

## Contemporary Challenges to Human Rights

**Academic Leadership:** Profa. Dra. Raquel Coelho and Prof. Dr. Emmanuel Furtado Filho

### Justification

The course *Contemporary Challenges to Human Rights* is an initiative by professors from the Department of Public Law at the Federal University of Ceará (UFC) aimed at fostering academic internationalization and positioning the Faculty of Law as a reference in the global legal landscape. Recognizing the demands of an interconnected world, the course seeks to provide students with the tools to develop international competencies, preparing them for academic and professional experiences abroad while also welcoming foreign students into the institution.

As the first undergraduate course at the Faculty of Law to be entirely taught in English, this initiative sets a precedent for future academic endeavors in foreign languages. Designed to serve as a model for other departments within the Faculty of Law and across the university, the course encourages the adoption of practices that integrate international perspectives into undergraduate education, thereby enhancing the academic and professional development of UFC students.

Offered as an elective course, *Contemporary Challenges to Human Rights* will be made available periodically, based on student demand and faculty availability. Open to undergraduate students from the Faculty of Law, exchange students, and participants from other UFC programs, the course promotes an inclusive and interdisciplinary environment, fostering collaboration and dialogue across different academic fields. Enrollment in the course will require proof of English proficiency at a minimum level of B1, as defined by the Common European Framework of Reference for Languages (CEFR). Proof may be provided through a declaration or internationally recognized proficiency certificates, such as TOEFL, IELTS, or equivalent tests.

The course explores key global systems of human rights protection, such as the Inter-American and European frameworks, analyzing their contributions, limitations, and intersections with local realities, including Brazil. A historical perspective complements this approach. In addition to these foundational topics, the course addresses pressing contemporary issues. These include the impact of environmental challenges on human rights, the transition from environmentalism to the Rights of Nature, and the interplay between human rights, environmental taxation and right to health. Transnational dynamics are also examined, with a focus on the tensions between democratic and non-democratic regimes and their implications for the democratic principle in international relations.

Practical dimensions of human rights are a cornerstone of the course, covering both legal and policy frameworks. Topics include the role of private and public advocacy, with particular emphasis on the Public Defender's Office, as well as the application of penal garantism and

procedural safeguards as essential mechanisms for protecting human dignity and balancing individual rights with collective interests.

Delivered through seminars led by professors from the Department of Public Law, the course encourages students to critically reflect on the interplay between theory and practice, the institutional limitations and possibilities of human rights frameworks, and the transformations needed to address contemporary challenges. Assessment will be conducted at the end of each module, with the method determined by the respective professor responsible for the topic. This flexible approach ensures that evaluation is tailored to the specificities of each theme, fostering a dynamic and engaging learning process.

By establishing this course, the Department of Public Law demonstrates its commitment to academic innovation and internationalization. This initiative not only strengthens the Faculty of Law's reputation but also equips students with the skills and perspectives necessary to navigate the complexities of global legal and human rights issues. As a milestone in the Department's and Faculty's history, the course reflects its alignment with global best practices in legal education and academic internationalization, fostering interdisciplinary dialogue and preparing students for the challenges of an increasingly interconnected world.

## **Syllabus**

The course offers an interdisciplinary and critical analysis of contemporary challenges to human rights, focusing on their historical evolution, philosophical foundations, regional protection systems, and emerging issues such as environmental rights, environmental taxation, and transnational relations. It examines the connection between human rights and the justice system, exploring fundamental procedural rights and penal garantism as tools for protection. The course also addresses advocacy practices and public policy implementation, emphasizing the role of institutions and professionals in promoting and defending human dignity in both global and local contexts. The course will also adopt the case study approach.

## **Program Content**

### **1. The Inter-American Human Rights System: Challenges and Opportunities**

**Professor:** Raquel Coelho de Freitas

**Duration:** 2h

The philosophical foundations and institutional framework of the Inter-American Human Rights System are analyzed, with an emphasis on its structure, treaties, and mechanisms. The Organization of American States (OAS), the Inter-American Commission on Human Rights (IACHR), and the Inter-American Court of Human Rights are explored in conjunction with treaties ratified by Brazil. Landmark cases, such as Precautionary Measure 60/15 and the Acari Case, illustrate opportunities and challenges in strengthening human rights in the region.

