UNIVERSITÀ
DEGLI STUDI DI MILANO-BICOCCA

SYLLABUS DEL CORSO

Tutela Internazionale dei Diritti Umani

1920-5-A5810217

Learning objectives

Knowledge and understanding

Mastering the contents of the course and achieving the corresponding skills. Further, learning the principles affirmed in seminal judgments, rulings and views delivered by the main international human rights courts and mechanisms (mostly on the right to life and on the prohibition of torture and other cruel, inhuman or degrading treatment) and understanding their implications.

Applying knowledge and understanding

In general, getting to know the mandate and functioning of the main international human rights mechanisms (European Court of Human Rights, African Commission and Court on Human and Peoples Rights, Inter-American Commission and Court of Human Rights, United Nations Human Rights Committee and Special Procedures) in order to be able to submit reports or to lodge individual communications or complaints.

Contents

This course provides an introduction to international and regional mechanisms of protection of human rights (with particular emphasis on the African, European and Inter-American systems, as well as on the means of promotion and protection of human rights within the United Nations) and aims, through the study and analysis of the relevant case law mostly on cases relating to the right to life and the prohibition of torture, at examining in depth the functioning of the mentioned mechanisms.

Detailed program

Program for all students

Historic and philosophical origins of international human rights law; categories and nature of the rules of international human rights law: civil, political, economic, social and cultural rights; universal (the United Nations system) and regional (European, Inter-American and African) mechanisms of protection of human rights; Truth Commissions and other transitional justice mechanisms; the role of non-governmental organizations.
The protection of two fundamental human rights: the right to life and the right not to be subjected to torture, inhuman and degrading treatment or punishment. Study and analysis of the case law of the Human Rights Committee, the European Court of Human Rights, the Inter-American Court of Human Rights and the African Commission on Human and Peoples' Rights on selected issues relating to the two mentioned fundamental human rights: abortion and forced sterilization; euthanasia; death penalty; extra-judiciary executions; massacres; deaths in custody; enforced disappearance; treatment of people deprived of their liberty; extradition and expulsion; extra-ordinary renditions; internally displaced people; rape and other forms of sexual violence.

Prerequisites

Basic knowledge of Public International Law.

Teaching methods

Frontal lectures. The first lectures are of a more general nature, aimed at learning the basics of the subject and at ensuring homogeneity of knowledge among the participants.

At the beginning of the course some landmark judgments / decisions / observations made by the main international human rights bodies are distributed. Students who volunteer for this purpose are requested to analyse the document and give a short presentation during one of the lectures. The presentation is followed by interactive dialogue and debate.

Assessment methods

Oral exam. It consists in a discussion of two main topics based on the textbook, aimed at assessing the student's understanding of the theoretical contents of the course, as well as his or her ability to apply the acquired knowledge to concrete cases.

From May 2020 until further notice (depending on the measures adopted with regard to the COVID emergency) exams will be conducted through **Webex**.

1. To enroll, students must be sure to follow the usual procedure (through **segreterie online), and, additionally, to enroll in** through **Moodle Platform 19-20 (pay attention to the academic year).** Without this "double enrolment" students will not be able to take the exam.

2. Students willing to take the exam are kindly requested to **enroll at their earliest convenience**, in any case trying to make sure that they are **enrolled at least 5 days prior to the formal closing date**. This is needed in order to better organise and distribute students. Indeed, when there are many enrolled students, it may be necessary to "split" the exam and distribute them on different dates. This will be duly communicated to students and flexibility will be needed.

3. Students who enrolled themselves, but for whatever reason change their mind or realise that they will not be able to tale the exam are kindly requested to **cancel their enrolment from segreterie online** (it is not necessary to do so for the enrolment on the Moodle Platform). Also this measure aims at facilitating the organisation of the exams and, where necessary, the distribution of students on different days.

Textbooks and Reading Materials

SCOVAZZI, Corso di diritto internazionale - Parte III: La tutela internazionale dei diritti umani, Giuffrè, Milano, 2013.

For students who are not familiar with Italian, alternative text books in other languages (French, Spanish and English) may be recommended upon request.