

**MINISTRY OF SCIENCE AND HIGHER EDUCATION OF THE RUSSIAN
FEDERATION**

**Federal State Autonomous Educational Institution of Higher Education
«NORTH CAUCASUS FEDERAL UNIVERSITY»**

**METHODOLOGICAL GUIDELINES FOR COMPLETING
PRACTICAL ASSIGNMENTS**

**in the Course of «Human Rights and Methods of Their Protection»
for Students of the Degree Program 31.05.01 General Medicine**

TABLE OF CONTENTS

Introduction

PRACTICE 1. Topic 1. THEORETICAL AND LEGAL ASPECTS OF HUMAN AND CIVIL RIGHTS AND FREEDOMS.

PRACTICE 2. Topic 1 THEORETICAL AND LEGAL ASPECTS OF HUMAN AND CIVIL RIGHTS AND FREEDOMS.

PRACTICE 3. Topic 2. HISTORY OF HUMAN RIGHTS

PRACTICE 4. Topic 2. HISTORY OF HUMAN RIGHTS.

PRACTICE 5. Topic 3. THE SYSTEM OF HUMAN AND CIVIL RIGHTS AND FREEDOMS IN THE RUSSIAN FEDERATION.

PRACTICE 6. Topic 3. THE SYSTEM OF HUMAN AND CIVIL RIGHTS AND FREEDOMS IN THE RUSSIAN FEDERATION

PRACTICE 7. Topic 4. HUMAN AND CIVIL RIGHTS AND FREEDOMS IN FOREIGN STATES.

PRACTICE 8. Topic 4. HUMAN AND CIVIL RIGHTS AND FREEDOMS IN FOREIGN STATES.

PRACTICE 9. Topic 5. HUMAN RIGHTS AND FREEDOMS IN THEIR INTERNATIONAL LEGAL DIMENSION

PRACTICE 10. Topic 6. STATE MECHANISMS FOR THE PROTECTION OF HUMAN AND CIVIL RIGHTS AND FREEDOMS IN RUSSIA.

PRACTICE 11. Topic 6. STATE MECHANISMS FOR THE PROTECTION OF HUMAN AND CIVIL RIGHTS AND FREEDOMS IN RUSSIA.

PRACTICE 12. Topic 7. PUBLIC MECHANISMS FOR THE PROTECTION OF HUMAN AND CIVIL RIGHTS AND FREEDOMS IN RUSSIA.

PRACTICE 13. Topic 7. PUBLIC MECHANISMS FOR THE PROTECTION OF HUMAN AND CIVIL RIGHTS AND FREEDOMS IN RUSSIA.

PRACTICE 14. Topic 8. INTERNATIONAL LEGAL AND REGIONAL MECHANISMS FOR THE PROTECTION OF HUMAN RIGHTS.

PRACTICE 15. Topic 8. INTERNATIONAL LEGAL AND REGIONAL MECHANISMS FOR THE PROTECTION OF HUMAN RIGHTS.

PRACTICE 16. Topic 8. INTERNATIONAL LEGAL AND REGIONAL MECHANISMS FOR THE PROTECTION OF HUMAN RIGHTS.

INTRODUCTION

The study of the humanities is an important part of the general educational and professional training of a future physician and contributes to the intellectual development of the individual and the formation of clinical thinking grounded in respect for the person of the patient. Among the disciplines that shape the professional and ethical outlook of a doctor, a special place is occupied by "Human Rights and Methods of Their Protection". The study of this discipline in higher medical educational institutions is carried out in accordance with the Federal State Educational Standard and relies on the current Constitution of the Russian Federation, federal legislation on healthcare, and the international treaties to which the Russian Federation is a party.

The purpose of the discipline is to form students' systemic understanding of the nature, historical development and structure of human and civil rights and freedoms, and of the state, public and international mechanisms created for their protection, with particular attention to those rights and guarantees that a physician encounters directly in daily clinical practice – the right to life and health protection, to human dignity, to informed voluntary consent to medical intervention, to confidentiality of medical information, and to protection against discrimination in access to care. Studying "Human Rights and Methods of Their Protection" helps future doctors reach a professional level of understanding that allows them not merely to follow an instruction, but to grasp why a patient's right is guaranteed, where its lawful limits lie, and what remedy is available should it be violated.

Respect for human dignity is not an abstract slogan but a working principle of medical practice: it is precisely the knowledge of the mechanisms of protection – judicial, administrative, public and international – that turns a declared right of the patient into a real, enforceable guarantee, and that protects the physician himself when acting lawfully and in good conscience. Russia has travelled its own, often dramatic,

path towards the recognition of the individual as the highest value, and this path, together with the corresponding foreign and international experience in the sphere of biomedicine and patients' rights, has to be understood critically rather than memorised formally.

During the classes, students receive new knowledge, systematisation skills and the ability to operate with basic legal and bioethical concepts and categories. An important role in the study of the discipline is given to practical classes, in which the material obtained at lectures is consolidated, verified against sources and applied to specific situations arising in medical practice. It is practical classes that allow revealing the knowledge of students, their skills and creative independence, using various forms and methods of engaging their cognitive activity: analysis of normative acts and judicial acts, comparison of legal and ethical positions, and discussion of situations involving the rights of patients and of medical staff.

Independent work of students expresses one of the significant forms of the educational process, which contributes to the formation of a creative personality of a physician capable of self-development, self-education and adaptation to a changing legal and ethical environment, including changes brought about by legislative reform in the sphere of healthcare and by the evolving practice of the courts and the Commissioner for Human Rights.

Fundamental importance is attached to the systemic nature of the educational process in order to reduce the role of subjectivity in assessing students' knowledge. The solution of this task is facilitated by the point-rating system of education in assessing the activities of students.

Practical classes do not include the entire amount of program material on this subject. Their task is to teach the student to work with the proposed legislation, case-law and literature, to analyse, compare and draw reasoned conclusions applicable to the practice of a physician. In the cited normative and treaty texts, references are given to the sources currently in force.

The workshop provides a full-fledged, integrated opportunity to solve the following tasks:

- deepening and consolidating knowledge of the theory and practice of human rights, including patients' rights;

- activation of the cognitive activity of students;

- development of legal and ethical thinking and interest in the subject;

- rendering assistance to students in preparation for practical classes;

- analysing normative legal acts, international treaties and judicial acts, commenting on them;

- working with monographs and scientific articles, extracting the necessary material from these sources and making concise summaries of it;

- conducting a scientifically substantiated dialogue, mastering the culture of professional argument and the basics of oratory;

- comparing different points of view with the choice of the most well-founded one, finding non-standard solutions, defending one's own position and reasoning it with reference to the current legislation and practice.

PRACTICE 1. Topic 1.
**THEORETICAL AND LEGAL ASPECTS OF HUMAN AND CIVIL
RIGHTS AND FREEDOMS**

Target: formation of general legal methodological competence, which implies knowledge of the doctrinal, theoretical-legal foundations of the concept of human rights, independent of the peculiarities of any single national legal order.

As a result of studying the topic, the student:

- explains the theoretical grounds on which human rights are recognised as belonging to the individual;
- distinguishes the categories "human rights", "civil rights" and "the legal status of the individual";
- possesses knowledge of the doctrinal models of citizenship (nationality) used in comparative jurisprudence;
- is capable of applying theoretical categories to the analysis of a concrete national legal order.

Formed competencies: UC-2, UC-3.

Relevance of the topic. Before one can apply any specific provision on human rights, he/she must understand what, from a theoretical standpoint, a "right" is, why it is attributed to a human being as such, and what legal-technical device connects an individual to a State so as to determine the volume of rights he may claim.

Theoretical part

The question of the nature of human rights has divided legal theory for centuries. The natural-law (jusnaturalist) tradition, running from the Stoics and the Roman jurists through Thomas Aquinas to Grotius, Locke and Rousseau, holds that certain rights belong to a human being by virtue of his nature, independently of whether any State recognises them; positive law merely declares rights that already exist. The opposing, legal-positivist tradition, associated with Bentham, Austin and, in

the twentieth century, Kelsen and Hart, denies the existence of rights outside a posited legal norm. A third, sociological and legal-realist position, represented in Russian legal thought by scholars such as S.S. Alekseev, treats human rights as a historically evolving social institution shaped by political, economic and cultural conditions. The Constitution of the Russian Federation does not adopt any of these positions in a pure form: it treats human rights as pre-existing the State (Article 17 speaks of rights being "recognised", not "granted") while making their practical protection dependent on their consolidation in binding legal norms.

Whatever theoretical position is adopted, three basic categories must be distinguished. "Human rights" (права человека) denotes the wider category: entitlements attributable to every individual as a human being, regardless of any formal legal bond with a particular State. "Civil rights" or "the rights of the citizen" (права гражданина) denotes the narrower category of entitlements reserved to individuals possessing a formal legal status of belonging to a political community. The "legal status of the individual" (правовой статус личности) is a broader, structural category still: it denotes the entire complex of a person's legal position within a State, comprising rights, legal capacity, duties, and the guarantees making them operative.

Citizenship ("nationality" in international legal terminology) is the legal-political device by which international and domestic law determine the mutual bond of rights and obligations between an individual and a State. Comparative theory identifies two principal models for original acquisition: *jus soli* ("the law of the soil"), under which a person acquires the nationality of the State of birth, and *jus sanguinis* ("the law of blood"), under which a person acquires the nationality of his parents – a model traditionally dominant in the Russian/Soviet legal tradition. Almost no legal order applies either model in a pure form; most combine both with naturalisation, the voluntary derivative acquisition of citizenship. International law, notably the 1930 Hague Convention on Certain Questions Relating to the Conflict of Nationality Laws

and the jurisprudence of the International Court of Justice (the Nottebohm case, 1955), leaves it to each State to determine who are its nationals, subject to the requirement of a genuine link between the individual and the State.

Questions and tasks

Questions:

1. The natural-law and the legal-positivist doctrines on the nature of human rights: theoretical premises and practical consequences.
2. The correlation of the categories "human rights", "civil rights" and "the legal status of the individual".
3. Comparative models of the original acquisition of citizenship (nationality): jus soli and jus sanguinis.
4. Naturalisation as a derivative mode of acquisition of citizenship: general conditions in comparative practice.

Tasks:

1. Prepare a short written essay (up to one page) comparing the natural-law and the legal-positivist explanations of the binding force of human rights, with your own reasoned position.
2. Draw up a table of at least four States illustrating jus soli, jus sanguinis or a mixed model of citizenship.
3. Analyse the summary of the ICJ judgment in the Nottebohm case (1955) and formulate the criteria of a "genuine link" used by the Court.

List of basic literature:

1. Grudin, N. S. Protection of Human Rights in Russian Constitutional Law : Textbook / N. S. Grudin. – Moscow : IPR Media, 2023. – 165 p. – ISBN 978-5-4497-2007-8. – Text : electronic // IPR SMART Digital Educational Resource : [website]. – URL: <https://www.iprbookshop.ru/127203.html>
2. Human Rights and Methods of Their Protection: A Study Guide (Lecture Course) / L. M. Balakireva, A. A. Volkov, A. M. Drozdova [et al.]. – Stavropol :

North Caucasus Federal University, 2023. – 137 p. – Text : electronic // IPR SMART Digital Educational Resource : [website]. – URL: <https://www.iprbookshop.ru/135726.html>

3. Human Rights: Textbook / Ed. by E.A. Lukasheva. – 3rd ed., revised. – Moscow : Norma : INFRA-M, 2027. – 512 p. – ISBN 978-5-91768-578-6. – Text : electronic. – URL: <https://znanium.ru/catalog/product/2271798> (accessed: 26.09.2026). – Access mode: by subscription.

List of additional literature:

1. International Court of Justice. Nottebohm Case (Liechtenstein v. Guatemala), Judgment of 6 April 1955, I.C.J. Reports 1955.

2. Bystrenko, V. I. Human Rights : Study Guide / V. I. Bystrenko. – Moscow : IPR Media, 2021. – 152 p. – ISBN 978-5-4497-1183-0. – Text : electronic // IPR SMART : [website]. – URL: <https://www.iprbookshop.ru/108241.html>.

3. Gulin, E.V. Human Rights: a textbook / E.V. Gulin. – Moscow: Publishing House of the Institute of International Law and Economics, 2003 (reprinted editions available). – Chapters on the concept, classification and history of human rights.

4. Kapitsyn, V.M. Human Rights and Mechanisms of Their Protection / V.M. Kapitsyn. – textbook. – Chapters on state and public mechanisms of human rights protection in Russia. M.: 2003.

5. Kartashkin, V. A. Human rights and modern international relations: collection of articles / V. A. Kartashkin. – Moscow: Norma, 2024. – 176 p. – DOI 10.12737/2130217. - ISBN 978-5-00156-356-3. - Text: electronic. - URL: <https://znanium.ru/catalog/product/2130217> (access date: 09/26/2026). – Access mode: by subscription.

6. Kolesova, N.S. Human Rights and Demographic Processes / N.S. Kolesova. – Moscow: Norma, 2020.

7. Voronina, N.A. Human Rights and the Legal Social State in Russia / N.A. Voronina. – Moscow: Norma, 2020.

8. Ulbashev, A.Kh. (ed.) Human Rights in the 21st Century: Anxiety and Hope. Collection of articles / A.Kh. Ulbashev. – Moscow: Statut, 2021.
9. Kartashkin, V.A. Human Rights and the Principles of International Law in the 21st Century / V.A. Kartashkin. – Moscow: Norma, 2022.
10. Davis, H. Beginning Human Rights Law / H. Davis. – 2nd ed. – Abingdon: Routledge, 2014. – On the doctrine of human rights in the United Kingdom.
11. Office of the United Nations High Commissioner for Human Rights. Human Rights: A Basic Handbook for UN Staff. – Geneva: United Nations, 2001.
12. Office of the United Nations High Commissioner for Human Rights. Guidelines on Indigenous Peoples' Issues: A Manual on Human Rights-Based Programming. – Geneva/New York: United Nations, 2013.

PRACTICE 1. Topic 1.

THEORETICAL AND LEGAL ASPECTS OF HUMAN AND CIVIL RIGHTS AND FREEDOMS

Target: formation of the ability to systematise human and civil rights and freedoms according to different classificatory criteria and to relate the protection of human rights to the constitutional doctrines of the rule-of-law State and the social State.

