, 2002, (Chapters 1-2)

- Heyns, Christof, and Frans Viljoen, The Impact of the United Nations Human Rights Treaties on the Domestic Level, Kluwer Law International, The Hague, 2002
- Working Group for an ASEAN Human Rights Mechanism, National Human Rights Institutions in the Asia-Pacific : A Source Book, Human Rights Centre, Ateneo de Manila University, Manila, 2001.

Reading materials

Compulsory readings

1. Kỷ yếu Hội thảo về “Cơ quan quốc gia về bảo vệ và thúc đẩy quyền con người” – Khoa Luật, Đại học Quốc gia Hà Nội, tháng 12 năm 2009.
2. Alice Tay, Ủy ban nhân quyền và các cơ hội bình đẳng Australia, Thông tin quyền con người (TT Nghiên cứu Quyền con người – HVCTQGHCM), Số 2/2001
3. Amrei Müller, Frauke Seidensticker, *The Role of National Human Rights Institution in the UN Treaty Body Process*, German Institute for Human Rights, 2007 (tại <http://www.nhri.net/default>)
4. OHCHR, *Survey on NHRIs: Report on the findings and recommendation of a questionnaire addressed to NHRIs worldwide*, Geneva, July 2009 (tại <http://www.ohchr.org/EN/Countries/NHRI/Pages/NHRIMain.aspx>).
5. *Paris Principles on National institutions for the promotion and protection of human rights* (tại <http://www.ohchr.org/EN/Countries/NHRI/Pages/NHRIMain.aspx>)
6. GA Resolution A/RES/48/134, 85th plenary meeting, 20 December 1993 (tại <http://www.ohchr.org/EN/Countries/NHRI/Pages/NHRIMain.aspx>)
7. Amnesty International's recommendations for effective protection and promotion of human rights, AI INDEX: IOR 40/007/2001 1 October 2001 (tại <http://www.ohchr.org/EN/Countries/NHRI/Pages/NHRIMain.aspx>)
8. The Commission on Human Rights' Resolution 2005/74, on National institutions for the promotion and protection of human rights (tại <http://www.ohchr.org/EN/Countries/NHRI/Pages/NHRIMain.aspx>)
9. Human Rights Council resolution 5/1 of 18 June 2007 on ‘United Nations Human Rights Council: Institution-Building’ (tại <http://www.ohchr.org/EN/Countries/NHRI/Pages/NHRIMain.aspx>)
10. National Human Rights Institutions - Amnesty International's recommendations for effective protection and promotion of human rights (PDF October 2001) (tại <http://www.nhri.net/default>)
11. National Human Rights Institutions - Best Practice,(2001) Commonwealth Secretariat (tại <http://www.nhri.net/default>)
12. National Human Rights Institutions - A Handbook on the establishment and Strengthening of National Institutions for the Promotion and Protection of

- Human Rights, Professional Training Series No. 4, [United Nations](http://www.nhri.net/default), 1995 (tại <http://www.nhri.net/default>)
13. National Human Rights Institutions, Articles and working papers, Input to the discussions of the establishment and development of the functions of national human rights institutions, Birgit Lindsnaes, Lone Lindholt, Kristine Yigen (eds.), [The Danish Centre for Human Rights](http://www.nhri.net/default), ISBN: 87-90744-18-7 (tại <http://www.nhri.net/default>)
 14. National Human Rights Institutions in the Asia-Pacific: A Source Book, , Chiongson, Rea A., Sembrano, Gilbert V, and Patricia-Provido, Dehlma,(eds.),(2001), [Working Group for an ASEAN Human Rights Mechanism, the Philippines](http://www.nhri.net/default), ISBN: 971-8899-09-X (tại <http://www.nhri.net/default>)
 15. National Ombudsmen: Collocation of legislation from 27 countries,(September 1998), [Commissioner for Civil Rights Protection of Poland, Warsaw](http://www.nhri.net/default). (tại <http://www.nhri.net/default>)
 16. Performance & legitimacy: national human rights institutions, [International Council on Human Rights Policy](http://www.nhri.net/default), 2000 (tại <http://www.nhri.net/default>)
 17. *National Human Rights Institutions*, Professional Training Series No.4, Centre For Human Rights, Geneva, 1995
 18. United Nations, *National Human Rights Institutions: A Handbook for the Establishment and Strengthening of National Institutions for the Promotion and Protection of Human Rights* (<http://www.ohchr.org/Documents/Publications/training4en.pdf>).
 19. Asia Pacific Forum of National Human Rights Institutions (APF) (thành lập năm 1996): <http://www.asiapacificforum.net/>.

Additional readings;

20. Nguyễn Đăng Dung (Chủ biên), *Giáo trình Luật hiến pháp của các nước tư bản*, NXB Đại học quốc gia HN, 1997
21. Thái Vĩnh Thắng (Chủ biên), *Giáo trình Luật hiến pháp nước ngoài*, NXB CAND, 1999
22. *Tuyển tập Hiến pháp của một số nước trên thế giới*, Văn phòng Quốc hội, NXB Thống kê, 2009
23. *Hiến pháp của CHND Trung Hoa*, Đại học Luật Hà Nội, NXB CAND, 2009
24. *Hiến pháp 1987 của Philippin*, Đại học Luật Hà Nội, NXB CAND, 2009
25. Bùi Ngọc Sơn, *Bảo hiến ở Việt Nam*, NXB Tư pháp, 2006
26. United Nations, *Fact sheet 19: National Human Rights Institutions*.
27. Human Rights Council, *Performance & Legitimacy: National Human Rights Institutions* (Thực tiễn và tính chính đáng: Cơ quan quyền con người quốc gia).
28. Human Rights Council, *Assessing the Effectiveness of National Human Rights Institutions* (Đánh giá hiệu quả của Cơ quan quyền con người quốc gia).
29. Birgit Lindsnaes, Lone Lindholt, Kristine Yigen (edited), *National Human Rights Institutions articles and working papers – Input to the discussions on the establishment and development of the functions of national human rights institutions*, Danish Centre for Human Rights, 2001.

30. ANNI, *Report on the Performance and Establishment of National Human Rights Institutions in Asia*, 2008.