UNIVERSITÀ
DEGLI STUDI DI MILANO-BICOCCA

SYLLABUS DEL CORSO

Human Rights At Sea

2122-4-A5810265

Learning objectives

The objective of the course is to provide adavnce knowledge concerning the protection of human rights at sea, in their dual substantial and procedural aspects.

By the end of this course, students should:

- better know and understand the nature and sources of international law as it applies to people at sea with the aim to protecting their rights;
- be able to identify and critically assess the implications of those concepts in the substantive exposition of various issues of contemporary practice in the field of shipping, fisheries, and migration;
- demonstrate an in-depth understanding of various international legal instruments;
- demonstrate cognisance of the interface between different aspects of the contemporary international order; and
- be able to provide specific legal advice to state and non-state actors concerning the best ways to effectively protect and promote human rights at sea.

Contents

The course addresses the protection of human rights at sea by the international legal order. It addresses the sources of these rights and of the corresponding obligations of states, the issue of juirsdiction, and the substantive content of international obligations of states.

Detailed program

The course will address the following issues:

- the factual background
- the applicable legal framewokr, including law of the sea, human rights law and other international instruments
- the identification of the state that has the duty to protect the human rights of people at sea, through the application of the concept of jurisdiction
- the general principle applicable to protect human rights at sea
- the type (negative/positive/due diligence) and content of state obligations
- case studies in the field of shipping, fisheries and migration

Prerequisites

Teaching methods

Traditional classes with room for in-class discussion

Assessment methods

oral exam

Textbooks and Reading Materials

I. Papanicolopulu, *International Law and the Protection of People at Sea*, Oxford University Press, Oxford, 2018, with the exclusion of Chapter 5