As a result of studying the topic, the student:

- classifies human and civil rights and freedoms by content and by "generations";
- explains the doctrine of the Rechtsstaat (rule-of-law State) and its constitutive elements;
- explains the doctrine of the social State (Sozialstaat) and its relationship to socio-economic rights;

- is able to show the interconnection and possible tension between the rule-of-law State and the social State.

Formed competencies: UC-2, UC-3.

Relevance of the topic. A person dealing with human rights constantly has to place a specific right within a system, and to understand that human rights are not protected in a political vacuum: their guarantee presupposes a State organised according to the principles of the rule of law, and their full exercise presupposes certain social obligations of the State.

Theoretical part

Human and civil rights and freedoms are classified according to several independent, mutually complementary criteria. By content, they are grouped into personal rights (life, dignity, liberty and personal security, privacy, freedom of conscience), political rights (freedom of thought and speech, association, peaceful assembly, participation in the administration of public affairs, the right to elect and be elected) and socio-economic and cultural rights (entrepreneurial activity and private property, labour, social security, housing, health protection, education). By the historical sequence of their international recognition, rights are conventionally divided into "generations": personal and political rights form the first generation; socio-economic and cultural rights form the second generation, subject to the doctrine of "progressive realisation" (Article 2 of the International Covenant on Economic, Social and Cultural Rights of 1966); and solidarity or collective rights – to a healthy environment, to development, to peace – form the third generation.

The Rechtsstaat, translated as the "rule-of-law State" (правовое государство), is a doctrine of German constitutional theory according to which the exercise of public power is at every point bound by law, and not merely by ordinary legislation, but by a hierarchically superior body of constitutional norms binding even the legislator. Its classic elements include: the supremacy of the constitution; the separation of powers; the binding of the executive and judiciary by statute;

independent judicial review; legal certainty and non-retroactivity; and the principle of proportionality. Article 1 of the Constitution of the Russian Federation proclaims Russia a "democratic federal law-bound [rule-of-law] State", and the guarantees of judicial protection (Article 46), direct effect (Article 15) and supremacy of federal law (Article 4) express this principle concretely.

The doctrine of the social State (Sozialstaat, социальное государство) developed as a response to the inadequacy of a purely formal Rechtsstaat to guarantee genuine equality amid real social and economic disparities. The State bears a positive obligation to secure a minimum of social justice and to guarantee socio-economic rights. Article 7 of the Constitution proclaims Russia a "social State" directed at creating conditions ensuring a dignified life and free development of the individual, developed through the rights to social security (Article 39), health protection (Article 41) and education (Article 43). Importantly, the rule-of-law State and the social State are not automatically in harmony: excessive discretionary power in implementing social programmes may weaken legal certainty, while overly formalistic legality may leave social rights without effective content; a balanced order must hold both principles together.

Questions and tasks

Questions:

1. Classification of human and civil rights and freedoms by content: personal, political and socio-economic and cultural rights.
2. The doctrine of "generations" of human rights and its practical significance for the standard of judicial protection.
3. The concept and constitutive elements of the Rechtsstaat (rule-of-law State).
4. The concept of the social State and its constitutional consolidation in Article 7 of the Constitution.
5. The possible tension between the rule-of-law State and the social State: how it may be resolved.

Tasks:

1. Using Chapter 2 of the Constitution, classify at least twelve rights by content and indicate the "generation" of each.
2. Prepare a short written commentary (up to one page) on how Articles 1, 4, 15 and 46 of the Constitution together express the doctrine of the rule-of-law State.
3. Find and briefly describe one decision of the Constitutional Court relying on the principle of the social State (Article 7).

List of basic literature:

1. Grudinin, N. S. Protection of Human Rights in Russian Constitutional Law : Textbook / N. S. Grudinin. – Moscow : IPR Media, 2023. – 165 p. – ISBN 978-5-4497-2007-8. – Text : electronic // IPR SMART Digital Educational Resource : [website]. – URL: <https://www.iprbookshop.ru/127203.html>
2. Human Rights and Methods of Their Protection: A Study Guide (Lecture Course) / L. M. Balakireva, A. A. Volkov, A. M. Drozdova [et al.]. – Stavropol : North Caucasus Federal University, 2023. – 137 p. – Text : electronic // IPR SMART Digital Educational Resource : [website]. – URL: <https://www.iprbookshop.ru/135726.html>
3. Human Rights: Textbook / Ed. by E.A. Lukasheva. – 3rd ed., revised. – Moscow : Norma : INFRA-M, 2027. – 512 p. – ISBN 978-5-91768-578-6. – Text : electronic. – URL: <https://znanium.ru/catalog/product/2271798> (accessed: 26.09.2026). – Access mode: by subscription.

List of additional literature:

1. International Court of Justice. Nottebohm Case (Liechtenstein v. Guatemala), Judgment of 6 April 1955, I.C.J. Reports 1955.
2. Bystrenko, V. I. Human Rights : Study Guide / V. I. Bystrenko. – Moscow : IPR Media, 2021. – 152 p. – ISBN 978-5-4497-1183-0. – Text : electronic // IPR SMART : [website]. – URL: <https://www.iprbookshop.ru/108241.html>.

3. Gulin, E.V. Human Rights: a textbook / E.V. Gulin. – Moscow: Publishing House of the Institute of International Law and Economics, 2003 (reprinted editions available). – Chapters on the concept, classification and history of human rights.
4. Kapitsyn, V.M. Human Rights and Mechanisms of Their Protection / V.M. Kapitsyn. – textbook. – Chapters on state and public mechanisms of human rights protection in Russia. M.: 2003.
5. Kartashkin, V. A. Human rights and modern international relations: collection of articles / V. A. Kartashkin. – Moscow: Norma, 2024. – 176 p. – DOI 10.12737/2130217. - ISBN 978-5-00156-356-3. - Text: electronic. - URL: <https://znanium.ru/catalog/product/2130217> (access date: 09/26/2026). – Access mode: by subscription.
6. Kolesova, N.S. Human Rights and Demographic Processes / N.S. Kolesova. – Moscow: Norma, 2020.
7. Voronina, N.A. Human Rights and the Legal Social State in Russia / N.A. Voronina. – Moscow: Norma, 2020.
8. Ulbashev, A.Kh. (ed.) Human Rights in the 21st Century: Anxiety and Hope. Collection of articles / A.Kh. Ulbashev. – Moscow: Statut, 2021.
9. Kartashkin, V.A. Human Rights and the Principles of International Law in the 21st Century / V.A. Kartashkin. – Moscow: Norma, 2022.
10. Davis, H. Beginning Human Rights Law / H. Davis. – 2nd ed. – Abingdon: Routledge, 2014. – On the doctrine of human rights in the United Kingdom.
11. Office of the United Nations High Commissioner for Human Rights. Human Rights: A Basic Handbook for UN Staff. – Geneva: United Nations, 2001.
12. Office of the United Nations High Commissioner for Human Rights. Guidelines on Indigenous Peoples' Issues: A Manual on Human Rights-Based Programming. – Geneva/New York: United Nations, 2013.

PRACTICE 3. Topic 2. HISTORY OF HUMAN RIGHTS

Target: formation of the ability to trace the historical logic by which the idea of human rights moved from isolated privileges of estates to universal, positively guaranteed entitlements.

As a result of studying the topic, the student:

- identifies the principal milestones in the foreign history of human rights;
- distinguishes an estate (corporate) privilege from a universal human right;
- explains the role of the constitutional revolutions of the seventeenth and eighteenth centuries in the emergence of the modern catalogue of rights;
- relates the mid-twentieth-century codification of human rights to its historical causes.

Formed competencies: UC-2, UC-3.

Relevance of the topic. Human rights are the product of a long and uneven historical struggle, in which particular social groups first secured concrete privileges for themselves and only later extended them into universal entitlements.

Theoretical part

In the Ancient world no notion of universal human rights existed: legal status depended on membership of a polis, a caste or an estate, and the most developed guarantees – the Athenian citizen's right to a public trial, the protections of Roman *ius civile* – were privileges of a narrow legal category, sharply distinguished from slaves and foreigners. Roman law nonetheless developed the idea of *ius naturale*, later reinterpreted as the philosophical foundation of universal rights. In the Middle Ages the dominant legal form was the corporate privilege; the paradigmatic document is Magna Carta (1215), which limited royal power in favour of the feudal nobility and the Church, celebrated in later constitutional history for clauses on due process, though it barely touched the mass of the population in its own time.

The transition to the Modern period generalised narrow feudal guarantees into broader constitutional principles binding the sovereign. The English Bill of Rights

(1689) established parliamentary control over taxation and the army, subordinating the Crown to statute, but is a milestone in limiting sovereign power rather than a human-rights instrument in the modern sense. The decisive break came with the American Declaration of Independence (1776), the United States Bill of Rights (1791), and the French Declaration of the Rights of Man and of the Citizen (1789), which for the first time proclaimed rights as belonging to "all men" or to "man" as distinct from "citizen", though their practical application long remained restricted by property, sex and race.

The Contemporary era transformed the theoretical proclamation of rights into an international legal obligation. The experience of totalitarianism and two world wars, and the crimes of Nazi Germany, produced the Charter of the United Nations (1945), the Universal Declaration of Human Rights (1948), and the binding International Covenants of 1966, together with the extension of the catalogue of rights to further generations and the creation of regional systems of protection.

Questions and tasks

Questions:

1. Legal status of the individual in the Ancient world: the absence of a universalist concept of human rights.
2. Human Rights in the Middle Ages. Magna Carta (1215) as a milestone of the corporate-privilege stage of the history of human rights.
3. Human Rights in Modern Era. The English Bill of Rights (1689): limitation of sovereign power, not yet a catalogue of human rights.
4. The American and French declarations of the late eighteenth century: the first universalist catalogues of rights.
5. Human rights in XX century.

Tasks:

1. Draw up a comparative table of Magna Carta (1215), the English Bill of Rights (1689), the American Bill of Rights (1791) and the French Declaration (1789), indicating the addressee and the rights fixed in each.

2. Prepare a short-written commentary (up to one page) explaining why the application of the American and French declarations long remained restricted.

List of basic literature:

1. Grudin, N. S. Protection of Human Rights in Russian Constitutional Law : Textbook / N. S. Grudin. – Moscow : IPR Media, 2023. – 165 p. – ISBN 978-5-4497-2007-8. – Text : electronic // IPR SMART Digital Educational Resource : [website]. – URL: <https://www.iprbookshop.ru/127203.html>

2. Human Rights and Methods of Their Protection: A Study Guide (Lecture Course) / L. M. Balakireva, A. A. Volkov, A. M. Drozdova [et al.]. – Stavropol : North Caucasus Federal University, 2023. – 137 p. – Text : electronic // IPR SMART Digital Educational Resource : [website]. – URL: <https://www.iprbookshop.ru/135726.html>

3. Human Rights: Textbook / Ed. by E.A. Lukasheva. – 3rd ed., revised. – Moscow : Norma : INFRA-M, 2027. – 512 p. – ISBN 978-5-91768-578-6. – Text : electronic. – URL: <https://znanium.ru/catalog/product/2271798> (accessed: 26.09.2026). – Access mode: by subscription.

List of additional literature:

1. International Court of Justice. Nottebohm Case (Liechtenstein v. Guatemala), Judgment of 6 April 1955, I.C.J. Reports 1955.

2. Bystrenko, V. I. Human Rights : Study Guide / V. I. Bystrenko. – Moscow : IPR Media, 2021. – 152 p. – ISBN 978-5-4497-1183-0. – Text : electronic // IPR SMART : [website]. – URL: <https://www.iprbookshop.ru/108241.html>.

3. Gulin, E.V. Human Rights: a textbook / E.V. Gulin. – Moscow: Publishing House of the Institute of International Law and Economics, 2003 (reprinted editions available). – Chapters on the concept, classification and history of human rights.

4. Kapitsyn, V.M. Human Rights and Mechanisms of Their Protection / V.M. Kapitsyn. – textbook. – Chapters on state and public mechanisms of human rights protection in Russia. M.: 2003.
5. Kartashkin, V. A. Human rights and modern international relations: collection of articles / V. A. Kartashkin. – Moscow: Norma, 2024. – 176 p. – DOI 10.12737/2130217. - ISBN 978-5-00156-356-3. - Text: electronic. - URL: <https://znanium.ru/catalog/product/2130217> (access date: 09/26/2026). – Access mode: by subscription.
6. Kolesova, N.S. Human Rights and Demographic Processes / N.S. Kolesova. – Moscow: Norma, 2020.
7. Voronina, N.A. Human Rights and the Legal Social State in Russia / N.A. Voronina. – Moscow: Norma, 2020.
8. Ulbashev, A.Kh. (ed.) Human Rights in the 21st Century: Anxiety and Hope. Collection of articles / A.Kh. Ulbashev. – Moscow: Statut, 2021.
9. Kartashkin, V.A. Human Rights and the Principles of International Law in the 21st Century / V.A. Kartashkin. – Moscow: Norma, 2022.
10. Davis, H. Beginning Human Rights Law / H. Davis. – 2nd ed. – Abingdon: Routledge, 2014. – On the doctrine of human rights in the United Kingdom.
11. Office of the United Nations High Commissioner for Human Rights. Human Rights: A Basic Handbook for UN Staff. – Geneva: United Nations, 2001.
12. Office of the United Nations High Commissioner for Human Rights. Guidelines on Indigenous Peoples' Issues: A Manual on Human Rights-Based Programming. – Geneva/New York: United Nations, 2013.

PRACTICE 4. Topic 2. HISTORY OF HUMAN RIGHTS

Target: formation of the ability to trace the specific, and in many respects distinct, path travelled by the idea of human and civil rights and freedoms in Russia, from the earliest East Slavic legal codes to the current Constitution.

As a result of studying the topic, the student:

- identifies the principal stages of the development of the legal status of the individual in Russian history;
- explains the specific features that distinguish the Russian historical experience from the West-European one;
- relates the Soviet declarations and constitutions of rights to their real political function;
- explains the significance of the Constitution of the Russian Federation of 1993, as amended in 2020, as the culmination of this historical development.

