HUMAN RIGHTS

IE University
Academic year: 19-20
Degree course:SECOND
Semester: 2º
Category: Mandatory
Number of credits: 3.0
Language: English

PREREQUISITES

The course is open to all IE students interested in the human rights dimensions of the development of new technologies. While it is an advantage to have some basic knowledge of International Public Law, it is not a prerequisite. It is also of benefit to have some prior knowledge of the main global and some regional international mechanisms and key players such as the UN, the Special agencies, ICRC, EU, WEF, etc.

SUBJECT DESCRIPTION

Every single day our society is faced with the fast and continuous introduction of new elements breaking the lines between the virtual and the non-virtual world. This raises questions of moral, political, financial and legal nature that no one could have imagined just a few years ago. Many are still awaiting answers, but legal experts have come up with at least some provisional measures which give some shape and direction to the debate. In order to create some sense of the boundaries between legal and illegal, the internationally-recognized, the prohibited, and the awkward space between them, the course has been designed from two different dimensions – technological and legal.

Technical developments subject to discussion shall be the use of internet, biometric data, personal data protection, big data, drones, autonomous arms, artificial intelligence and to some extent - bio-technologies. The functioning, the regulations, or the need of it, will be discussed from Human rRghts and Humanitarian Law perspective. Some legal comparisons such as "Drone legislation in various EU members" or "Internet regulation project" will be introduced. The transversality of the course consists in exploring the existing relevant international law instruments within the Human Rights Law, International Humanitarian Law, EU Law, Collective Security and the Global Agenda.

OBJECTIVES AND SKILLS

This course on New Technologies, Human Rights and Humanitarian Law is designed to serve as a first step to some basic understanding of the complexity of the regulation of new technologies at a global level. It is intended to enable students to understand the human rights implications of new technologies and respond to future technological challenges in the context of existing instruments of International Law. The second part of the course is focused on the use of the new technologies in armed conflicts, discussing their compliance with the internationally established humanitarian standards.

METHODOLOGY

Some reading is to be envisaged, although not on extensive scale. The course will be pro-active with some 30 % teaching, 30 % class debate, 10 % external interventions (on-line sessions with relevant experts) and several group projects.

Teaching methodology	Weighting	Estimated time a student should dedicate to prepare for and participate in
Lectures	32.0 %	24 hours
Discussions	21.33 %	16 hours
Exercises	13.33 %	10 hours
Group work	20.0 %	15 hours
Other individual studying	13.33 %	10 hours
TOTAL	100.0 %	75 hours

PROGRAM

SESSION 1

Human rights – international system and functions. Universal Declaration of Human Rights 1947, UN HR legal framework, European Convention on Human Rights.

B.C.: International Human Rights Law, International Law (book) edited by Malcolm Evans

T.N.: Office of the High Commissioner of Human Rights (legal instruments)

T.N.: European Convention on Human Rights

B.C.: Basic Human Rights (optional)

Basic approach to the fundamentals of human rights: Origins, development of the concept during the last three centuries; the Universal Declaration of Human Rights as a milestone in world history. The French Revolution and the US Constitution.

SESSION 2

Human identity and new technologies. Bio-metric data use and HR. What is electronic face-identification? Voice, finger prints, bio material – who owns our body ? Legal and moral controversy.

T.N.: International Convent of Civil and Political Rights

R.A.: Is Species Integrity a Human Right? A Right Issue Emerging from Individual Liberties and New Technologies

SESSION 3

The right of privacy. UN and European approach/GDPR. Privacy, elections' forecast and the right of democracy.

T.N.: International Convent of Civil and Political Rights

T.N.: The Rights of the European Citizens (data protection)

T.N.: Directive 95/46/EC (General Data Protection Regulation) (Text with EEA relevance)

T.N.: The Carter Center´s Global Standard of Democratic Elections

Cambridge analytica case. European Court of Justice admission to jurisprudence: landmark case.

