

Vår 2016

JUR-3605 Indigenous Peoples' Rights - 15 stp

The course is administrated by

Faculty of Law

Type of course

Indigenous Peoples Rights is a course at master degree level, and is offered both in the fall and spring semester.

This course specification should be seen together with the Programme Specification for the Master's Degree in Jurisprudence at the University of Tromsø (Studieplan for graden Master i rettsvitenskap ved Universitetet i Tromsø), the Specification for the Fifth Year of the Master's Degree Programme in Jurisprudence (Fagplan for femte avdeling ved masterstudiet i rettsvitenskap) adopted 22.2.2012, and the Regulations for the Elective Component in the Master's Degree Programme in Jurisprudence (Reglementet for den valgfrie delen av masterstudiet i rettsvitenskap).

Course contents

For students on the integrated master program in Tromsø, the course builds upon their knowledge of international law, human rights law and Sami law/indigenous peoples' rights acquired during the first and fourth years of studies.

The course offers the students an overview of the current status of indigenous peoples' rights following the developments of the last two decades. Attention will thus be given to international legal instruments of relevance to indigenous peoples such as, among others, the 1989 International Labour Organization Convention No. 169 concerning Indigenous and Tribal Peoples in Independent Countries, the 1966 International Covenant on Civil and Political Rights and the 2007 United Nation Declaration on the Rights of Indigenous Peoples

Admission requirements

Students should have basic knowledge of international law.

The students on the integrated master programme in law may choose it as a partial fulfillment of the requirements for the elective part of the programme's fifth year, cf. Programme Specification for the Master's Degree in Jurisprudence at the University of Tromsø (Studieplan for graden Master i rettsvitenskap ved Universitetet i Tromsø), Sec. 4.

Following an application, other students may also be admitted to this course, cf. Regulations for the Elective Component in the Master's Degree Programme in Jurisprudence (Reglement for den valgfrie delen av masterstudiet i rettsvitenskap) (Regulation). Students at the Faculty of Law may only commence with the fifth year of the programme after they have passed the third year of the programme, cf. Regulation § 6 No. 3.

Objective of the course

Knowledge:

Having passed the exam, the student ~~has~~ have:

- Advanced knowledge of the definition of indigenous peoples.
- Advanced knowledge of indigenous peoples' right to self-determination.
- Advanced knowledge of the right to non-discrimination in relation to indigenous peoples.
- Advanced knowledge of indigenous peoples' right to land.
- Advanced knowledge of the different ways through which international norms may be implemented into national legal systems.
- ~~Specialized-Good~~ knowledge of the procedures established in international law to monitor the implementation of indigenous peoples' rights, and corresponding complaint mechanisms.
- ~~Specialized-Good~~ knowledge of cultural rights in relation to indigenous peoples.
- Knowledge of the historical development of indigenous peoples' rights.

Skills: ~~and general qualifications:~~

Having passed the exam, the student ~~is~~ will:

- ~~Be~~ able to identify and analyze issues of theoretical and practical character in Indigenous Peoples Rights.
- ~~Be~~ able to apply the relevant sources of Indigenous Peoples Rights in a critical and independent way.
- ~~Be~~ able to identify and discuss the limitations of current legal regime.
- ~~Be~~ able to use English terminology applicable to this field of law.
- ~~Most likely have increased his/her general understanding of English through the reading of the course literature and the discussions in the classroom.~~

General competence

After passing the specialization, the student can:

- ~~Use their advanced knowledge to carry out complex tasks and projects.~~

~~See also Specification for the Master's Degree in Jurisprudence at the University of Tromsø, Sec-
1, last paragraph.~~

Language of instruction

All teaching will be in English.

Teaching methods

The teaching consists of a combination of lectures and seminars, comprising a total of 30 hours. The students are expected to be prepared and active during the seminars in discussing legal approaches to the issues at hand. Students are expected to study independently in periods of no seminars or lectures.

Assessment

The course is assessed through a written home exam (5 days) and one oral exam. The exam may include theoretical and/or scenario questions.

The grading scale of A to F is applied, where F constitutes fail. Students who fail their examination are entitled to re-sit the examination, cf. Regulations for examinations at the University of Tromsø Sec. 22.

The exam must be written in English.

Commented [SI1]: Dette punktet oppfyller ikke kravene som stilles i rammeverket. De punkter som er med under kunnskap/ferdigheter/generell komp. er hva studentene som har bestått kan. Det må dermed skrives uten forbehold. Av denne grunn må punktet enten omskrives slik at vi stadfester at spesialfaget gir økte engelskkunnskaper, eller så må det fjernes helt.

Formatted: Indent: First line: 0,38 cm

Formatted: Indent: First line: 0,38 cm

Formatted: List Paragraph, Bulleted + Level: 1 + Aligned at: 1,02 cm + Indent at: 1,65 cm

Course overlap

JUS-422 Law studies special course: law of the sami 15 stp

Recommended reading/syllabus

The overview of recommended reading can be found [here](#).