Formed competencies: UC-2, UC-3.

Relevance of the topic. Russian legal history did not simply repeat the West-European sequence: for centuries the Russian State developed as a strongly centralised, service-based polity in which the individual was primarily the bearer of duties towards the sovereign.

Theoretical part

The earliest East Slavic legal monument, *Russkaya Pravda* (from the eleventh century), regulated the legal status of the individual through a differentiated scale of compensation (*vira*) depending on the social position of the victim – a free man, a *smerd*, or a slave – so that legal protection was a function of social rank, not of humanity as such. The Muscovite period, culminating in the *Sudebniks* of 1497 and 1550 and the *Sobornoye Ulozhenie* of 1649, extended this service-estate logic, culminating in the legal consolidation of serfdom.

The Imperial period saw the gradual, repeatedly reversed emergence of ideas of individual legal autonomy under Enlightenment influence: Catherine II's Charters to the Nobility and to the Towns (1785) introduced, for privileged estates only, elements

of legally guaranteed personal security and property. The decisive breakthrough came with Alexander II's Manifesto of 19 February (3 March) 1861 abolishing serfdom, followed by the judicial reform of 1864 introducing an independent judiciary and trial by jury. The Manifesto of 17 October 1905 proclaimed freedom of conscience, speech, assembly and association and established the State Duma – the closest pre-1917 approach to a constitutional catalogue of civil and political rights.

The Soviet period produced a formally extensive but substantively distinct model: the Declaration of the Rights of the Toiling and Exploited People (1918) and the Soviet Constitutions (1918, 1924, 1936, 1977) proclaimed broad socio-economic and, on paper, political rights, conditioned on their exercise "in the interests of the toilers", deprived of independent judicial protection against the State, and coexisting with mass repression – the 1936 Constitution being the classic illustration of the gap between a proclaimed catalogue and its real guarantee.

The current stage begins with the Constitution of the Russian Federation, adopted by popular vote on 12 December 1993, which placed the individual, his rights and freedoms, at the top of the constitutional hierarchy of values (Article 2) and made the rights of Chapter 2 directly applicable (Article 18). The 2020 amendments preserved this architecture while adding the priority of the Constitution over decisions of interstate bodies contradicting it (Article 79) and additional social guarantees (Article 75).

Questions and tasks

Questions:

1. The legal status of the individual under Русская Правда: differentiation of legal protection by social rank.
2. The Sudebniks of 1497/1550 and the Sobornoye Ulozhenie of 1649: consolidation of the service-estate model and serfdom.
3. The reforms of Catherine II and the limits of "enlightened absolutism".
4. The Great Reforms of Alexander II (1861, 1864).

5. The Manifesto of 17 October 1905: the first Russian catalogue of civil and political rights and its limits.

6. Soviet declarations and constitutions of rights.

Tasks:

1. Draw up a chronological table of the principal stages of the history of human and civil rights in Russia, indicating who was recognised as bearer of rights and what judicial guarantee existed.

2. Prepare a short-written commentary (up to one page) comparing the catalogue of rights in the 1936 Constitution and 1977 Constitution.

List of basic literature:

1. Grudin, N. S. Protection of Human Rights in Russian Constitutional Law : Textbook / N. S. Grudin. – Moscow : IPR Media, 2023. – 165 p. – ISBN 978-5-4497-2007-8. – Text : electronic // IPR SMART Digital Educational Resource : [website]. – URL: <https://www.iprbookshop.ru/127203.html>

2. Human Rights and Methods of Their Protection: A Study Guide (Lecture Course) / L. M. Balakireva, A. A. Volkov, A. M. Drozdova [et al.]. – Stavropol : North Caucasus Federal University, 2023. – 137 p. – Text : electronic // IPR SMART Digital Educational Resource : [website]. – URL: <https://www.iprbookshop.ru/135726.html>

3. Human Rights: Textbook / Ed. by E.A. Lukasheva. – 3rd ed., revised. – Moscow : Norma : INFRA-M, 2027. – 512 p. – ISBN 978-5-91768-578-6. – Text : electronic. – URL: <https://znanium.ru/catalog/product/2271798> (accessed: 26.09.2026). – Access mode: by subscription.

List of additional literature:

1. International Court of Justice. Nottebohm Case (Liechtenstein v. Guatemala), Judgment of 6 April 1955, I.C.J. Reports 1955.

2. Bystrenko, V. I. Human Rights : Study Guide / V. I. Bystrenko. – Moscow : IPR Media, 2021. – 152 p. – ISBN 978-5-4497-1183-0. – Text : electronic // IPR SMART : [website]. – URL: <https://www.iprbookshop.ru/108241.html>.
3. Gulin, E.V. Human Rights: a textbook / E.V. Gulin. – Moscow: Publishing House of the Institute of International Law and Economics, 2003 (reprinted editions available). – Chapters on the concept, classification and history of human rights.
4. Kapitsyn, V.M. Human Rights and Mechanisms of Their Protection / V.M. Kapitsyn. – textbook. – Chapters on state and public mechanisms of human rights protection in Russia. M.: 2003.
5. Kartashkin, V. A. Human rights and modern international relations: collection of articles / V. A. Kartashkin. – Moscow: Norma, 2024. – 176 p. – DOI 10.12737/2130217. - ISBN 978-5-00156-356-3. - Text: electronic. - URL: <https://znanium.ru/catalog/product/2130217> (access date: 09/26/2026). – Access mode: by subscription.
6. Kolesova, N.S. Human Rights and Demographic Processes / N.S. Kolesova. – Moscow: Norma, 2020.
7. Voronina, N.A. Human Rights and the Legal Social State in Russia / N.A. Voronina. – Moscow: Norma, 2020.
8. Ulbashev, A.Kh. (ed.) Human Rights in the 21st Century: Anxiety and Hope. Collection of articles / A.Kh. Ulbashev. – Moscow: Statut, 2021.
9. Kartashkin, V.A. Human Rights and the Principles of International Law in the 21st Century / V.A. Kartashkin. – Moscow: Norma, 2022.
10. Davis, H. Beginning Human Rights Law / H. Davis. – 2nd ed. – Abingdon: Routledge, 2014. – On the doctrine of human rights in the United Kingdom.
11. Office of the United Nations High Commissioner for Human Rights. Human Rights: A Basic Handbook for UN Staff. – Geneva: United Nations, 2001.

12. Office of the United Nations High Commissioner for Human Rights. Guidelines on Indigenous Peoples' Issues: A Manual on Human Rights-Based Programming. – Geneva/New York: United Nations, 2013.

PRACTICE 5. Topic 3. THE SYSTEM OF HUMAN AND CIVIL RIGHTS AND FREEDOMS IN THE RUSSIAN FEDERATION

Target: formation of the ability to work with Chapter 2 of the Constitution of the Russian Federation as an internally structured system.

As a result of studying the topic, the student:

- names the constitutional principles underlying the legal status of the individual in Russia;
- reproduces the structure of Chapter 2 of the Constitution and correlates it with the theoretical classification of rights;
- explains the significance of the direct effect of constitutional rights and freedoms;
- distinguishes the constitutional catalogue of rights from its statutory development.

Formed competencies: UC-2, UC-3.

Relevance of the topic. Chapter 2 of the Constitution is the normative core of the entire discipline: every subsequent topic presupposes precise knowledge of what exactly Chapter 2 guarantees, to whom, and on what constitutional principles this guarantee rests.

Theoretical part

The fundamentals of the legal status of the individual in the Russian Federation rest on several constitutional principles. Article 2 declares man, his rights and freedoms, the supreme value, and their recognition and protection an obligation of the State, a provision that under Article 16 cannot be altered except through a new Constitution. Article 15, part 1, fixes the direct effect of the Constitution; Article 18

provides that the rights of Chapter 2 are directly applicable, determine the meaning of laws and the activity of all branches of power, and are guaranteed by justice. Article 19 guarantees equality before the law regardless of sex, race, nationality, language, origin, property or official status, place of residence, attitude to religion, or other circumstances, and separately guarantees equal rights for men and women.

The structure of Chapter 2 (Articles 17–64) follows the classification of rights considered earlier. Personal rights open the chapter: life (Article 20), dignity (Article 21, prohibiting torture), liberty and personal security (Article 22), privacy and the home (Articles 23–25), determination of nationality (Article 26), freedom of movement (Article 27), freedom of conscience (Article 28). Political rights follow: freedom of speech (Article 29), association (Article 30), peaceful assembly (Article 31), participation in State affairs and electoral rights (Article 32), appeal to State bodies (Article 33). Socio-economic and cultural rights occupy the remainder: entrepreneurial activity and property (Articles 34–36), labour and the right to strike (Article 37), social security (Article 39), housing (Article 40), health protection (Article 41), environment (Article 42), education (Article 43), cultural creativity (Article 44). A cluster of procedural guarantee rights (Articles 45–54) – State and judicial protection, qualified legal assistance, the presumption of innocence, non-retroactivity of criminal liability – guarantees the enforceability of all the others.

Questions and tasks

Questions:

1. The constitutional principle of the priority of the individual (Article 2) and its guarantee under Article 16.
2. The direct effect of the rights and freedoms fixed in Chapter 2 (Articles 15 and 18).
3. The constitutional principle of equality (Article 19): general and special guarantees.

4. The structure of Chapter 2 of the Constitution: personal, political, socio-economic and cultural, and procedural (guarantee) rights.
5. The function of the procedural (guarantee) rights fixed in Articles 45–54.

Tasks:

1. Draw up a structural scheme of Chapter 2, grouping Articles 17–64 into the four blocks described in the theoretical part.
2. Prepare a short written commentary (up to one page) on the practical meaning of Article 18 for a court in the absence of a directly applicable statutory provision.

List of basic literature:

1. Grudin, N. S. Protection of Human Rights in Russian Constitutional Law : Textbook / N. S. Grudin. – Moscow : IPR Media, 2023. – 165 p. – ISBN 978-5-4497-2007-8. – Text : electronic // IPR SMART Digital Educational Resource : [website]. – URL: <https://www.iprbookshop.ru/127203.html>
2. Human Rights and Methods of Their Protection: A Study Guide (Lecture Course) / L. M. Balakireva, A. A. Volkov, A. M. Drozdova [et al.]. – Stavropol : North Caucasus Federal University, 2023. – 137 p. – Text : electronic // IPR SMART Digital Educational Resource : [website]. – URL: <https://www.iprbookshop.ru/135726.html>
3. Human Rights: Textbook / Ed. by E.A. Lukasheva. – 3rd ed., revised. – Moscow : Norma : INFRA-M, 2027. – 512 p. – ISBN 978-5-91768-578-6. – Text : electronic. – URL: <https://znanium.ru/catalog/product/2271798> (accessed: 26.09.2026). – Access mode: by subscription.

List of additional literature:

1. International Court of Justice. Nottebohm Case (Liechtenstein v. Guatemala), Judgment of 6 April 1955, I.C.J. Reports 1955.

2. Bystrenko, V. I. Human Rights : Study Guide / V. I. Bystrenko. – Moscow : IPR Media, 2021. – 152 p. – ISBN 978-5-4497-1183-0. – Text : electronic // IPR SMART : [website]. – URL: <https://www.iprbookshop.ru/108241.html>.
3. Gulin, E.V. Human Rights: a textbook / E.V. Gulin. – Moscow: Publishing House of the Institute of International Law and Economics, 2003 (reprinted editions available). – Chapters on the concept, classification and history of human rights.
4. Kapitsyn, V.M. Human Rights and Mechanisms of Their Protection / V.M. Kapitsyn. – textbook. – Chapters on state and public mechanisms of human rights protection in Russia. M.: 2003.
5. Kartashkin, V. A. Human rights and modern international relations: collection of articles / V. A. Kartashkin. – Moscow: Norma, 2024. – 176 p. – DOI 10.12737/2130217. - ISBN 978-5-00156-356-3. - Text: electronic. - URL: <https://znanium.ru/catalog/product/2130217> (access date: 09/26/2026). – Access mode: by subscription.
6. Kolesova, N.S. Human Rights and Demographic Processes / N.S. Kolesova. – Moscow: Norma, 2020.
7. Voronina, N.A. Human Rights and the Legal Social State in Russia / N.A. Voronina. – Moscow: Norma, 2020.
8. Ulbashev, A.Kh. (ed.) Human Rights in the 21st Century: Anxiety and Hope. Collection of articles / A.Kh. Ulbashev. – Moscow: Statut, 2021.
9. Kartashkin, V.A. Human Rights and the Principles of International Law in the 21st Century / V.A. Kartashkin. – Moscow: Norma, 2022.
10. Davis, H. Beginning Human Rights Law / H. Davis. – 2nd ed. – Abingdon: Routledge, 2014. – On the doctrine of human rights in the United Kingdom.
11. Office of the United Nations High Commissioner for Human Rights. Human Rights: A Basic Handbook for UN Staff. – Geneva: United Nations, 2001.

12. Office of the United Nations High Commissioner for Human Rights. Guidelines on Indigenous Peoples' Issues: A Manual on Human Rights-Based Programming. – Geneva/New York: United Nations, 2013.

PRACTICE 6. Topic 3. THE SYSTEM OF HUMAN AND CIVIL RIGHTS AND FREEDOMS IN THE RUSSIAN FEDERATION

Target: formation of the ability to assess the constitutionality of a restriction of a right and to correlate the catalogue of rights with the correlative catalogue of constitutional duties.

As a result of studying the topic, the student:

- names the constitutional grounds and conditions for the restriction of rights and freedoms;
- distinguishes the ordinary regime of restriction (Article 55) from the special regimes of the state of emergency and martial law (Article 56);
- identifies the rights that are not subject to restriction even under a state of emergency;
- names and characterises the basic constitutional duties of man and citizen in Russia.

Formed competencies: UC-2, UC-3.

Relevance of the topic. The genuinely important legal question is always by whom, on what grounds, to what extent and subject to what safeguards a right may lawfully be restricted; equally, the constitutional model adopted in Russia links freedom to a limited but real set of obligations.

