



MASARYK UNIVERSITY FACULTY OF LAW

English I.4

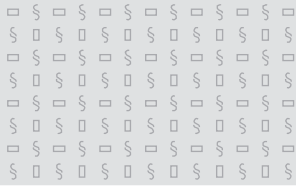
Public International Law and Human Rights





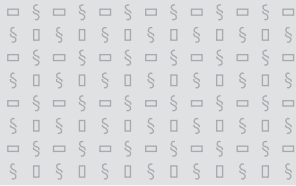
HW: Powell U18

Czech	English
přípitek	toast
dodržovat lidská práva	observe human rights
propuštění vězňů	release of prisoners
zrušení trestu smrti	abolition of the death penalty
cenzura	ensorship
podat stížnost	bring a complaint
bezdůvodné způsobení tělesného a psychického utrpení	wanton infliction of physical and mental suffering



Discuss the following questions:

1. Who are the prisoners of conscience?
2. What was the reason for their imprisonment?
3. What is the main task of Amnesty International?
4. How does Amnesty International help?
5. Is it necessary to make people become aware of the concept of human rights?
6. Do human rights go beyond the laws of one country?
7. Is there a difference between constitutional rights of citizens and human rights?



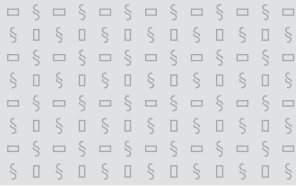
Find the synonyms in the text for the following :

- to go beyond the range or outside the range of stg.
 - **transcend**
- not to satisfy
 - **fail to meet**
- to declare without proof
 - **allege**
- to lay or place
 - **impose**
- to limit
 - **restrict**



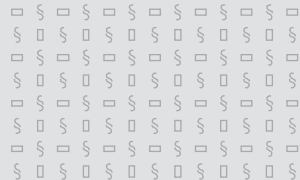
Word formation - complete the table:

- | | |
|-----------------|------------------|
| 1. transcend | 1. transcendence |
| 2. fail to meet | 2. failure |
| 3. allege | 3. allegation |
| 4. impose | 4. imposition |
| 5. restrict | 5. restriction |
| 6. criticise | 6. criticism |
| 7. violate | 7. violation |
| 8. sanction | 8. sanction |
| 9. intervene | 9. intervention |
| 10. cite | 10. citation |



Discuss the following questions:

1. What does China emphasize more than respecting human rights?
 - **economic security and community solidarity**
2. What do some Islamic states defend in order to ensure a safe society?
 - **practices found in their religion - veiling of women, cutting off the hands of thieves**



Abbreviations

■ UDHR

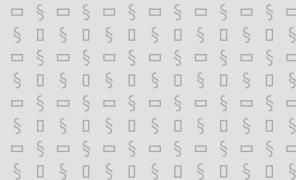
- Universal Declaration of Human Rights
- Všeobecná deklarace lidských práv

■ ICCPR

- International Covenant on Civil and Political Rights
- Mezinárodní pakt o občanských a politických právech

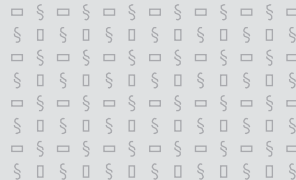
■ ECHR

- European Convention on Human Rights
- Úmluva o ochraně lidských práv a základních svobod,
(Evropská úmluva o lidských právech)



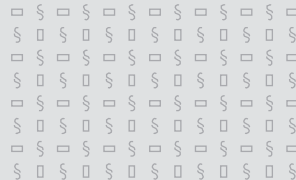
UDHR

- Všichni lidé rodí se svobodní a sobě rovní co do důstojnosti a práv ...
 - All human beings are born free and equal in their dignity and rights
- Každý má všechna práva a všechny svobody, ...bez jakéhokoli rozlišování, zejména podle rasy, barvy, pohlaví, jazyka, náboženství, ...
 - Everyone is entitled to all the rights and freedoms ...without distinction of any kind, such as race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status....



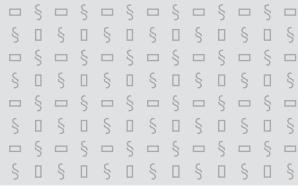
UDHR

- Každý má právo na život, svobodu a osobní bezpečnost.
 - Everyone has the right to life, liberty and security of person.
- Nikdo nesmí být držen v otroctví nebo nevolnictví; všechny formy otroctví a obchodu s otroky jsou zakázány.
 - No one shall be held in slavery or servitude; slavery and the slave trade shall be prohibited in all their forms.