## **2. The European Human Rights System**

**Professor:** Emmanuel Furtado Filho

**Duration:** 4h

The structure and operation of the European Human Rights System are addressed, with a focus on the European Convention on Human Rights and the pivotal role of the European Court of Human Rights (ECHR). Key aspects include the mechanisms for monitoring compliance, the influence of ECHR rulings on member states, and pressing challenges such as migration crises, counterterrorism measures, and the tension between state sovereignty and international obligations. Landmark cases are analyzed to illustrate the system's contributions to the advancement of human rights, alongside contemporary issues related to its efficiency, legitimacy, and adaptability.

## **3. History of Human Rights**

**Professor:** Gustavo Cabral

**Duration:** 4h

Human rights are explored as a historical construction, linking their medieval and modern origins to 18th-century declarations such as the Bill of Rights (1689) and the Declaration of the Rights of Man and of the Citizen (1789). The liberal tradition's evolution and the emergence of an international perspective after the world wars culminate in the Universal Declaration of Human Rights (1948). The Brazilian context is addressed with a focus on violations and legal responses during 20th-century dictatorships.

## **4. Environmental Law: From Environmentalism to the Rights of Nature**

**Professor:** Geovana Cartaxo

**Duration:** 4h

Environmental law is presented as a fundamental human right, examining its historical development, consolidation in international courts, and the transition to the Rights of Nature. The analysis moves from an anthropocentric perspective to an ecocentric approach, highlighting contemporary challenges to the realization of this right.

## **5. Environmental Taxation, Sustainable and Human Rights**

**Professor:** Denise Lucena

**Duration:** 2h

The intersections between human rights and environmental taxation are examined, focusing on how tax instruments can promote climate justice and sustainable development. The role of the state and taxation as practical tools for governance and environmental protection is emphasized.

## **6. Human Rights in Transnational Relations**

**Professor:** Raquel Machado

**Duration:** 2h

The European Union's concerns about interference by non-democratic regimes in internal democracies are discussed, analyzing implications for the democratic principle in international relations. Reflections on protecting human rights in a globalized context complement the analysis.

## **7. Penal Garantism as an Instrument for the Protection of Human Rights**

**Professor:** Emetério Neto

**Duration:** 4h

Penal garantism, as conceived by Luigi Ferrajoli, is introduced as a theoretical framework for protecting individual rights within the criminal justice system. Principles such as the presumption of innocence, proportionality of sentences, and the right to defense are connected to the protection of human dignity and the limitation of state punitive power.

## **8. Human Rights and Health**

**Professor:** Felipe Braga

**Duration:** 4h

The intersection between human rights and health is examined from the perspective of the right to health as a fundamental human right and an essential condition for human dignity. The discussion covers international and national legal frameworks that guarantee this right, as well as the role of the state in implementing public policies aimed at promoting health and reducing inequalities in access to healthcare services. Contemporary challenges such as the judicialization of health, global health crises, the impact of climate change on public health, and structural inequalities affecting vulnerable populations are explored. Landmark cases and international experiences are analyzed to understand the mechanisms of protection and the limitations of enforcing this right.

## **9. Human Rights Advocacy**

**Professor:** Gustavo Cabral

**Duration:** 2h

The practice of human rights advocacy in both public and private spheres is discussed, highlighting the implementation of public policies and the work of bodies such as state and municipal human rights secretariats in Ceará and Fortaleza. The role of specialized lawyers and the Public Defender's Office is also explored.

## **10. Fundamental Procedural Rights as Human Rights**

**Professor:** Samuel Arruda

**Duration:** 4h

Fundamental procedural rights are examined as an essential dimension of human rights. The right to a fair trial, access to defense, public hearings, notification of charges, and appeal mechanisms are detailed. Contemporary issues, such as the impact of technology and balancing national security with individual guarantees, are also addressed.