Theoretical part

The general regime for the restriction of rights and freedoms is fixed in Article 55 of the Constitution. Part 2 prohibits laws that abolish or diminish rights; part 3 permits restriction by federal law only, and only to protect the foundations of the constitutional system, morality, health, the rights of others, and the defence and

security of the State. The Constitutional Court has read into this provision the principle of proportionality: a restriction must be suitable, necessary, and not impose a disproportionate burden.

Alongside this ordinary regime, the Constitution provides for the state of emergency and martial law. Under Article 56, individual restrictions with a stated limit and duration may be established under a state of emergency (Federal Constitutional Law No. 3-FKZ of 30 May 2001). Martial law is introduced under Article 87 and Federal Constitutional Law No. 1-FKZ of 30 January 2002 in the event of aggression against the Russian Federation. Article 56, part 3, fixes a closed list of non-derogable rights even under a state of emergency: life (Article 20), dignity (Article 21), privacy in part (Articles 23–24), freedom of conscience (Article 28), property for entrepreneurial activity (Article 34), housing (Article 40), and the entire cluster of procedural guarantee rights in Articles 46–54.

The Constitution correlates rights with a binding list of duties: Article 57 obliges everyone to pay legally established taxes, with no retroactive effect for worsening laws; Article 58 obliges preservation of nature; Article 59 establishes defence of the Fatherland, with alternative civilian service where military service contradicts convictions or religion (Federal Law No. 113-FZ of 25 July 2002); Article 38 imposes on parents the duty to care for children and on able-bodied adult children the duty to care for disabled parents; Article 43, part 4, makes basic general education compulsory.

Questions and tasks

Questions:

1. The ordinary regime of restriction of rights under Article 55 and the principle of proportionality.
2. The state of emergency as a special legal regime: grounds, regulation, limits.
3. Martial law as a special legal regime: grounds, regulation, limits.
4. The closed list of non-derogable rights under Article 56, part 3.

5. The basic constitutional duties of man and citizen in Russia.

Tasks:

1. Draw up a comparative table "ordinary restriction – state of emergency – martial law", indicating grounds, regulation and an example right for each regime.

2. Using Article 56, part 3, compose the full list of non-derogable rights and explain, for at least three, why they function as an ultimate guarantee.

3. Prepare a short written commentary (up to one page) on the link between defence of the Fatherland (Article 59) and alternative civilian service.

List of basic literature:

List of basic literature:

1. Grudin, N. S. Protection of Human Rights in Russian Constitutional Law : Textbook / N. S. Grudin. – Moscow : IPR Media, 2023. – 165 p. – ISBN 978-5-4497-2007-8. – Text : electronic // IPR SMART Digital Educational Resource : [website]. – URL: <https://www.iprbookshop.ru/127203.html>

2. Human Rights and Methods of Their Protection: A Study Guide (Lecture Course) / L. M. Balakireva, A. A. Volkov, A. M. Drozdova [et al.]. – Stavropol : North Caucasus Federal University, 2023. – 137 p. – Text : electronic // IPR SMART Digital Educational Resource : [website]. – URL: <https://www.iprbookshop.ru/135726.html>

3. Human Rights: Textbook / Ed. by E.A. Lukasheva. – 3rd ed., revised. – Moscow : Norma : INFRA-M, 2027. – 512 p. – ISBN 978-5-91768-578-6. – Text : electronic. – URL: <https://znanium.ru/catalog/product/2271798> (accessed: 26.09.2026). – Access mode: by subscription.

List of additional literature:

1. Federal Constitutional Law No. 3-FKZ of 30 May 2001 "On the State of Emergency" (as amended). – www.pravo.gov.ru.

2. Federal Constitutional Law No. 1-FKZ of 30 January 2002 "On Martial Law" (as amended). – www.pravo.gov.ru.

3. Federal Law No. 113-FZ of 25 July 2002 "On Alternative Civilian Service" (as amended). – www.pravo.gov.ru.
4. International Court of Justice. Nottebohm Case (Liechtenstein v. Guatemala), Judgment of 6 April 1955, I.C.J. Reports 1955.
5. Bystrenko, V. I. Human Rights : Study Guide / V. I. Bystrenko. – Moscow : IPR Media, 2021. – 152 p. – ISBN 978-5-4497-1183-0. – Text : electronic // IPR SMART : [website]. – URL: <https://www.iprbookshop.ru/108241.html>.
6. Gulin, E.V. Human Rights: a textbook / E.V. Gulin. – Moscow: Publishing House of the Institute of International Law and Economics, 2003 (reprinted editions available). – Chapters on the concept, classification and history of human rights.
7. Kapitsyn, V.M. Human Rights and Mechanisms of Their Protection / V.M. Kapitsyn. – textbook. – Chapters on state and public mechanisms of human rights protection in Russia. M.: 2003.
8. Kartashkin, V. A. Human rights and modern international relations: collection of articles / V. A. Kartashkin. – Moscow: Norma, 2024. – 176 p. – DOI 10.12737/2130217. - ISBN 978-5-00156-356-3. - Text: electronic. - URL: <https://znanium.ru/catalog/product/2130217> (access date: 09/26/2026). – Access mode: by subscription.
9. Kolesova, N.S. Human Rights and Demographic Processes / N.S. Kolesova. – Moscow: Norma, 2020.
10. Voronina, N.A. Human Rights and the Legal Social State in Russia / N.A. Voronina. – Moscow: Norma, 2020.
11. Ulbashev, A.Kh. (ed.) Human Rights in the 21st Century: Anxiety and Hope. Collection of articles / A.Kh. Ulbashev. – Moscow: Statut, 2021.
12. Kartashkin, V.A. Human Rights and the Principles of International Law in the 21st Century / V.A. Kartashkin. – Moscow: Norma, 2022.
13. Davis, H. Beginning Human Rights Law / H. Davis. – 2nd ed. – Abingdon: Routledge, 2014. – On the doctrine of human rights in the United Kingdom.

14. Office of the United Nations High Commissioner for Human Rights. Human Rights: A Basic Handbook for UN Staff. – Geneva: United Nations, 2001.

15. Office of the United Nations High Commissioner for Human Rights. Guidelines on Indigenous Peoples' Issues: A Manual on Human Rights-Based Programming. – Geneva/New York: United Nations, 2013.

PRACTICE 7. Topic 4. HUMAN AND CIVIL RIGHTS AND FREEDOMS IN FOREIGN STATES

Target: formation of the ability to compare, on a legally precise basis, the constitutional and institutional models of human rights protection existing in three leading legal orders of the Western tradition.

As a result of studying the topic, the student:

- describes the constitutional model of human rights protection in the United States of America;
- describes the constitutional model of human rights protection in the United Kingdom;
- describes the model of fundamental-rights protection developed within the European Union;
- is able to compare the three models with the Russian model considered in Practice 5.

Formed competencies: UC-2, UC-3.

Relevance of the topic. Comparative knowledge of foreign systems allows a lawyer to see that the same universal catalogue of rights can be embedded in strikingly different institutional architectures.

Theoretical part

The constitutional model of the United States rests on the Bill of Rights (1791) and later amendments, in particular the Fourteenth Amendment (1868), extending due process and equal protection to the States. Its distinctive feature is judicial review:

since *Marbury v. Madison* (1803), the Supreme Court has claimed the power to invalidate legislation incompatible with the Constitution, so that the content of a right is shaped substantially by accumulated case-law.

The United Kingdom has no single written constitution and traditionally rests on parliamentary sovereignty, under which no court may declare a statute unconstitutional. Protection of liberty historically depended on residual liberty and specific common-law protections. The Human Rights Act 1998 incorporated the European Convention on Human Rights into domestic law, obliging courts to interpret legislation compatibly where possible and empowering higher courts to issue a "declaration of incompatibility" that does not itself invalidate the statute, preserving parliamentary sovereignty.

The European Union developed fundamental-rights protection initially through the case-law of the Court of Justice of the European Union from the 1970s, later codified in the Charter of Fundamental Rights of the European Union (2000), given the same legal value as the founding Treaties by the Treaty of Lisbon (2007, in force 2009). The Charter applies to Union institutions and member States acting within the scope of Union law, enforced by the Court of Justice, whose judgments are directly binding on all member States.

Questions and tasks

Questions:

1. The Bill of Rights of the United States (1791) and the Fourteenth Amendment (1868).
2. Judicial review by the Supreme Court of the United States.
3. Parliamentary sovereignty in the United Kingdom and its consequences before 1998.
4. The Human Rights Act 1998: incorporation of the European Convention and the "declaration of incompatibility".

5. The Charter of Fundamental Rights of the European Union and the Court of Justice of the European Union.

Tasks:

1. Draw up a comparative table "USA – United Kingdom – European Union", indicating the source of rights, the enforcing body, and the effect of a finding of incompatibility.

2. Prepare a short written commentary (up to one page) explaining why the Human Rights Act 1998 preserves parliamentary sovereignty.

List of basic literature:

1. Grudin, N. S. Protection of Human Rights in Russian Constitutional Law : Textbook / N. S. Grudin. – Moscow : IPR Media, 2023. – 165 p. – ISBN 978-5-4497-2007-8. – Text : electronic // IPR SMART Digital Educational Resource : [website]. – URL: <https://www.iprbookshop.ru/127203.html>

2. Human Rights and Methods of Their Protection: A Study Guide (Lecture Course) / L. M. Balakireva, A. A. Volkov, A. M. Drozdova [et al.]. – Stavropol : North Caucasus Federal University, 2023. – 137 p. – Text : electronic // IPR SMART Digital Educational Resource : [website]. – URL: <https://www.iprbookshop.ru/135726.html>

3. Human Rights: Textbook / Ed. by E.A. Lukasheva. – 3rd ed., revised. – Moscow : Norma : INFRA-M, 2027. – 512 p. – ISBN 978-5-91768-578-6. – Text : electronic. – URL: <https://znanium.ru/catalog/product/2271798> (accessed: 26.09.2026). – Access mode: by subscription.

List of additional literature:

1. International Court of Justice. Nottebohm Case (Liechtenstein v. Guatemala), Judgment of 6 April 1955, I.C.J. Reports 1955.

2. Bystrenko, V. I. Human Rights : Study Guide / V. I. Bystrenko. – Moscow : IPR Media, 2021. – 152 p. – ISBN 978-5-4497-1183-0. – Text : electronic // IPR SMART : [website]. – URL: <https://www.iprbookshop.ru/108241.html>.

3. Gulin, E.V. Human Rights: a textbook / E.V. Gulin. – Moscow: Publishing House of the Institute of International Law and Economics, 2003 (reprinted editions available). – Chapters on the concept, classification and history of human rights.
4. Kapitsyn, V.M. Human Rights and Mechanisms of Their Protection / V.M. Kapitsyn. – textbook. – Chapters on state and public mechanisms of human rights protection in Russia. M.: 2003.
5. Kartashkin, V. A. Human rights and modern international relations: collection of articles / V. A. Kartashkin. – Moscow: Norma, 2024. – 176 p. – DOI 10.12737/2130217. - ISBN 978-5-00156-356-3. - Text: electronic. - URL: <https://znanium.ru/catalog/product/2130217> (access date: 09/26/2026). – Access mode: by subscription.
6. Kolesova, N.S. Human Rights and Demographic Processes / N.S. Kolesova. – Moscow: Norma, 2020.
7. Voronina, N.A. Human Rights and the Legal Social State in Russia / N.A. Voronina. – Moscow: Norma, 2020.
8. Ulbashev, A.Kh. (ed.) Human Rights in the 21st Century: Anxiety and Hope. Collection of articles / A.Kh. Ulbashev. – Moscow: Statut, 2021.
9. Kartashkin, V.A. Human Rights and the Principles of International Law in the 21st Century / V.A. Kartashkin. – Moscow: Norma, 2022.
10. Davis, H. Beginning Human Rights Law / H. Davis. – 2nd ed. – Abingdon: Routledge, 2014. – On the doctrine of human rights in the United Kingdom.
11. Office of the United Nations High Commissioner for Human Rights. Human Rights: A Basic Handbook for UN Staff. – Geneva: United Nations, 2001.
12. Office of the United Nations High Commissioner for Human Rights. Guidelines on Indigenous Peoples' Issues: A Manual on Human Rights-Based Programming. – Geneva/New York: United Nations, 2013.

PRACTICE 8. Topic 4. HUMAN AND CIVIL RIGHTS AND FREEDOMS IN FOREIGN STATES

Target: formation of the ability to recognise the diversity of approaches to human rights existing within Asian legal systems and to assess critically the so-called "Asian values" debate on the universality of human rights.

As a result of studying the topic, the student:

- describes the specific features of the protection of rights in the constitutional order of the People's Republic of China;
- describes the constitutional model of fundamental rights in Japan and in the Republic of India;
- explains the influence of the Islamic legal tradition on the catalogue and interpretation of rights in a number of Asian States;
- is able to state and assess critically the arguments advanced in the "Asian values" debate.

Formed competencies: UC-2, UC-3.

Relevance of the topic. Asian States, taken together, are home to the majority of the world's population and have produced their own, often markedly different, constitutional answers to the questions of what a right is and how far it may be conditioned by collective welfare or religious law.

Theoretical part

The Constitution of the People's Republic of China (1982, as amended) contains, in Chapter II, an extensive catalogue of citizens' fundamental rights, but the practical exercise of these rights is constitutionally conditioned on the leadership of the Communist Party, national unity and social stability, and there is no independent constitutional court empowered to invalidate legislation; supervision of constitutional compliance rests with the National People's Congress and its Standing Committee, a political rather than judicial body.

Japan and India illustrate a different pattern. The Constitution of Japan (1947), Chapter III, guarantees fundamental rights enforceable through the Supreme Court of Japan, exercised with considerable restraint. The Constitution of India (1950), Part III, "Fundamental Rights", is directly enforceable through constitutional writ petitions, and Indian jurisprudence developed the doctrine that certain "basic features", including fundamental rights, cannot be abrogated even by constitutional amendment (Kesavananda Bharati v. State of Kerala, 1973).

The Islamic legal tradition (Sharia) further influences the catalogue of rights in several Asian and Middle Eastern States; the Cairo Declaration on Human Rights in Islam (1990) offers an alternative framework grounded in Sharia. These divergences underlie the "Asian values" debate, formulated in the Bangkok Declaration (1993), which, while affirming universality in principle, insisted on considering "national and regional particularities and various historical, cultural and religious backgrounds". The Vienna Declaration and Programme of Action (1993) ultimately reaffirmed universality while acknowledging that regional particularities "must be borne in mind".

Questions and tasks

Questions:

1. The catalogue of citizens' fundamental rights in China.
2. The constitutional model of fundamental rights in Japan.
3. Fundamental Rights in India and the doctrine of "basic features" (1973).
4. The influence of the Islamic legal tradition: the Cairo Declaration (1990).
5. The Bangkok Declaration (1993) and the "Asian values" debate.
6. The Vienna Declaration and Programme of Action (1993).

Tasks:

1. Draw up a comparative table "China – Japan – India", indicating the source of rights and the enforcing body.

2. Prepare a short written essay (up to one page) presenting, in a balanced manner, arguments for and against "Asian values".

List of basic literature:

1. Grudin, N. S. Protection of Human Rights in Russian Constitutional Law : Textbook / N. S. Grudin. – Moscow : IPR Media, 2023. – 165 p. – ISBN 978-5-4497-2007-8. – Text : electronic // IPR SMART Digital Educational Resource : [website]. – URL: <https://www.iprbookshop.ru/127203.html>

2. Human Rights and Methods of Their Protection: A Study Guide (Lecture Course) / L. M. Balakireva, A. A. Volkov, A. M. Drozdova [et al.]. – Stavropol : North Caucasus Federal University, 2023. – 137 p. – Text : electronic // IPR SMART Digital Educational Resource : [website]. – URL: <https://www.iprbookshop.ru/135726.html>

3. Human Rights: Textbook / Ed. by E.A. Lukasheva. – 3rd ed., revised. – Moscow : Norma : INFRA-M, 2027. – 512 p. – ISBN 978-5-91768-578-6. – Text : electronic. – URL: <https://znanium.ru/catalog/product/2271798> (accessed: 26.09.2026). – Access mode: by subscription.

List of additional literature:

1. International Court of Justice. Nottebohm Case (Liechtenstein v. Guatemala), Judgment of 6 April 1955, I.C.J. Reports 1955.

2. Bystrenko, V. I. Human Rights : Study Guide / V. I. Bystrenko. – Moscow : IPR Media, 2021. – 152 p. – ISBN 978-5-4497-1183-0. – Text : electronic // IPR SMART : [website]. – URL: <https://www.iprbookshop.ru/108241.html>.

3. Gulin, E.V. Human Rights: a textbook / E.V. Gulin. – Moscow: Publishing House of the Institute of International Law and Economics, 2003 (reprinted editions available). – Chapters on the concept, classification and history of human rights.

4. Kapitsyn, V.M. Human Rights and Mechanisms of Their Protection / V.M. Kapitsyn. – textbook. – Chapters on state and public mechanisms of human rights protection in Russia. M.: 2003.

5. Kartashkin, V. A. Human rights and modern international relations: collection of articles / V. A. Kartashkin. – Moscow: Norma, 2024. – 176 p. – DOI 10.12737/2130217. - ISBN 978-5-00156-356-3. - Text: electronic. - URL: <https://znanium.ru/catalog/product/2130217> (access date: 09/26/2026). – Access mode: by subscription.

6. Kolesova, N.S. Human Rights and Demographic Processes / N.S. Kolesova. – Moscow: Norma, 2020.

7. Voronina, N.A. Human Rights and the Legal Social State in Russia / N.A. Voronina. – Moscow: Norma, 2020.

8. Ulbashev, A.Kh. (ed.) Human Rights in the 21st Century: Anxiety and Hope. Collection of articles / A.Kh. Ulbashev. – Moscow: Statut, 2021.

9. Kartashkin, V.A. Human Rights and the Principles of International Law in the 21st Century / V.A. Kartashkin. – Moscow: Norma, 2022.

10. Davis, H. Beginning Human Rights Law / H. Davis. – 2nd ed. – Abingdon: Routledge, 2014. – On the doctrine of human rights in the United Kingdom.

11. Office of the United Nations High Commissioner for Human Rights. Human Rights: A Basic Handbook for UN Staff. – Geneva: United Nations, 2001.

12. Office of the United Nations High Commissioner for Human Rights. Guidelines on Indigenous Peoples' Issues: A Manual on Human Rights-Based Programming. – Geneva/New York: United Nations, 2013.

PRACTICE 9. Topic 5. HUMAN RIGHTS AND FREEDOMS IN THEIR INTERNATIONAL LEGAL DIMENSION

Target: formation of the ability to work with the foundational universal instruments of international human rights law and to distinguish human rights law from international humanitarian law.

As a result of studying the topic, the student:

- names the human-rights provisions of the Charter of the United Nations and explains their legal significance;
- names the instruments composing the International Bill of Human Rights and characterises their legal force;
- describes the principal human-rights functions of United Nations bodies;
- distinguishes international humanitarian law from human rights law and explains their relationship.

Formed competencies: UC-2, UC-3.

Relevance of the topic. The universal, United Nations-based framework is the foundation on which every regional and national system of human rights protection ultimately rests.

Theoretical part

The Charter of the United Nations (San Francisco, 26 June 1945) is the first universal treaty to place respect for human rights among the purposes of an international organisation: Article 1(3) names promoting respect for human rights among the UN's purposes, and Articles 55–56 oblige member States to cooperate towards this end. The Charter itself does not define the content of these rights, leaving this to subsequent instruments.

The International Bill of Human Rights comprises three instruments of differing legal nature. The Universal Declaration of Human Rights (10 December 1948) is formally non-binding, though much of its content is considered customary international law. The two International Covenants (16 December 1966) – on Civil and Political Rights, and on Economic, Social and Cultural Rights – are binding treaties, ratified by the USSR/Russian Federation in 1973. The first imposes an immediate obligation to respect and ensure rights; the second imposes an obligation of progressive realisation "to the maximum of available resources".

The Human Rights Council (established 2006) conducts the Universal Periodic Review and appoints special rapporteurs; each principal human-rights treaty

establishes its own treaty body (e.g., the Human Rights Committee) to examine State reports and, where accepted, individual communications.

International humanitarian law, codified in the four Geneva Conventions (1949) and their 1977 Additional Protocols, applies during armed conflict, while human rights law applies at all times; the ICJ confirmed in its 1996 Nuclear Weapons Advisory Opinion and its 2004 Wall Advisory Opinion that both bodies of law apply simultaneously, with humanitarian law generally serving as *lex specialis*.

Questions and tasks

Questions:

1. The human-rights provisions of the UN Charter (Articles 1, 55, 56).
2. The Universal Declaration of Human Rights (1948): legal nature and normative influence.
3. The two International Covenants (1966): differences in obligations.
4. The Human Rights Council: Universal Periodic Review and special procedures.
5. The treaty-body mechanism: the Human Rights Committee.
6. International humanitarian law and human rights law: *lex specialis/lex generalis*.

Tasks:

1. Draw up a comparative table of the Universal Declaration and the two Covenants, indicating legal form, date, and obligation type.
2. Prepare a short written commentary (up to one page) on the difference between "respect and ensure" and "progressive realisation".
3. Explain, using the 1996 ICJ Advisory Opinion, how the Court resolved the relationship between the two branches of law.

List of basic literature:

1. Grudin, N. S. Protection of Human Rights in Russian Constitutional Law : Textbook / N. S. Grudin. – Moscow : IPR Media, 2023. – 165 p. – ISBN 978-5-

4497-2007-8. – Text : electronic // IPR SMART Digital Educational Resource : [website]. – URL: <https://www.iprbookshop.ru/127203.html>

2. Human Rights and Methods of Their Protection: A Study Guide (Lecture Course) / L. M. Balakireva, A. A. Volkov, A. M. Drozdova [et al.]. – Stavropol : North Caucasus Federal University, 2023. – 137 p. – Text : electronic // IPR SMART Digital Educational Resource : [website]. – URL: <https://www.iprbookshop.ru/135726.html>

3. Human Rights: Textbook / Ed. by E.A. Lukasheva. – 3rd ed., revised. – Moscow : Norma : INFRA-M, 2027. – 512 p. – ISBN 978-5-91768-578-6. – Text : electronic. – URL: <https://znanium.ru/catalog/product/2271798> (accessed: 26.09.2026). – Access mode: by subscription.

List of additional literature:

1. Charter of the United Nations (1945).
2. International Covenant on Civil and Political Rights (1966); International Covenant on Economic, Social and Cultural Rights (1966).
3. Geneva Conventions of 12 August 1949 and their Additional Protocols of 1977.
4. Bystrenko, V. I. Human Rights : Study Guide / V. I. Bystrenko. – Moscow : IPR Media, 2021. – 152 p. – ISBN 978-5-4497-1183-0. – Text : electronic // IPR SMART : [website]. – URL: <https://www.iprbookshop.ru/108241.html>.
5. Gulin, E.V. Human Rights: a textbook / E.V. Gulin. – Moscow: Publishing House of the Institute of International Law and Economics, 2003 (reprinted editions available). – Chapters on the concept, classification and history of human rights.
6. Kapitsyn, V.M. Human Rights and Mechanisms of Their Protection / V.M. Kapitsyn. – textbook. – Chapters on state and public mechanisms of human rights protection in Russia. M.: 2003.
7. Kartashkin, V. A. Human rights and modern international relations: collection of articles / V. A. Kartashkin. – Moscow: Norma, 2024. – 176 p. – DOI

10.12737/2130217. - ISBN 978-5-00156-356-3. - Text: electronic. - URL: <https://znanium.ru/catalog/product/2130217> (access date: 09/26/2026). – Access mode: by subscription.

8. Kolesova, N.S. Human Rights and Demographic Processes / N.S. Kolesova. – Moscow: Norma, 2020.

9. Voronina, N.A. Human Rights and the Legal Social State in Russia / N.A. Voronina. – Moscow: Norma, 2020.

10. Ulbashev, A.Kh. (ed.) Human Rights in the 21st Century: Anxiety and Hope. Collection of articles / A.Kh. Ulbashev. – Moscow: Statut, 2021.

11. Kartashkin, V.A. Human Rights and the Principles of International Law in the 21st Century / V.A. Kartashkin. – Moscow: Norma, 2022.

12. Davis, H. Beginning Human Rights Law / H. Davis. – 2nd ed. – Abingdon: Routledge, 2014. – On the doctrine of human rights in the United Kingdom.

13. Office of the United Nations High Commissioner for Human Rights. Human Rights: A Basic Handbook for UN Staff. – Geneva: United Nations, 2001.

14. Office of the United Nations High Commissioner for Human Rights. Guidelines on Indigenous Peoples' Issues: A Manual on Human Rights-Based Programming. – Geneva/New York: United Nations, 2013.

PRACTICE 10. Topic 6. STATE MECHANISMS FOR THE PROTECTION OF HUMAN AND CIVIL RIGHTS AND FREEDOMS IN RUSSIA

Target: formation of the ability to identify, for a concrete violation of a right, the correct judicial forum – constitutional or ordinary – and the correct procedural avenue of protection.

As a result of studying the topic, the student:

- describes the competence of the Constitutional Court of the Russian Federation in the sphere of protection of rights and freedoms;
- names the categories of applicants entitled to lodge a constitutional complaint and the conditions of its admissibility;
- describes the system of courts of general jurisdiction and arbitrazh courts competent to protect human and civil rights and freedoms;
- explains the constitutional guarantee of judicial protection under Article 46 of the Constitution.

Formed competencies: UC-2, UC-3.

Relevance of the topic. Judicial protection is the mechanism to which the entire constitutional system of guarantees ultimately refers.

Theoretical part

Constitutional control is exercised by the Constitutional Court of the Russian Federation under Article 125 of the Constitution and Federal Constitutional Law No. 1-FKZ of 21 July 1994 (as last amended by FKZ No. 2-FKZ of 29 May 2023). The constitutional complaint (Article 125, part 4) allows a citizen, an association of citizens, or, in specified cases, other bodies, to challenge a law already applied in a concrete case; the complaint is admissible after exhaustion of ordinary remedies, and the Court examines the norm's compatibility rather than the correctness of the underlying decision. A finding of unconstitutionality deprives the norm of force and the underlying case is subject to review.

The courts of general jurisdiction (headed by the Supreme Court) and the arbitrazh courts constitute the ordinary mechanism of judicial protection, including challenges under the Code of Administrative Court Procedure against acts of State bodies and officials.

Article 46 is the general guarantee: part 1 guarantees judicial protection to everyone; part 2 guarantees the right to challenge decisions and acts of public authorities; part 3 guarantees the right to apply to interstate bodies where domestic

remedies are exhausted – now read together with Article 79 (2020), under which decisions of interstate bodies based on an interpretation contrary to the Constitution are not executed in Russia.

Questions and tasks

Questions:

1. The competence of the Constitutional Court under Article 125.
2. The constitutional complaint: applicants and admissibility.
3. The consequences of a finding of unconstitutionality.
4. Courts of general jurisdiction and arbitrazh courts as the ordinary mechanism of judicial protection.
5. Article 46 and its relationship to Article 79 (2020).

Tasks:

1. Prepare a short written commentary (up to one page) explaining, with a hypothetical, when a person should lodge a constitutional complaint rather than an ordinary appeal.
2. Find one decision of the Constitutional Court adopted on a constitutional complaint and describe the norm challenged, the conclusion, and its consequence for the applicant.

List of basic literature:

1. Grudin, N. S. Protection of Human Rights in Russian Constitutional Law : Textbook / N. S. Grudin. – Moscow : IPR Media, 2023. – 165 p. – ISBN 978-5-4497-2007-8. – Text : electronic // IPR SMART Digital Educational Resource : [website]. – URL: <https://www.iprbookshop.ru/127203.html>
2. Human Rights and Methods of Their Protection: A Study Guide (Lecture Course) / L. M. Balakireva, A. A. Volkov, A. M. Drozdova [et al.]. – Stavropol : North Caucasus Federal University, 2023. – 137 p. – Text : electronic // IPR SMART Digital Educational Resource : [website]. – URL: <https://www.iprbookshop.ru/135726.html>

3. Human Rights: Textbook / Ed. by E.A. Lukasheva. – 3rd ed., revised. – Moscow : Norma : INFRA-M, 2027. – 512 p. – ISBN 978-5-91768-578-6. – Text : electronic. – URL: <https://znanium.ru/catalog/product/2271798> (accessed: 26.09.2026). – Access mode: by subscription.

