

Session 5 & 6

Landmark Cases I: State Violence, Impunity, Extraterritoriality

Objectives

- Understand how courts construct positive obligations and deal with territorial reach.

Core topics & anchor cases

- IACtHR: enforced disappearances & duty to investigate: *Velásquez Rodríguez v Honduras* (29 July 1988).
- IACtHR: amnesties & anti-impunity: *Barrios Altos v Peru* (14 March 2001).
- ECtHR: non-refoulement via Art. 3 logic: *Soering v UK* (1989).
- ECtHR: extraterritorial jurisdiction/control: *Loizidou v Turkey* (1996).
- AfCHPR: impunity + chilling effect on press freedom: *Norbert Zongo* case.

Required readings

1. [IACtHR 29 July 1988, *Velásquez Rodríguez v. Honduras*](#)
2. [IACtHR 14 March 2001, *Barrios Altos v Peru*](#)
3. [ECHR 7 July 1989, *Soering v UK*](#)
4. [ECHR 18 December 1996, *Loizidou v Turkey*](#)
5. [AfCHPR 28 March 2014, *Zongo v Burkina Faso*](#)

Landmark Cases: Democracy, Expression, Equality

Objectives

- Compare how courts protect democracy-related rights and regulate restrictions.
- Understand the ECtHR and the IACtHR's approach of gender discrimination

Core topics & anchor cases

- ECtHR & democratic values: *United Communist Party of Turkey and Others v. Turkey* (1998)
- AfCHPR & democracy: independent candidates and political participation: *Tanganyika Law Society / Mtikila v Tanzania* (2013)
- ECtHR & gender/family: *Paradiso and Campanelli v. Italy* (2017)
- AfCHPR & gender/family law: *APDF & IHRDA v Mali* (2018)
- IACtHR advisory practice on equality/identity (selected): OC-24/17

Required readings

1. [ECtHR 30 January 1998 *United Communist Party of Turkey and Others v. Turkey*](#)
2. [ECtHR 24 January 2017 *Paradiso and Campanelli v. Italy*](#)
3. [AfCHPR, 14 June 2013 *Tanganyika Law Society / Mtikila v Tanzania*](#)
4. [AfCHPR, 11 May 2018 *APDF & IHRDA v Mali*](#)
5. [IACtHR 24 November 2017 AO-24/17](#)