

Course title	International Human Rights Law				
Responsible person to enter grades	ABE Kie		開講区分	単位数	
			1st semester	2.0	
Numbering Code		Day・Period, etc.	Wed2(対面)	Timetable Slot Code	1J395

#### Lesson topic

The theme of this course is international human rights law, a branch of public international law. International human rights law generally refers to a body of legal norms established to address human rights issues and achieve effective protection of human rights.

"Non-citizens" refers to individuals residing within a state's territory who do not possess the nationality of that state. In contemporary legal discourse, certain human rights are regarded as being restricted or not equally guaranteed to non-citizens. A close reading of the International Covenant on Civil and Political Rights (ICCPR), for instance, reveals a distinction between the terms "all persons" or "everyone" and "every citizen." This seems to contradict the definition of human rights as inherent and universal to all human beings. This fact reflects the gap between the ideal of universal human rights protection and the reality that states, as divided sovereign entities, are the primary actors responsible for their implementation.

A critical contemporary issue is the scope and application of the right to liberty of movement and freedom to choose one's residence for aliens. Under international law, states are sovereign and entitled to control their borders and execute expulsions, including return and forced deportation, unless they have accepted specific international legal obligations to the contrary. This state power is subject to constraints, while these limitations have grown more complicated. Distinction between 'refugees' and 'migrants' and diverse motivations behind modern migration continue to shape the international legal regulation.

#### Lesson target

In the last of this semester, students can:

- Accurately describe international legal norms and institutions for human rights protection.
- Understand current international legal frameworks for the protection of migrants, refugees, and asylum seekers, including their underlying rationales and inherent limits.
- Develop and articulate your own perspective on these issues and effectively communicate it to others.

## Syllabus and plan

This course will be conducted in a seminar-style class, consisting of two parts: lectures and student presentations.

In the first few weeks, the instructor will deliver lectures. During this period, all students will read the assigned materials, and discussions between the instructor and students will help deepen their understanding of the content. In the final week of lectures, students will be required to submit a short paper.

For student presentations, each presenter will summarize their assigned readings, identify key questions, and lead discussions on the legal issues addressed by the author. In some weeks, students will also be required to provide a brief introduction and legal analysis of selected court decisions or recommendations of international human rights bodies.

### Week 1

Introduction of this course and orientation

### Week 2

Lecture: The basic structure of public international law and international environmental law

### Week 3

Lecture: What are principles of international environmental law and their roles?

### Week 4

Lecture: Development of Principle of prevention and its implications

### Week 5-15

Students Presentations

Depending on the number of class registration, presentations may be conducted in groups instead of individually.

### Evaluation method

The students will be evaluated based on: participation and contribution to discussions(40%); short paper (20%); individual or group presentations of the assigned materials(40%).

There will be neither final examination nor term paper.

### Evaluation baseline

Participation and contribution to discussions will be evaluated based on the quality of questions and comments in an academic manner. Students are expected to actively listen, accurately understand others' perspectives, and offer insights that stimulate further discussion.

The short paper will be assessed based on the student's understanding of the principles and practices of international human rights law.

Individual or group presentations will be evaluated on the depth of additional research, as well as the logical and critical analysis of the assigned materials from multiple perspectives.

### Notice (include info. on related class)

Students are expected to be familiar with the basic concepts of international law, such as sources of international law, concept of state sovereignty, and state responsibility. If you have never learned public international law so far, please read an introductory textbook before the semester starts.

This course is open not only to GSICS students, but also to students in KIMAP (Kobe LL.M.).

In addition, students are strongly encouraged to take other courses of international law, including "Introduction to International Cooperation Law" and "International Law for Sustainable Development (KIMAP)."

#### Review and preparation

Students are expected to read the assigned reading materials prior to attending each class and be prepared for discussions. If you have questions or find any points you cannot understand clearly in preparation, it will be beneficial to consider why and/or how you cannot grasp them. After each class, reviewing whole discussion in the class and revisiting the questions and uncertain points you have are helpful.

Kobe University requires 45 hours of study from students to award one credit, including both in-class instructions as well as study outside classes. Students are required to prepare for each class and complete the review after each class, depending on the respective class goals.

#### Office hour · Contact information

Please make an appointment.

#### Message for student

Contemporary society is filled with contentious issues, to which answers cannot be given easily. When it comes to such issues, no one can teach you or determine instead of you the "correct" answer for society as a whole—you must think critically and develop your own perspectives. Through the practice of engaging with difficult questions rather than avoiding them, I encourage you to experience both the necessity and the excitement of tackling these controversial topics.

#### Improvements in Teaching

#### Text

Reading materials will be provided through the course page which will be made available through BEEF+.

#### Reference Material

The law of international human rights protection 2nd edition / Walter Kälin and Jörg Künzli : Oxford University Press ,2019 ,ISBN:9780198825692

International Migration Law / Vincent Chetail : Oxford University Press ,2019 ,ISBN: 9780199668267

Elgar Concise Encyclopedia of Migration and Asylum Law / Vincent Chetail et al : Edward Elgar ,2025

#### Classroom Language

English

#### Keywords

International law, human rights, non-citizens, migration, refugees, migrants