SESSION 4 (LABORATORY)

Case study on the right of privacy. Big data and HR. What is a big data and how does it function? Its use in different political systems. Big data in urban areas and big data for security purposes.

R.A.: Mass surveillance: exceptional measure or dangerous habit?

R.A.: Year of the big data: China installs facial recognition system in Beijing

Prior to the session students will be distributed tasks to prepare short resume on the Big data use and regulation in freely chosen state entity.

SESSION 5

The right to development and the NT. The NT as a catalyst for development. The impact of the NT on the UN Development Agenda 2030.

T.N.: Declaration on the Right to Development, UNGA resolution 41/128, 4 December 1986

R.A.: The third Industrial revolution

T.N.: The UN Development Agenda 2030

SESSION 6

Drones. History. Basic rules and drones classification. Civil use. Pros and contras. Human Rights and drones.

R.A.: Ethics for civil indoor drones: A qualitative analysis

B.C.: The future of drone use: opportunities and threats from ethical and legal perspectives, 2016

(optional)

SESSION 7 (LABORATORY)

Drones legislation in various European states, US, Japan and Latin America. Group projects presentatoin.

T.N.: European Union Drone Legislation

SESSION 8

Robots and the future. Artificial Intelligence. Distant or not that distant reality? What is the real status quo and how it would affect the basis of the HR framework

B.C.: The Fourth Industrial Revolution

B.C.: Life 3.0 (optional)

T.N.: Federal Aviation Agency, US Government regulation

SESSION 9

Humanitarian law and why we should be familiar with it in the era of the technological boom. Basic concepts of International Humanitarian Law: ius belli and ius in bello.

T.N.: The Geneva Conventions 1949 and their Additional Protocols

T.N.: The Practical Guide to Humanitarian Law

SESSION 10

New generation arms. Remote controlled arms. Drones in battles. UN Conference of Disarmament. Conventional weapons.

T.N.: Study on Armed Unmanned Aerial Vehicles

R.A.: An Action Plan on US Drone Policy: Recommendations for the Trump Administration

SESSION 11

Arbitrary executions and selected killings by unmanned areal vehicles (arms) – Pakistan, Yemen and other cases

T.N.: Draft Convention on Crimes Against Humanity

R.A.: Drone strikes on Yemen don't make my country safer – or yours

SESSION 12

Robots in war. Is it worth the exercise? Enhanced human being potential technics in war.

R.A.: Autonomous weapons systems, killer robots and human dignity

SESSION 13

What is a cyberwar and how it could be qualified by the International law standards. Are the victims of a cyber-attacks war victims?

B.C.: From Cold War to cyber war: the evolution of the international law of peace and armed conflict over the last 25 years

SESSION 14

Perspectives for the development, NT and HR

R.A.: Complementing the surveillance law principles of the Court of Strasbourg with its environmental law principles. An integrated technology approach to a human rights framework for surveillance

W.P.: 2012 The right to benefit from scientific progress and its applications

SESSION 15

UN Secretary General's Strategy on New Technologies

T.N.: Declaration on the Use of Scientific and Technological Progress in the Interests of Peace and for the Benefit of Mankind, GAR 3384, 10 November 1974

M.D.: UN Secretary General´s Strategy on New Technoogies

Final remarks and end of term papers.

EVALUATION CRITERIA

During the semester, there will be 2 reading quizzes with multiple choice answers at the beginning of class.
Sessions 4 and 7 will be dedicated to group projects and their presentation, followed by a debate.
Students will also take a final exam. This exam will consist of two essay questions, each corresponding to the respective program content.
Ultimately, there will be a participation grade based on class attendance, behavior and interesting contributions to class discussions.

Criteria	Percentage	Comments
Final Exam	35 %	
Group Presentation	25 %	
Intermediate Tests	15 %	
Class Participation	15 %	
Individual Work	10 %	