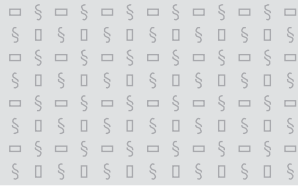
UDHR

- Nikdo nesmí být mučen nebo podrobován krutému, nelidskému nebo ponižujícímu zacházení nebo trestu.
 - No one shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment
- Nikdo nesmí být svévolně zatčen, držen ve vazbě nebo vyhoštěn do vyhnanství.
 - No one shall be subjected to arbitrary arrest, detention or exile.
- Každý má právo vlastnit majetek jak sám, tak spolu s jinými.
 - Everyone has the right to own property alone as well as in association with others. No one shall be arbitrarily deprived of his property.



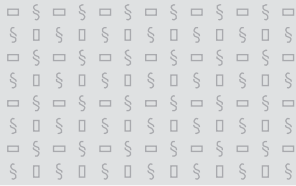
UDHR

- Everyone is entitled in full equality to a fair and public hearing by an independent and impartial tribunal...
- the right to express one's opinion
- the right to take part peacefully in assemblies



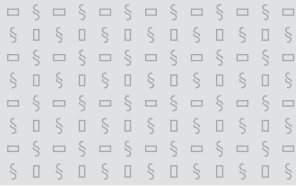
ICCPR

- the equality of rights without the distinction of any kind
- freedom from torture
- prohibition of slavery
- freedom of movement
- freedom of thought, conscience and religion



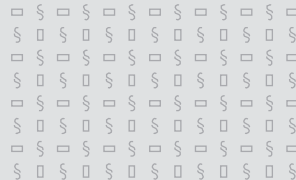
ECHR

- Obligation to respect HR
- R to life
- P of torture
- P of slavery and forced labour
- R to liberty and security of person
- R to a fair trial
- No punishment without law



ECHR

- R to respect for private and family life
- F of thought, conscience and religion
- F of expression
- F of assembly and association
- R to marry
- R to an effective remedy
- P of discrimination
-



Human Rights

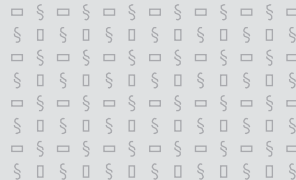
- What are **human rights**?
 - Human rights are rights inherent to all human beings, whatever our nationality, place of residence, sex, national or ethnic origin, colour, religion, language, or any other status. We are all equally entitled to our human rights without discrimination. These rights are all interrelated, interdependent and indivisible.
- What are **human rights** guaranteed by?
 - Universal human rights are often expressed and guaranteed by law, in the forms of treaties, customary international law, general principles and other sources of international law. International human rights law lays down obligations of Governments to act in certain ways or to refrain from certain acts, in order to promote and protect human rights and fundamental freedoms of individuals or groups.



Human Rights - current issues

What are some current human rights issues?

<http://www.ohchr.org/EN/Issues/Pages/ListofIssues.aspx>

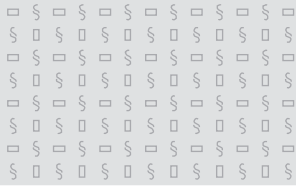


Human Rights Violations

1. nezajistily
2. řízení o svěření dítěte do péče
3. právo na respektování rodinného života
4. an effective remedy
5. a fair hearing
6. v přiměřené lhůtě
7. arrested on suspicion
8. brought criminal proceedings
9. šetření stale neskončilo
10. špatné zacházení ve vazbě
11. inhuman and degrading
12. prosecuted for armed robbery
13. contracts of sale
14. zproštěn obžaloby odvolacím osudem
15. rozsudky nepřiznávající jejich nárok
16. nájemci a společníci
17. obtain damages
18. severe bodily harm
19. újma způsobená nedbalostí
20. brought an action



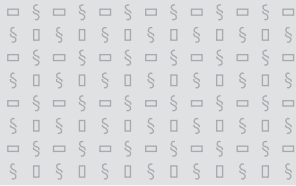
- What does **Public International Law** deal with?
- What is **Private International Law** concerned with?



Public International Law

deals with

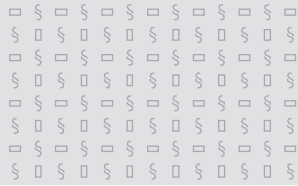
questions of rights between several nations or nations
and the citizens of other nations



Private International Law

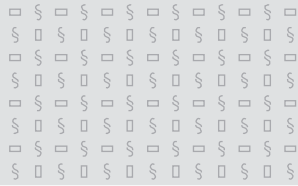
is concerned with

controversies between private persons, natural or juridical, arising out of situations having significant relationship to more than one nation



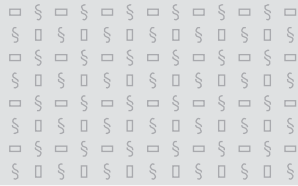
Abbreviations II: What do the abbreviations stand for?