List of additional literature:

1. Constitution of the Russian Federation of 12 December 1993 (with amendments approved 1 July 2020). – www.pravo.gov.ru.

2. Federal Constitutional Law No. 1-FKZ of 21 July 1994 "On the Constitutional Court of the Russian Federation" (as amended by FKZ No. 2-FKZ of 29 May 2023). – www.pravo.gov.ru.

3. Bystrenko, V. I. Human Rights : Study Guide / V. I. Bystrenko. – Moscow : IPR Media, 2021. – 152 p. – ISBN 978-5-4497-1183-0. – Text : electronic // IPR SMART : [website]. – URL: <https://www.iprbookshop.ru/108241.html>.

4. Gulin, E.V. Human Rights: a textbook / E.V. Gulin. – Moscow: Publishing House of the Institute of International Law and Economics, 2003 (reprinted editions available). – Chapters on the concept, classification and history of human rights.

5. Kapitsyn, V.M. Human Rights and Mechanisms of Their Protection / V.M. Kapitsyn. – textbook. – Chapters on state and public mechanisms of human rights protection in Russia. M.: 2003.

6. Kartashkin, V. A. Human rights and modern international relations: collection of articles / V. A. Kartashkin. – Moscow: Norma, 2024. – 176 p. – DOI 10.12737/2130217. - ISBN 978-5-00156-356-3. - Text: electronic. - URL: <https://znanium.ru/catalog/product/2130217> (access date: 09/26/2026). – Access mode: by subscription.

7. Kolesova, N.S. Human Rights and Demographic Processes / N.S. Kolesova. – Moscow: Norma, 2020.

8. Voronina, N.A. Human Rights and the Legal Social State in Russia / N.A. Voronina. – Moscow: Norma, 2020.

9. Ulbashev, A.Kh. (ed.) Human Rights in the 21st Century: Anxiety and Hope. Collection of articles / A.Kh. Ulbashev. – Moscow: Statut, 2021.

10. Kartashkin, V.A. Human Rights and the Principles of International Law in the 21st Century / V.A. Kartashkin. – Moscow: Norma, 2022.

11. Davis, H. Beginning Human Rights Law / H. Davis. – 2nd ed. – Abingdon: Routledge, 2014. – On the doctrine of human rights in the United Kingdom.

PRACTICE 11. Topic 6. STATE MECHANISMS FOR THE PROTECTION OF HUMAN AND CIVIL RIGHTS AND FREEDOMS IN RUSSIA

Target: formation of the ability to use non-judicial State mechanisms of protection of rights, in addition to and prior to recourse to the courts.

As a result of studying the topic, the student:

- describes the administrative (pre-trial) procedure for the protection of rights;
- explains the role of the prosecutor's office in supervising the observance of rights and freedoms;
- describes the status and powers of the Commissioner for Human Rights in the Russian Federation;
- names the specialised commissioners operating alongside the general Commissioner.

Formed competencies: UC-2, UC-3.

Relevance of the topic. Not every violation of a right requires litigation: administrative appeal, prosecutorial supervision and recourse to a Commissioner for Human Rights are frequently faster and less costly.

Theoretical part

Administrative mechanisms operate through pre-trial appeal of decisions of State bodies and through the right to apply to State bodies under Article 33 of the

Constitution, detailed in Federal Law No. 59-FZ of 2 May 2006 "On the Procedure for Considering Applications of Citizens of the Russian Federation", establishing uniform time-limits for consideration of appeals. In tax, customs and certain administrative-offence matters, pre-trial appeal is mandatory before judicial challenge.

The Prosecutor's Office, under Article 129 of the Constitution and Federal Law No. 2202-1 of 17 January 1992 "On the Prosecutor's Office of the Russian Federation" (as amended), is a unified federal centralised system exercising supervision over the observance of rights and freedoms by executive and local self-government bodies and places of detention. A citizen may complain directly to a prosecutor, who may issue a demand for elimination of the violation or a protest, and, where elements of an offence are disclosed, institute proceedings – an avenue not requiring the victim to initiate a lawsuit himself.

The Commissioner for Human Rights in the Russian Federation, established by Federal Constitutional Law No. 1-FKZ of 26 February 1997 (as last amended by FKZ No. 3-FKZ of 29 May 2023), appointed by the State Duma, considers complaints against decisions of State bodies violating rights, where the applicant has already appealed to a court or administrative body but disagrees with the outcome. The Commissioner's decisions are not binding but may include requests for reconsideration, applications to courts, initiation of disciplinary or criminal proceedings, applications to the Constitutional Court, and an annual report to the State Duma. Alongside the federal Commissioner, regional commissioners operate in most constituent entities, and specialised commissioners – for the rights of the child and for entrepreneurs' rights – exercise parallel, subject-specific competence.

Questions and tasks

Questions:

1. Administrative (pre-trial) appeal: Federal Law No. 59-FZ of 2006.

2. The supervisory function of the Prosecutor's Office over the observance of rights and freedoms.

3. The status of the Commissioner for Human Rights and the procedure for considering complaints.

4. The powers of the Commissioner and their non-binding character.

5. Specialised and regional commissioners.

Tasks:

1. Draw up a scheme of non-judicial remedies (administrative appeal – prosecutor's office – Commissioner), indicating the possible outcome at each stage.

2. Prepare a short written commentary (up to one page) on why the absence of binding force does not deprive the Commissioner's decisions of practical significance.

List of basic literature:

1. Grudin, N. S. Protection of Human Rights in Russian Constitutional Law : Textbook / N. S. Grudin. – Moscow : IPR Media, 2023. – 165 p. – ISBN 978-5-4497-2007-8. – Text : electronic // IPR SMART Digital Educational Resource : [website]. – URL: <https://www.iprbookshop.ru/127203.html>

2. Human Rights and Methods of Their Protection: A Study Guide (Lecture Course) / L. M. Balakireva, A. A. Volkov, A. M. Drozdova [et al.]. – Stavropol : North Caucasus Federal University, 2023. – 137 p. – Text : electronic // IPR SMART Digital Educational Resource : [website]. – URL: <https://www.iprbookshop.ru/135726.html>

3. Human Rights: Textbook / Ed. by E.A. Lukasheva. – 3rd ed., revised. – Moscow : Norma : INFRA-M, 2027. – 512 p. – ISBN 978-5-91768-578-6. – Text : electronic. – URL: <https://znanium.ru/catalog/product/2271798> (accessed: 26.09.2026). – Access mode: by subscription.

List of additional literature:

1. Federal Constitutional Law No. 1-FKZ of 26 February 1997 "On the Commissioner for Human Rights in the Russian Federation" (as amended by FKZ No. 3-FKZ of 29 May 2023). – www.pravo.gov.ru.
2. Federal Law No. 2202-1 of 17 January 1992 "On the Prosecutor's Office of the Russian Federation" (as amended). – www.pravo.gov.ru.
3. Federal Law No. 59-FZ of 2 May 2006 "On the Procedure for Considering Applications of Citizens of the Russian Federation" (as amended). – www.pravo.gov.ru.
4. Bystrenko, V. I. Human Rights : Study Guide / V. I. Bystrenko. – Moscow : IPR Media, 2021. – 152 p. – ISBN 978-5-4497-1183-0. – Text : electronic // IPR SMART : [website]. – URL: <https://www.iprbookshop.ru/108241.html>.
5. Gulin, E.V. Human Rights: a textbook / E.V. Gulin. – Moscow: Publishing House of the Institute of International Law and Economics, 2003 (reprinted editions available). – Chapters on the concept, classification and history of human rights.
6. Kapitsyn, V.M. Human Rights and Mechanisms of Their Protection / V.M. Kapitsyn. – textbook. – Chapters on state and public mechanisms of human rights protection in Russia. M.: 2003.
7. Kartashkin, V. A. Human rights and modern international relations: collection of articles / V. A. Kartashkin. – Moscow: Norma, 2024. – 176 p. – DOI 10.12737/2130217. - ISBN 978-5-00156-356-3. - Text: electronic. - URL: <https://znanium.ru/catalog/product/2130217> (access date: 09/26/2026). – Access mode: by subscription.
8. Kolesova, N.S. Human Rights and Demographic Processes / N.S. Kolesova. – Moscow: Norma, 2020.
9. Voronina, N.A. Human Rights and the Legal Social State in Russia / N.A. Voronina. – Moscow: Norma, 2020.
10. Ulbashev, A.Kh. (ed.) Human Rights in the 21st Century: Anxiety and Hope. Collection of articles / A.Kh. Ulbashev. – Moscow: Statut, 2021.

11. Kartashkin, V.A. Human Rights and the Principles of International Law in the 21st Century / V.A. Kartashkin. – Moscow: Norma, 2022.

12. Davis, H. Beginning Human Rights Law / H. Davis. – 2nd ed. – Abingdon: Routledge, 2014. – On the doctrine of human rights in the United Kingdom.

13. Office of the United Nations High Commissioner for Human Rights. Human Rights: A Basic Handbook for UN Staff. – Geneva: United Nations, 2001.

PRACTICE 12. Topic 7. PUBLIC MECHANISMS FOR THE PROTECTION OF HUMAN AND CIVIL RIGHTS AND FREEDOMS IN RUSSIA

Target: formation of the ability to distinguish State mechanisms of protection from the non-State, public mechanisms that operate alongside and frequently in cooperation with them.

As a result of studying the topic, the student:

- describes the forms through which civil society participates in the protection of human and civil rights and freedoms in Russia;
- explains the legal status of advocacy (the bar) and its constitutional role in guaranteeing the right to qualified legal assistance;
- explains the legal status of the notariat and its preventive function in the protection of civil rights;
- distinguishes the public mechanisms of protection from the State mechanisms studied earlier.

Formed competencies: UC-2, UC-3.

Relevance of the topic. A modern system for the protection of human rights cannot be reduced to State institutions alone: independent professional bodies and organised civil society perform functions the State cannot always perform impartially itself.

Theoretical part

Civil society participates in the protection of rights through several institutionalised forms. The Public Chamber of the Russian Federation (Federal Law No. 32-FZ of 4 April 2005) and regional public chambers carry out public expert review of draft legislation and public control, including public monitoring commissions inspecting places of detention (Federal Law No. 76-FZ of 10 June 2008). Non-governmental organisations prepare independent reports and provide legal aid; their status, including the special regime for organisations performing the functions of a "foreign agent", is fixed in Federal Law No. 82-FZ of 19 May 1995 "On Public Associations" and Federal Law No. 255-FZ of 14 July 2022.

The bar (advokatura) is directly linked to Article 48 of the Constitution, which guarantees to everyone the right to qualified legal assistance, free of charge in specified cases, and to a detained or accused person the assistance of an advocate from the moment of detention or the bringing of a charge. Federal Law No. 63-FZ of 31 May 2002 "On Advocacy Activity and the Bar in the Russian Federation" (as amended, most recently 2024) establishes the bar as an institution of civil society, not part of the State apparatus, built on self-government and organised through regional chambers and the Federal Chamber of Advocates.

The notary (notariat), regulated by the Fundamentals of the Legislation of the Russian Federation on the Notariat of 11 February 1993 No. 4462-I (as amended, most recently by Federal Law No. 522-FZ of 28 December 2024), performs a preventive function: certification of transactions and facts, safeguarding of inheritance rights, and giving documents enhanced evidentiary and executory force, reducing disputes that would otherwise require judicial resolution.

Questions and tasks

Questions:

1. The Public Chamber and public monitoring commissions as forms of civil-society participation.

2. The legal regime for NGOs, including the status of a "foreign agent".
3. Article 48 of the Constitution and the constitutional function of the bar.
4. The organisational principles of the bar under FZ No. 63-FZ (2002).
5. The preventive function of the notariat.

Tasks:

1. Draw up a comparative table "the bar – the notariat", indicating legal basis, principal function, and the type of right primarily protected.
2. Prepare a short written commentary (up to one page) on why the bar is a self-governing institution of civil society rather than a State body.

List of basic literature:

1. Grudin, N. S. Protection of Human Rights in Russian Constitutional Law : Textbook / N. S. Grudin. – Moscow : IPR Media, 2023. – 165 p. – ISBN 978-5-4497-2007-8. – Text : electronic // IPR SMART Digital Educational Resource : [website]. – URL: <https://www.iprbookshop.ru/127203.html>
2. Human Rights and Methods of Their Protection: A Study Guide (Lecture Course) / L. M. Balakireva, A. A. Volkov, A. M. Drozdova [et al.]. – Stavropol : North Caucasus Federal University, 2023. – 137 p. – Text : electronic // IPR SMART Digital Educational Resource : [website]. – URL: <https://www.iprbookshop.ru/135726.html>
3. Human Rights: Textbook / Ed. by E.A. Lukasheva. – 3rd ed., revised. – Moscow : Norma : INFRA-M, 2027. – 512 p. – ISBN 978-5-91768-578-6. – Text : electronic. – URL: <https://znanium.ru/catalog/product/2271798> (accessed: 26.09.2026). – Access mode: by subscription.

List of additional literature:

1. Federal Law No. 63-FZ of 31 May 2002 "On Advocacy Activity and the Bar in the Russian Federation" (as amended). – www.pravo.gov.ru.
2. Fundamentals of the Legislation of the Russian Federation on the Notariat of 11 February 1993 No. 4462-I (as amended). – www.pravo.gov.ru.

3. Federal Law No. 32-FZ of 4 April 2005 "On the Public Chamber of the Russian Federation" (as amended). – www.pravo.gov.ru. 1. International Court of Justice. Nottebohm Case (Liechtenstein v. Guatemala), Judgment of 6 April 1955, I.C.J. Reports 1955.

4. Bystrenko, V. I. Human Rights : Study Guide / V. I. Bystrenko. – Moscow : IPR Media, 2021. – 152 p. – ISBN 978-5-4497-1183-0. – Text : electronic // IPR SMART : [website]. – URL: <https://www.iprbookshop.ru/108241.html>.

5. Gulin, E.V. Human Rights: a textbook / E.V. Gulin. – Moscow: Publishing House of the Institute of International Law and Economics, 2003 (reprinted editions available). – Chapters on the concept, classification and history of human rights.

6. Kapitsyn, V.M. Human Rights and Mechanisms of Their Protection / V.M. Kapitsyn. – textbook. – Chapters on state and public mechanisms of human rights protection in Russia. M.: 2003.

7. Kartashkin, V. A. Human rights and modern international relations: collection of articles / V. A. Kartashkin. – Moscow: Norma, 2024. – 176 p. – DOI 10.12737/2130217. - ISBN 978-5-00156-356-3. - Text: electronic. - URL: <https://znanium.ru/catalog/product/2130217> (access date: 09/26/2026). – Access mode: by subscription.

8. Kolesova, N.S. Human Rights and Demographic Processes / N.S. Kolesova. – Moscow: Norma, 2020.

9. Voronina, N.A. Human Rights and the Legal Social State in Russia / N.A. Voronina. – Moscow: Norma, 2020.

10. Ulbashev, A.Kh. (ed.) Human Rights in the 21st Century: Anxiety and Hope. Collection of articles / A.Kh. Ulbashev. – Moscow: Statut, 2021.

11. Kartashkin, V.A. Human Rights and the Principles of International Law in the 21st Century / V.A. Kartashkin. – Moscow: Norma, 2022.

12. Davis, H. Beginning Human Rights Law / H. Davis. – 2nd ed. – Abingdon: Routledge, 2014. – On the doctrine of human rights in the United Kingdom.

13. Office of the United Nations High Commissioner for Human Rights. Human Rights: A Basic Handbook for UN Staff. – Geneva: United Nations, 2001.

PRACTICE 13. Topic 7. PUBLIC MECHANISMS FOR THE PROTECTION OF HUMAN AND CIVIL RIGHTS AND FREEDOMS IN RUSSIA

Target: formation of the ability to assess the role of the mass media and of digital means of communication as an informal, but practically significant, mechanism for the protection of human rights.

As a result of studying the topic, the student:

- explains the constitutional and statutory basis of the freedom of the mass media and its connection to the protection of human rights;
- describes the role of journalistic investigation and public exposure as an informal mechanism of protection;
- assesses the specific opportunities and risks created by modern digital means of communication for the protection of rights;
- names other, non-institutionalised mechanisms for the protection of human and civil rights and freedoms.

Formed competencies: UC-2, UC-3.

Relevance of the topic. A functioning system for the protection of human rights depends heavily on the possibility of making a violation publicly known: the mass media and digital platforms perform this function, though they raise their own specific legal problems.

Theoretical part

Freedom of the mass media derives from Article 29 of the Constitution, which guarantees freedom of thought and speech, the right to freely seek and disseminate information, freedom of the mass media, and prohibits censorship (part 5). The Law

of the Russian Federation No. 2124-I of 27 December 1991 "On the Mass Media" (as amended, most recently in 2025) fixes the inadmissibility of censorship, the registration and accreditation procedure, and the rights and duties of journalists, including the right to seek and receive information from State bodies. The mass media protects rights primarily through public exposure: a journalistic investigation revealing abuse of power or discrimination can generate pressure for an official response, which is why freedom of the press is described as a "watchdog" function indispensable to the practical protection of other rights.

Digital means of communication have expanded this function while creating new problems: social networks and messaging platforms disseminate information instantly without editorial control, increasing the risk of unverified information, infringement of honour and reputation (Article 152 of the Civil Code), and infringement of personal data (Federal Law No. 152-FZ of 27 July 2006). Russian legislation has developed a specific regime for "bloggers" and information dissemination organisers under Federal Law No. 149-FZ of 27 July 2006 "On Information, Information Technologies and the Protection of Information", attempting to balance the "watchdog" value of digital communication against the risks it creates for third persons.

Other mechanisms include trade unions, which under Federal Law No. 10-FZ of 12 January 1996 represent labour rights, including through collective bargaining and lawful strikes (Article 37 of the Constitution); professional and issue-specific associations combining civil-society mechanisms with specialised expertise; and mediation under Federal Law No. 193-FZ of 27 July 2010, allowing disputes to be resolved by agreement without litigation.

Questions and tasks

Questions:

1. Freedom of the mass media under Article 29 and the prohibition of censorship.

2. The Law "On the Mass Media" (1991, as amended): rights and duties of journalists.

3. New legal risks from digital communication: honour, dignity and personal data.

4. Trade unions and mediation as other mechanisms of protection.

Tasks:

1. Prepare a short written commentary (up to one page) on the balance between the "watchdog" value of digital communication and the risks it creates.

2. Draw up a scheme showing how a single violation could be pursued through journalistic investigation, complaint to the Commissioner, and application to a court, indicating the advantages of each avenue.

List of basic literature:

1. Grudin, N. S. Protection of Human Rights in Russian Constitutional Law : Textbook / N. S. Grudin. – Moscow : IPR Media, 2023. – 165 p. – ISBN 978-5-4497-2007-8. – Text : electronic // IPR SMART Digital Educational Resource : [website]. – URL: <https://www.iprbookshop.ru/127203.html>

2. Human Rights and Methods of Their Protection: A Study Guide (Lecture Course) / L. M. Balakireva, A. A. Volkov, A. M. Drozdova [et al.]. – Stavropol : North Caucasus Federal University, 2023. – 137 p. – Text : electronic // IPR SMART Digital Educational Resource : [website]. – URL: <https://www.iprbookshop.ru/135726.html>

3. Human Rights: Textbook / Ed. by E.A. Lukasheva. – 3rd ed., revised. – Moscow : Norma : INFRA-M, 2027. – 512 p. – ISBN 978-5-91768-578-6. – Text : electronic. – URL: <https://znanium.ru/catalog/product/2271798> (accessed: 26.09.2026). – Access mode: by subscription.

List of additional literature:

1. Law of the Russian Federation No. 2124-I of 27 December 1991 "On the Mass Media" (as amended). – www.pravo.gov.ru.

2. Federal Law No. 152-FZ of 27 July 2006 "On Personal Data" (as amended).
– www.pravo.gov.ru.
3. Federal Law No. 193-FZ of 27 July 2010 "On an Alternative Procedure for the Settlement of Disputes with the Participation of a Mediator" (as amended). – www.pravo.gov.ru.
4. Bystrenko, V. I. Human Rights : Study Guide / V. I. Bystrenko. – Moscow : IPR Media, 2021. – 152 p. – ISBN 978-5-4497-1183-0. – Text : electronic // IPR SMART : [website]. – URL: <https://www.iprbookshop.ru/108241.html>.
5. Gulin, E.V. Human Rights: a textbook / E.V. Gulin. – Moscow: Publishing House of the Institute of International Law and Economics, 2003 (reprinted editions available). – Chapters on the concept, classification and history of human rights.
6. Kapitsyn, V.M. Human Rights and Mechanisms of Their Protection / V.M. Kapitsyn. – textbook. – Chapters on state and public mechanisms of human rights protection in Russia. M.: 2003.
7. Kartashkin, V. A. Human rights and modern international relations: collection of articles / V. A. Kartashkin. – Moscow: Norma, 2024. – 176 p. – DOI 10.12737/2130217. - ISBN 978-5-00156-356-3. - Text: electronic. - URL: <https://znanium.ru/catalog/product/2130217> (access date: 09/26/2026). – Access mode: by subscription.
8. Kolesova, N.S. Human Rights and Demographic Processes / N.S. Kolesova. – Moscow: Norma, 2020.
9. Voronina, N.A. Human Rights and the Legal Social State in Russia / N.A. Voronina. – Moscow: Norma, 2020.
10. Ulbashev, A.Kh. (ed.) Human Rights in the 21st Century: Anxiety and Hope. Collection of articles / A.Kh. Ulbashev. – Moscow: Statut, 2021.
11. Kartashkin, V.A. Human Rights and the Principles of International Law in the 21st Century / V.A. Kartashkin. – Moscow: Norma, 2022.

12. Davis, H. *Beginning Human Rights Law* / H. Davis. – 2nd ed. – Abingdon: Routledge, 2014. – On the doctrine of human rights in the United Kingdom.

PRACTICE 14. Topic 8. INTERNATIONAL LEGAL AND REGIONAL MECHANISMS FOR THE PROTECTION OF HUMAN RIGHTS

Target: formation of the ability to distinguish the human-rights functions of different types of international organisations, universal and specialised, governmental and non-governmental.

As a result of studying the topic, the student:

- describes the human-rights functions of the United Nations and its specialised agencies;
- describes the human-rights functions of specialised intergovernmental organisations outside the United Nations system;
- distinguishes intergovernmental international organisations from international non-governmental organisations in the human-rights sphere;
- assesses the comparative legal weight of the acts adopted by each type of organisation.

Formed competencies: UC-2, UC-3.

Relevance of the topic. The universal United Nations framework does not exhaust the field of international organisations engaged in the protection of human rights; a lawyer must situate specialised bodies and NGOs within this broader landscape.

Theoretical part

Beyond the principal UN human-rights bodies, specialised agencies exercise human-rights functions within their own competence. The International Labour Organization (founded 1919, UN specialised agency since 1946) adopts binding conventions on labour rights and operates a supervisory mechanism through periodic

reports. UNESCO exercises functions in relation to the right to education and cultural rights, while UNHCR, established pursuant to the 1951 Refugee Convention and its 1967 Protocol, coordinates international protection of refugees. Specialised intergovernmental organisations outside the UN system likewise perform human-rights functions. The OSCE, through its Office for Democratic Institutions and Human Rights, monitors elections and human-rights commitments within its "human dimension". The International Committee of the Red Cross, though a private Swiss association, is granted by the Geneva Conventions themselves a specific mandate to visit protected persons and monitor compliance with humanitarian law – a unique hybrid status recognised directly by treaty.

International non-governmental organisations (Amnesty International, Human Rights Watch, the International Commission of Jurists) possess no treaty-based mandate and adopt no binding acts; their influence rests entirely on independent fact-finding, reporting and advocacy. A lawyer must always distinguish between a binding treaty obligation, an authoritative but non-binding decision of a treaty body, and a non-binding NGO report – confusing these categories is a common analytical error.

Questions and tasks

Questions:

1. The human-rights functions of the ILO and the legal force of its conventions.
2. The role of UNESCO and UNHCR.
3. The OSCE and the human dimension of its mandate.
4. The treaty-based mandate of the ICRC.
5. International NGOs: absence of binding competence and the nature of their real influence.

Tasks:

1. Draw up a comparative table of the ILO, UNESCO, UNHCR, the OSCE, the ICRC and one NGO, indicating the type of organisation, legal basis, and type of act adopted.

2. Prepare a short written commentary (up to one page) explaining why it would be an error to call an NGO report "binding".

List of basic literature:

1. Grudin, N. S. Protection of Human Rights in Russian Constitutional Law : Textbook / N. S. Grudin. – Moscow : IPR Media, 2023. – 165 p. – ISBN 978-5-4497-2007-8. – Text : electronic // IPR SMART Digital Educational Resource : [website]. – URL: <https://www.iprbookshop.ru/127203.html>

2. Human Rights and Methods of Their Protection: A Study Guide (Lecture Course) / L. M. Balakireva, A. A. Volkov, A. M. Drozdova [et al.]. – Stavropol : North Caucasus Federal University, 2023. – 137 p. – Text : electronic // IPR SMART Digital Educational Resource : [website]. – URL: <https://www.iprbookshop.ru/135726.html>

3. Human Rights: Textbook / Ed. by E.A. Lukasheva. – 3rd ed., revised. – Moscow : Norma : INFRA-M, 2027. – 512 p. – ISBN 978-5-91768-578-6. – Text : electronic. – URL: <https://znanium.ru/catalog/product/2271798> (accessed: 26.09.2026). – Access mode: by subscription.

List of additional literature:

1. Convention Relating to the Status of Refugees (1951) and its Protocol (1967).

2. Geneva Conventions of 12 August 1949 (on the mandate of the ICRC).

3. International Court of Justice. Nottebohm Case (Liechtenstein v. Guatemala), Judgment of 6 April 1955, I.C.J. Reports 1955.

4. Bystrenko, V. I. Human Rights : Study Guide / V. I. Bystrenko. – Moscow : IPR Media, 2021. – 152 p. – ISBN 978-5-4497-1183-0. – Text : electronic // IPR SMART : [website]. – URL: <https://www.iprbookshop.ru/108241.html>.

5. Gulin, E.V. Human Rights: a textbook / E.V. Gulin. – Moscow: Publishing House of the Institute of International Law and Economics, 2003 (reprinted editions available). – Chapters on the concept, classification and history of human rights.

6. Kapitsyn, V.M. Human Rights and Mechanisms of Their Protection / V.M. Kapitsyn. – textbook. – Chapters on state and public mechanisms of human rights protection in Russia. M.: 2003.

7. Kartashkin, V. A. Human rights and modern international relations: collection of articles / V. A. Kartashkin. – Moscow: Norma, 2024. – 176 p. – DOI 10.12737/2130217. - ISBN 978-5-00156-356-3. - Text: electronic. - URL: <https://znanium.ru/catalog/product/2130217> (access date: 09/26/2026). – Access mode: by subscription.

7. Kolesova, N.S. Human Rights and Demographic Processes / N.S. Kolesova. – Moscow: Norma, 2020.

8. Voronina, N.A. Human Rights and the Legal Social State in Russia / N.A. Voronina. – Moscow: Norma, 2020.

9. Ulbashev, A.Kh. (ed.) Human Rights in the 21st Century: Anxiety and Hope. Collection of articles / A.Kh. Ulbashev. – Moscow: Statut, 2021.

10. Kartashkin, V.A. Human Rights and the Principles of International Law in the 21st Century / V.A. Kartashkin. – Moscow: Norma, 2022.

11. Davis, H. Beginning Human Rights Law / H. Davis. – 2nd ed. – Abingdon: Routledge, 2014. – On the doctrine of human rights in the United Kingdom.

12. Office of the United Nations High Commissioner for Human Rights. Human Rights: A Basic Handbook for UN Staff. – Geneva: United Nations, 2001.

13. Office of the United Nations High Commissioner for Human Rights. Guidelines on Indigenous Peoples' Issues: A Manual on Human Rights-Based Programming. – Geneva/New York: United Nations, 2013.

PRACTICE 15. Topic 8. INTERNATIONAL LEGAL AND REGIONAL MECHANISMS FOR THE PROTECTION OF HUMAN RIGHTS

Target: formation of the ability to compare the principal regional systems of human rights protection by their institutional structure and the legal force of their decisions.

As a result of studying the topic, the student:

- describes the European system of human rights protection and the current status of the Russian Federation in relation to it;
- describes the Inter-American system of human rights protection;
- describes the African system of human rights protection;
- describes the regional mechanism operating within the Commonwealth of Independent States.

Formed competencies: UC-2, UC-3.

Relevance of the topic. Regional systems translate the universal standard into a treaty with its own court or quasi-judicial body; a lawyer must know precisely which regional mechanism, if any, is currently available to a person within the jurisdiction of the Russian Federation.

Theoretical part

The European system rests on the European Convention for the Protection of Human Rights and Fundamental Freedoms (1950), enforced by the European Court of Human Rights in Strasbourg, whose judgments are binding on the respondent State under Article 46 of the Convention. The Russian Federation ratified the Convention in 1998; however, following its exclusion from the Council of Europe on 16 March 2022 in connection with Special Military Operation, the Russian Federation ceased to be a High Contracting Party to the Convention on 16 September 2022, and the Court's jurisdiction over Russia ceased in respect of acts occurring after that date. Since then the European Court no longer constitutes an available remedy for the current protection of rights of persons within Russian jurisdiction.

The Inter-American system rests on the American Convention on Human Rights (1969), enforced through the Inter-American Commission and the Inter-

American Court of Human Rights. The African system rests on the African Charter on Human and Peoples' Rights (1981), enforced by the African Commission and, since 1998, the African Court; the Banjul Charter distinctively recognises collective rights of "peoples" and correlative individual duties.

Within the CIS, the Convention on Human Rights and Fundamental Freedoms of the Commonwealth of Independent States (Minsk, 26 May 1995), signed by seven CIS States including Russia, envisaged a CIS Human Rights Commission; in practice this Commission never developed into an operative, judicially enforceable mechanism comparable to the European, Inter-American or African systems, and its practical significance remains marginal compared with domestic mechanisms.

Questions and tasks

Questions:

1. The European Convention on Human Rights and the European Court of Human Rights: structure and legal force of judgments.
2. The Inter-American system: the Commission and the Court.
3. The African Charter (1981): collective rights and individual duties.
4. The CIS Convention (1995) and the limited significance of its Commission.

Tasks:

1. Draw up a comparative table of the European, Inter-American and African systems, indicating the founding treaty, enforcement bodies, and legal force of decisions.
2. Prepare a short written commentary (up to one page) on the legal chain of events leading to the cessation of Russia's participation in the Convention, and the remedies remaining available after 16 September 2022.

List of basic literature:

1. Grudin, N. S. Protection of Human Rights in Russian Constitutional Law : Textbook / N. S. Grudin. – Moscow : IPR Media, 2023. – 165 p. – ISBN 978-5-

4497-2007-8. – Text : electronic // IPR SMART Digital Educational Resource : [website]. – URL: <https://www.iprbookshop.ru/127203.html>

2. Human Rights and Methods of Their Protection: A Study Guide (Lecture Course) / L. M. Balakireva, A. A. Volkov, A. M. Drozdova [et al.]. – Stavropol : North Caucasus Federal University, 2023. – 137 p. – Text : electronic // IPR SMART Digital Educational Resource : [website]. – URL: <https://www.iprbookshop.ru/135726.html>

3. Human Rights: Textbook / Ed. by E.A. Lukasheva. – 3rd ed., revised. – Moscow : Norma : INFRA-M, 2027. – 512 p. – ISBN 978-5-91768-578-6. – Text : electronic. – URL: <https://znanium.ru/catalog/product/2271798> (accessed: 26.09.2026). – Access mode: by subscription.

List of additional literature:

1. International Court of Justice. Nottebohm Case (Liechtenstein v. Guatemala), Judgment of 6 April 1955, I.C.J. Reports 1955.

2. Bystrenko, V. I. Human Rights : Study Guide / V. I. Bystrenko. – Moscow : IPR Media, 2021. – 152 p. – ISBN 978-5-4497-1183-0. – Text : electronic // IPR SMART : [website]. – URL: <https://www.iprbookshop.ru/108241.html>.

3. Gulin, E.V. Human Rights: a textbook / E.V. Gulin. – Moscow: Publishing House of the Institute of International Law and Economics, 2003 (reprinted editions available). – Chapters on the concept, classification and history of human rights.

4. Kapitsyn, V.M. Human Rights and Mechanisms of Their Protection / V.M. Kapitsyn. – textbook. – Chapters on state and public mechanisms of human rights protection in Russia. M.: 2003.

5. Kartashkin, V. A. Human rights and modern international relations: collection of articles / V. A. Kartashkin. – Moscow: Norma, 2024. – 176 p. – DOI 10.12737/2130217. - ISBN 978-5-00156-356-3. - Text: electronic. - URL: <https://znanium.ru/catalog/product/2130217> (access date: 09/26/2026). – Access mode: by subscription.

6. Kolesova, N.S. Human Rights and Demographic Processes / N.S. Kolesova. – Moscow: Norma, 2020.
7. Voronina, N.A. Human Rights and the Legal Social State in Russia / N.A. Voronina. – Moscow: Norma, 2020.
8. Ulbashev, A.Kh. (ed.) Human Rights in the 21st Century: Anxiety and Hope. Collection of articles / A.Kh. Ulbashev. – Moscow: Statut, 2021.
9. Kartashkin, V.A. Human Rights and the Principles of International Law in the 21st Century / V.A. Kartashkin. – Moscow: Norma, 2022.
10. Davis, H. Beginning Human Rights Law / H. Davis. – 2nd ed. – Abingdon: Routledge, 2014. – On the doctrine of human rights in the United Kingdom.
11. Office of the United Nations High Commissioner for Human Rights. Human Rights: A Basic Handbook for UN Staff. – Geneva: United Nations, 2001.
12. Office of the United Nations High Commissioner for Human Rights. Guidelines on Indigenous Peoples' Issues: A Manual on Human Rights-Based Programming. – Geneva/New York: United Nations, 2013.
13. European Convention for the Protection of Human Rights and Fundamental Freedoms (1950).
14. Resolution of the European Court of Human Rights on the cessation of the membership of the Russian Federation, 16 September 2022.
15. American Convention on Human Rights (1969); African Charter on Human and Peoples' Rights (1981).
16. Convention on Human Rights and Fundamental Freedoms of the Commonwealth of Independent States, Minsk, 26 May 1995.

PRACTICE 16. Topic 8. INTERNATIONAL LEGAL AND REGIONAL MECHANISMS FOR THE PROTECTION OF HUMAN RIGHTS

Target: formation of the ability to identify current, unresolved problems in the sphere of human rights and to apply the doctrine of international legal responsibility to a violation of human rights.

As a result of studying the topic, the student:

- names and characterises contemporary problems and trends in the sphere of human rights (digitalisation, the environment, new technologies);
- explains the concept and elements of the international legal responsibility of a State for a violation of human rights;
- distinguishes the international legal responsibility of a State from the individual criminal responsibility of a natural person;
- describes the mechanisms through which individual criminal responsibility for the gravest violations of human rights is enforced.

Formed competencies: UC-2, UC-3.

Relevance of the topic. The discipline would remain incomplete without an account of the problems actively reshaping the human-rights agenda today, and without a precise understanding of the legal consequences attaching, at the level of the State and of the individual, to a violation of human rights.

Theoretical part

Among contemporary problems reshaping the human-rights agenda, three deserve particular attention. Digitalisation creates both new possibilities for exercising rights and new threats – mass surveillance, processing of personal data, and algorithmic decision-making producing discriminatory outcomes without a transparent, accountable decision-maker. The right to a favourable environment, fixed domestically in Article 42 of the Constitution and recognised internationally by UN General Assembly Resolution 76/300 of 28 July 2022, illustrates the continuing expansion of the catalogue of rights into the "third generation", with corresponding difficulty in translating a collective interest into an individually enforceable claim. Artificial intelligence and human dignity present a further problem: automated

systems used in criminal-justice risk assessment, employment screening or content moderation raise the question of how the guarantee of dignity (Article 21) and a fair hearing (Article 46) can be preserved when a decision is generated by an algorithm rather than an accountable official.

The international legal responsibility of a State for a violation of human rights arises, under the customary rules codified in the International Law Commission's 2001 Articles on Responsibility of States for Internationally Wrongful Acts, where conduct attributable to the State breaches an international obligation binding on it, including an obligation under a human-rights treaty. The consequences include an obligation to cease the wrongful conduct, to give guarantees of non-repetition, and to make full reparation (restitution, compensation or satisfaction).

This must be distinguished from the individual criminal responsibility of a natural person for the gravest violations – genocide, crimes against humanity, war crimes, and the crime of aggression – developed from the Nuremberg and Tokyo Tribunals through the ad hoc tribunals for the former Yugoslavia and Rwanda to the permanent International Criminal Court under the Rome Statute (1998, in force 2002). The Russian Federation signed the Rome Statute in 2000 but never ratified it, and on 16 November 2016, following a preliminary examination report of the ICC Prosecutor referring to the status of Crimea, the President of the Russian Federation ordered the withdrawal of Russia's signature; Russia is not, and never became, a State Party to the Statute and does not recognise the Court's jurisdiction over its nationals or territory, so that individual criminal responsibility in this context depends on universal jurisdiction exercised by national courts or on ad hoc mechanisms.

Questions and tasks

Questions:

1. Digitalisation as a contemporary challenge to human rights.
2. The right to a favourable environment as an illustration of the expansion of the catalogue of rights.

3. Artificial intelligence and human dignity: automated decision-making affecting individual rights.

4. The concept and elements of the international legal responsibility of a State (the 2001 ILC Articles).

5. The distinction between State responsibility and individual criminal responsibility.

Tasks:

1. Prepare a short written essay (up to one page) analysing one contemporary human-rights problem with reference to a concrete constitutional or international provision.

2. Draw up a comparative table "State responsibility – individual criminal responsibility", indicating the subject, applicable law, enforcement mechanism and an example consequence.

3. Prepare a short written commentary (up to one page) on the legal significance of Russia's withdrawal of signature from the Rome Statute in 2016.

List of basic literature:

1. Grudin, N. S. Protection of Human Rights in Russian Constitutional Law : Textbook / N. S. Grudin. – Moscow : IPR Media, 2023. – 165 p. – ISBN 978-5-4497-2007-8. – Text : electronic // IPR SMART Digital Educational Resource : [website]. – URL: <https://www.iprbookshop.ru/127203.html>

2. Human Rights and Methods of Their Protection: A Study Guide (Lecture Course) / L. M. Balakireva, A. A. Volkov, A. M. Drozdova [et al.]. – Stavropol : North Caucasus Federal University, 2023. – 137 p. – Text : electronic // IPR SMART Digital Educational Resource : [website]. – URL: <https://www.iprbookshop.ru/135726.html>

3. Human Rights: Textbook / Ed. by E.A. Lukasheva. – 3rd ed., revised. – Moscow : Norma : INFRA-M, 2027. – 512 p. – ISBN 978-5-91768-578-6. – Text :

electronic. – URL: <https://znanium.ru/catalog/product/2271798> (accessed: 26.09.2026). – Access mode: by subscription.

List of additional literature:

1. Rome Statute of the International Criminal Court (1998, in force 2002).
2. International Law Commission, Articles on Responsibility of States for Internationally Wrongful Acts, annexed to UN GA Resolution 56/83 of 12 December 2001.
3. UN General Assembly Resolution 76/300 of 28 July 2022 on the human right to a clean, healthy and sustainable environment.
4. International Court of Justice. Nottebohm Case (Liechtenstein v. Guatemala), Judgment of 6 April 1955, I.C.J. Reports 1955.
5. Bystrenko, V. I. Human Rights : Study Guide / V. I. Bystrenko. – Moscow : IPR Media, 2021. – 152 p. – ISBN 978-5-4497-1183-0. – Text : electronic // IPR SMART : [website]. – URL: <https://www.iprbookshop.ru/108241.html>.
6. Gulin, E.V. Human Rights: a textbook / E.V. Gulin. – Moscow: Publishing House of the Institute of International Law and Economics, 2003 (reprinted editions available). – Chapters on the concept, classification and history of human rights.
7. Kapitsyn, V.M. Human Rights and Mechanisms of Their Protection / V.M. Kapitsyn. – textbook. – Chapters on state and public mechanisms of human rights protection in Russia. M.: 2003.
8. Kartashkin, V. A. Human rights and modern international relations: collection of articles / V. A. Kartashkin. – Moscow: Norma, 2024. – 176 p. – DOI 10.12737/2130217. - ISBN 978-5-00156-356-3. - Text: electronic. - URL: <https://znanium.ru/catalog/product/2130217> (access date: 09/26/2026). – Access mode: by subscription.
9. Kolesova, N.S. Human Rights and Demographic Processes / N.S. Kolesova. – Moscow: Norma, 2020.

10. Voronina, N.A. Human Rights and the Legal Social State in Russia / N.A. Voronina. – Moscow: Norma, 2020.
11. Ulbashev, A.Kh. (ed.) Human Rights in the 21st Century: Anxiety and Hope. Collection of articles / A.Kh. Ulbashev. – Moscow: Statut, 2021.
12. Kartashkin, V.A. Human Rights and the Principles of International Law in the 21st Century / V.A. Kartashkin. – Moscow: Norma, 2022.
13. Davis, H. Beginning Human Rights Law / H. Davis. – 2nd ed. – Abingdon: Routledge, 2014. – On the doctrine of human rights in the United Kingdom.
14. Office of the United Nations High Commissioner for Human Rights. Human Rights: A Basic Handbook for UN Staff. – Geneva: United Nations, 2001.
15. Office of the United Nations High Commissioner for Human Rights. Guidelines on Indigenous Peoples' Issues: A Manual on Human Rights-Based Programming. – Geneva/New York: United Nations, 2013.