UNIVERSITÀ
DEGLI STUDI DI MILANO-BICOCCA

COURSE SYLLABUS

Procedura Penale Sovranazionale

1819-4-A5810089

Learning objectives

Help the student to develop a "negative capability ' (intended as the ability to work under uncertainties) and the ability to contextualize (which means to correctly order judicial measures and individual rights); these two tecniques are indispensable to all legal operators.

Contents

A different justice is possibile. It is the international justice, which operates whenever it’s very likely the perpetrators of the most serious crimes (as genocide, war crimes, crimes against humanity) are going to escape the criminal process in their own countries. The International Criminal Court has jurisdiction in these cases. This course aims to analyze the functioning of the International Criminal Court – that was created in 1998, but that has not been recognised by all the Countries yet – looking at the future of this institution, but without forgetting the experience of the ‘short twentieth century’(and the Nuremberg Court in particular).

Detailed program

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Prerequisites

No specific prerequisites are required: just basic knowledge of the law and of the criminal procedure.

Teaching methods

In order to reach the educational goals one must study the subject through the 'living law system' (examination of cases and jurisprudence).

Assessment methods

Type of exam for all students:

Oral exam.

Textbooks and Reading Materials

Reference texts for attending students only

1. Lecture notes.

2. . S. BUZZELLI – M. DE PAOLIS – A. SPERANZONI, La ricostruzione giudiziale dei crimini nazifascisti in Italia. Questioni preliminari, Giappichelli, Torino, 2012.

Reference texts for non-attending students

1. 1. V. FANCHIOTTI - M. MIRAGLIA - J.P. PIERINI, La Corte Penale Internazionale. Profili sostanziali e processuali, a cura di V. Fanchiotti, Giappichelli, Torino, 2014.
2. S. BUZZELLI – M. DE PAOLIS – A. SPERANZONI, La ricostruzione giudiziale dei crimini nazifascisti in Italia. Questioni preliminari, Giappichelli, Torino, 2012.