- ICJ
 - The International Court of Justice
- ICC
 - The International Criminal Court
- ICTY
 - The International Criminal Tribunal for the Former Yugoslavia
- UNHCR
 - United Nations High Commissioner for Refugees



the International Court of Justice

- The International Court of Justice (ICJ) is the **hlavní soudní** organ of the United Nations (UN). It was established in June 1945 by the **Chartou OSN** and began work in April 1946.
- The **sídlo** of the Court is at the Peace Palace in **město? (země?)**. Of the six principal organs of the United Nations, it is the only one not located in New York (United States of America).



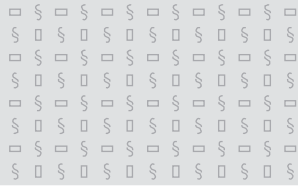
the International Court of Justice

- The International Court of Justice (ICJ) is the **principal judicial** organ of the United Nations (UN). It was established in June 1945 by the **Charter of the United Nations** and began work in April 1946.
- The **seat** of the Court is at the Peace Palace in **The Hague (Netherlands)**. Of the six principal organs of the United Nations, it is the only one not located in New York (United States of America).



the International Court of Justice

- The Court's role is to **řešit**, in **souladu** with international law, legal disputes **předložené** to it by States and to give **poradenské** opinions on legal questions **postoupené** to it by authorized United Nations organs and specialized agencies.



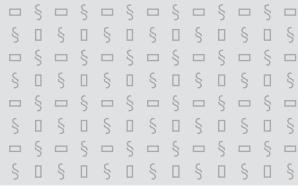
the International Court of Justice

- The Court's role is to **settle**, in **accordance** with international law, legal disputes **submitted** to it by States and to give **advisory** opinions on legal questions **referred** to it by authorized United Nations organs and specialized agencies.



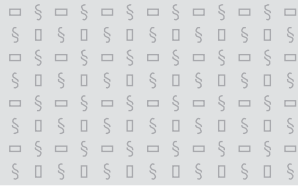
the International Court of Justice

- **how many?** judges
- **????-year** terms of office
- elected by **????** and **????**
- sit independently
- qualifications for the highest judicial offices
- jurists of recognized competence in IL



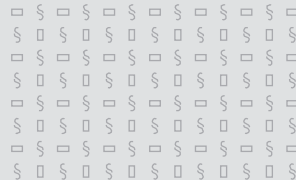
the International Court of Justice

- **15** judges
- **nine-year** terms of office
- elected by **the United Nations General Assembly** and **the Security Council**
- sit independently
- qualifications for the highest judicial offices
- jurists of recognized competence in IL



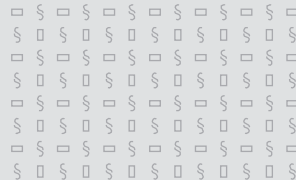
Jurisdiction of the ICJ

- the Court is competent to **entertain a dispute** only if the States concerned have accepted its jurisdiction in one or more of the following ways:
 - by the conclusion between them of a special agreement to submit the dispute to the Court
 - **by virtue of a jurisdictional clause**
 - through the **reciprocal effect of declarations** made by them under the Statute



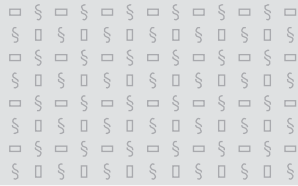
The International Criminal Court (ICC)

- The International Criminal Court (ICC) is an **nezávislý, stálý** court that **soudí** persons **obviněné z** the most serious crimes of international concern, namely **genocida, zločiny proti lidskosti** and **válečné zločiny**. The ICC is based on a **mezinárodní smlouva**, joined by 122 countries (effective as of 1 May 2013).
- The ICC is a court of **nejvyšší instance**. It will not act if a case is **se šetří** or **je o něm vedeno soudní řízení** by a national judicial system unless the national proceedings are not genuine, for example if formal proceedings were undertaken solely to shield a person from criminal responsibility. In addition, the ICC only tries those accused of the **nejzávažnější** crimes.



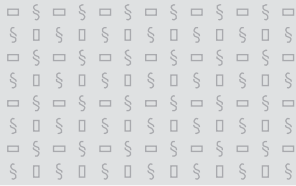
The International Criminal Court (ICC)

- The International Criminal Court (ICC) is an **independent, permanent** court that **tries** persons **accused of** the most serious crimes of international concern, namely **genocide, crimes against humanity** and **war crimes**. The ICC is based on a **treaty**, joined by 122 countries (effective as of 1 May 2013).
- The ICC is a court of **last resort**. It will not act if a case is **investigated** or **prosecuted** by a national judicial system unless the national proceedings are not genuine, for example if formal proceedings were undertaken solely to shield a person from criminal responsibility. In addition, the ICC only tries those accused of the **gravest** crimes.



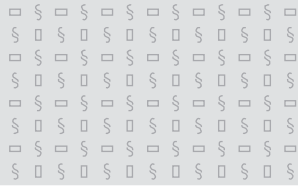
the Rome Statute of the ICC

- In all of its activities, the ICC observes the highest standards of fairness and **due process**. The jurisdiction and functioning of the ICC are governed by the Rome Statute.
 - legal status and powers of the Court
 - crimes within the jurisdiction of the Court



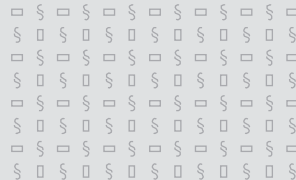
the International Criminal Tribunal for the Former Yugoslavia

- to bring to justice persons **allegedly** responsible for **violations of international humanitarian law**
- to **render justice to the victims**
- to **deter** further crimes
- to contribute to the **restoration** of peace by promoting reconciliation in the former Yugoslavia



the International Criminal Tribunal for the Former Yugoslavia

- grave breaches of the 1949 Geneva Convention
- violations of the laws and customs of war
- genocide
- crimes against humanity



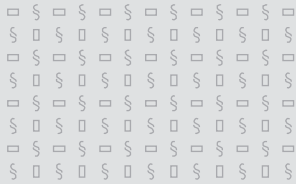
United Nations High Commissioner for Refugees

The Office of the United Nations High Commissioner for Refugees was založena on December 14, 1950 by the United Nations valné shromáždění. The agency is mandated to lead and co-ordinate international action to protect refugees and resolve refugee problems po celém světě. Its primary purpose is to safeguard the rights and well-being of refugees. It strives to ensure that everyone can uplatňovat právo to žádat o azyl and find safe útočiště in another State, with the option to return home voluntarily, integrate locally or to resettle in a third country. It also has a mandate to help bez státního občanství people.

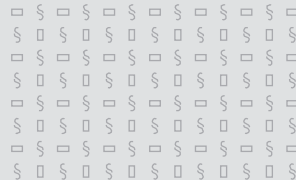


United Nations High Commissioner for Refugees

The Office of the United Nations High Commissioner for Refugees was **established** on December 14, 1950 by the United Nations **General Assembly**. The agency is mandated to lead and co-ordinate international action to protect refugees and resolve refugee problems **worldwide**. Its primary purpose is to safeguard the rights and well-being of refugees. It strives to ensure that everyone can **exercise the right** to **seek asylum** and find safe **refuge** in another State, with the option to return home voluntarily, integrate locally or to resettle in a third country. It also has a mandate to help **stateless** people.

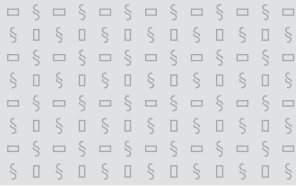


1. The ICJ (decide) in accordance with international treaties and conventions in force, international custom, the general principles of law and, as subsidiary means, judicial decisions and the teachings of the most highly qualified publicists.
2. 138 judgments (delivered) since 1946.
3. The jurisdiction of the ICC shall (limit) to the most serious crimes of concern to the international community as a whole.
4. The ICC will have jurisdiction only over crimes committed after 1 July 2002, when the statute (enter) into force.
5. Personal jurisdiction of the ICTY (exercise) only over natural persons and not over organizations, political parties, administrative entities or other legal persons.
6. Many legal issues now adjudicated by the ICTY (never, adjudicate) or (lie) dormant since the Nuremberg or Tokyo trials.
7. UNHCR (promote) international refugee agreements and (monitor) government compliance with international refugee law.



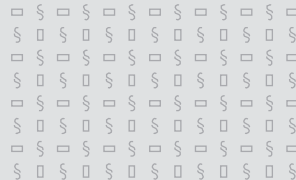
Translate

- | | |
|---------------------------------|-------------------------------------|
| 1. uprchlík | 1. refugee |
| 2. pronásledování | 2. persecution |
| 3. žadatel o azyl | 3. asylum-seeker |
| 4. sloučení rodiny | 4. family reunification |
| 5. dočasně X trvale
rukojmí | 5. temporary x permanent
hostage |
| 6. bezvízový vstup | 6. visa-free entry |
| 7. bezprecedentní
porušování | 7. unprecedented
violation |
| 8. dlouhodobý pobyt | 8. long-term residence |
| 9. povolení k pobytu | 9. residence permit |



Define

- human right
- civil right
- prisoner of conscience
- political asylum
- racial discrimination
- gender discrimination
- genocide



References:

- www.google.com
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Thank you for your
attention

