



Diploma Thesis Evaluation Form

Author: **Oleksandra Konoplia**

Title: **Protection against Discrimination under the European Convention on Human Rights**

Programme/year: MAIN/2020

Author of Evaluation (supervisor): JUDr. Milan Lipovský, Ph.D.

Criteria	Definition	Maximum	Points
Major Criteria			
	Research question, definition of objectives	10	10
	Theoretical/conceptual framework	30	27
	Methodology, analysis, argument	40	32
<i>Total</i>		80	69
Minor Criteria			
	Sources	10	10
	Style	5	3
	Formal requirements	5	5
<i>Total</i>		20	18
TOTAL		100	87



Evaluation

Major criteria:

The thesis is dedicated "to estimate the amount of protection on the national level as well as potential limitations of the successful functioning of this system." (page 2). The framework used to research this question is the European Convention on Human Rights and Fundamental Freedoms, particularly its anti-discrimination regulation. Particular focus is given to countries statistically considered to be the most often found violators.

While doing so, it combines the approach of politology and law. That is an interesting approach that explains the background of legal policies and provisions.

Despite some mistakes in legal terminology and descriptions of legal instruments, the work is interesting and presents valuable conclusions. The part on NGOs is definitely relevant, I would however recommend closer ties to the non-discrimination topic.

The work refers to both theoretical sources as well as vast amount of case-law, including comparative material of other bodies than the ECtHR as well.

There are two questions that I would like to ask:

- 1) Has the ECtHR also dealt with so-called "positive discrimination" recently and if so, then how?*
- 2) How does the author perceive the definition of "racial discrimination" in the International Convention on the Elimination of All Forms of Racial Discrimination? To include differentiation on national basis (though negative as well of course) into the definition may seem to mix what racial discrimination is as opposed to national/ethnic discrimination. Does the author have an opinion as to how including this may influence how racial discrimination is treated?*

Minor criteria:

I would suggest to use language and stylistical correction at the end of writing the thesis. It is of course not easy for a non-native English speaker (to whom the supervisor belongs as well) to keep track of all details.

The author used a representative list of sources, did not limit herself to a narrow frame and offered valid conclusions.



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Overall evaluation:

Contained above.

Suggested grade:

1

Signature: