

Örebro University, The Swedish Institute for Disability Research, Academy of Medicine and Health Science

## **Human rights and Disability, 7,5 hp**

**Course Code:** 70HU022

**Subject Area:** Disability Research

**Level of Study:** Ph.D. level, Third level

**Higher Education Credits:** 7,5 ECTS

**Valid from:** VT 2011

**Established:** 2010-10-18

**Approved by:** Akademichefen

### **Aims and objectives**

#### **General aims for third level education**

Third level education shall essentially build on the knowledge that students acquire in first level and second level education or corresponding knowledge. In addition to what applies to first level and second level education, third level education shall develop the knowledge and skills needed to be able to conduct research independently (Higher Education Act, Chapter 1, Section 9a).

The specific national expected learning outcomes in accordance with the Higher Education Ordinance for the degree of doctor and the licentiate degree can be found in *appendix 1 to the general syllabus for the subject*.

#### **Course objectives**

This course will introduce basic international legal instruments (Conventions and Declarations) and examples of national laws that set out human rights guarantees for persons with physical, sensory and mental disabilities. The theoretical framework used throughout will be jointly informed by contemporary equality theory and the WHO International Classification of Functioning, Disability and Health (ICFF). The principal focus will be on the United Nations Convention on the Rights of Persons with Disabilities (CRPD), which will be introduced in light of its historical context. In addition and in parallel the course will provide an case study-based introduction to disability.

On completion of the course the student shall be familiar with basic human rights documents and disability issue and be able to:

- Identify the application of the rights set out in the CRPD in areas of disability study, clinical practice and national social policy
- Understand and apply the underlying theories of human rights in the context of disability at the national and international levels
- Understand the role indicators and survey data in the CRPD implementation monitor mechanisms
- Construct, validated and implement indicators for different articles of CRPD, especially those relevant to the focus of their own work

- Understand how disability studies in general, and the biopsychosocial model of disability in particular assists in identifying ethical issues of particular relevance to persons with disabilities
- Appreciate the significance of prominent ethical theories in the clarification and potential resolution of salient issues in disability ethics
- Construct policy-appropriate responses to major issues in disability ethics

### **Main content of the course**

The primary topics to be discussed in this course are human rights, the nature of international and national human rights instruments, the range and scope of disability human rights, the role of governments in the implementation of human rights, the need for social scientific input into the monitoring of human rights implementation, the prominent ethical theories application to both human rights and disability ethics, and salient ethical issues of significance to persons with disabilities, how these debates can be productively framed and potentially resolved.

### **Reading list and other teaching materials**

Asch, Adrienne (2001) Disability, Bioethics and Human Rights. In *Handbook of Disability Studies*. (Eds.) Gary L. Albrecht, Katherine D. Seelman, Michael Bury, London: Sage Publ. pp. 297-326.

Bickenbach, Jerome (2009) Disability, culture and the UN convention. *Disability and Rehabilitation*, 31(14): 1111–1124

Convention on the Rights of Persons with Disabilities and Optional Protocol (<http://www.un.org/disabilities/default.asp?id=259>)

Dhanda, Amita (2007) Legal Capacity in the Disability Rights Convention: Stranglehold of the past or Lodestar for the Future? HeinOnline -- 34 *Syracuse J. Int'l L. & Com.* 429 2006-2007

Feder Kittay, Eva (2005) At the Margins of Moral Personhood. *Ethics* 116:100–131

Gill, Carol J. (2004) Depression in the context of disability and the “Right to Die”. *Theoretical Medicine*, 25: 171–198.

Harvey, Martin (2006) Advance Directives and the Severely Demented. *Journal of Medicine and Philosophy*, 31:47–64, 2006

Lawson, Anna (2007) The United Nations Convention on the rights of people with disabilities: New era or false dawn? HeinOnline -- 34 *Syracuse J. Int'l L. & Com.* 563 2006-2007

Sandman, Lars & Munthe, Christian (2009) Shared decision-making and patient autonomy. *Theor Med Bioeth*, 30:289–310

Other human rights documents and background documents, scholarly and scientific articles, and other research materials in electronic form. Maximum 100 pages.

### **Teaching methods**

The course includes reading assignments and seminars. The course language is English. Students are expected to participate actively. Research students who have been admitted to a course have the right to receive tuition and/or supervision for the duration of the time period specified for the particular course to which they were accepted. After that, the right to receive tuition and/or supervision expires.

### **Examination methods**

Students will be required to write a course paper that either describes a research study or presents a conceptually sophisticated examination of a human rights or ethical debate. An early draft of this paper will be presented for discussion, led by the student, during the seminar, and subsequently, after the paper has been prepared, the student will make an oral presentation that summarize the paper, methodologies employed, results and applications.

Documented active participation throughout the course.

A research student has the right to request exemption from a compulsory module. If the module in accordance with the course syllabus can be completed in a different way, the examiner may decide, in writing, that the research student shall be exempt from the compulsory module. Should exemption be granted, the research student shall instead complete a substitute assignment determined by the examiner in his/her decision. The substitute assignment will be assessed by the examiner. Should exemption be refused, the decision may be appealed against (Higher Education Ordinance, Chapter 12, Section 2, point 7).

### **Grades**

The grades are Approved and Not approved.

Examinations included in third level education are to be assessed with one of the grades 'fail' or 'pass' (Vice-Chancellor Decision no 181/2003, reg. no. CF 392-2003).

Unless otherwise prescribed above, the research student is required to successfully complete all examinations and compulsory modules in order to be awarded the course grade 'pass'.

### **Re-examination**

Research students who have failed an examination are entitled to a retake. Normally, retakes are offered a certain time period after the first examination was offered.

A research student who has failed an examination twice for a specific course or course module is entitled to request, with the head of school, the appointment of another examiner to determine the grade.

### **Admission requirements**

Research students who have been admitted to third level education at a higher education institution in Sweden, or equivalent programme abroad, have basic eligibility for admission to the course.

### **Selection**

Priority will be given to students admitted to research studies in the subject area of Disability Research at The Swedish Institute for Disability Research. Secondly, research students from Örebro University will be offered a place on the course. Any remaining course places will be offered to research students from other higher education institutions.

### **Transfer of credits for previous studies and other activities**

If a student at a higher education institution in Sweden has successfully completed a certain higher education programme, the student is entitled to credit for this when studying at another higher education institution. This does not, however, apply if there is a substantial difference between the educational programmes.

The same applies to students who have successfully completed a certain educational programme at a university or other institution of higher education in Denmark, Finland, Iceland or Norway or in an entity that is party to the Council of Europe Convention of 11 April 1997 on the Recognition of Qualifications concerning Higher Education in the European Region (Swedish Treaty Series 2001:46), or at the Nordic School of Public Health.

A student is entitled to credit for an educational programme other than one referred to in Section 6 if the knowledge and skills that the student cites are of such a nature and of such a scope that they essentially correspond to the educational programme toward which they are intended to give credit. A student may also receive credit for corresponding knowledge and skills acquired in the course of working activities.

The higher education institution is to consider whether previous education or activities can be accepted for credit (Higher Education Ordinance, Chapter 6, Sections 6-8).

**Course evaluation**

Course planning and teaching is based on the course description. Obligatory course evaluation will assess to what extent the course corresponds with the description.