UNIVERSITÀ
DEGLI STUDI DI MILANO-BICOCCA

COURSE SYLLABUS

Human Rights

2526-5-A5810213

Learning objectives

Knowledge and understanding

The course aims at providing the students with the knowledge and critical understanding of the mandate and functioning of the main international human rights mechanisms and the contents and, where applicable, controversial aspects emerging from landmark international judgments/rulings/views or the principles spelled out in reports, especially with regard to the right to life and the prohibition of torture and other cruel, inhuman or degrading treatment or punishment.

Applying knowledge and understanding

In general, getting to know the mandate and functioning of the main international human rights mechanisms in order to be able to submit reports or to lodge individual communications or complaints.

Making judgments
The student learns how to autonomously make judgments when interpreting international human rights norms and identifying the most appropriate legal solutions vis-à-vis specific violations.

Communication skills

Acquisition of communication skills in the presentation and discussion of legal arguments and judgments or decisions rendered by the main international human rights mechanisms.

Learning skills
Ability to learn independently, including by consulting international norms, doctrinal and jurisprudential sources.

Contents

This course provides an introduction to international human rights mechanisms, illustrating their composition, mandate and functioning, as well as their jurisprudence, through the study and analysis of the relevant judgments/decisions/views/reports mostly concerning the right to life and the prohibition of torture and other cruel, inhuman or degrading treatment or punishment.

Detailed program

The first part of the course deals with the general aspects of human rights, their historical development and their inclusion in international law, beginning with the United Nations Charter and in the light of the main subsequent human rights treaties (both universal and regional), taking also into account the procedural means for their protection. The mandate and composition of the main international human rights mechanisms at the universal and regional levels are then analysed, as well as international jurisprudence on the right to life and the prohibition of torture, highlighting – where applicable – the existence of controversial issues (e.g. the extra-territorial application of international human rights treaties).

Prerequisites

Basic knowledge of Public International Law. Bearing in mind that the course is imparted in English, basic knowledge of the language, which allows students to understand the documents distributed, actively participate and interact with their colleagues and the professor(s).

Teaching methods

The first lectures (lasting 2 hours each) are delivered in person and are erogative in nature (meaning that the lecturer is the one mostly speaking and illustrating notions and concepts).
The subsequent lectures (also lasting 2 hours each) remain erogative in nature in the first part, laying the foundations for involving the students in an interactive way in the subsequent part.
There will be two lectures lasting 3 hours, one of them at the end of the course.
All activities are carried out in person.

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. Students are asked two main questions on the subjects analysed during the course and developed in the textbooks, aimed at assessing their understanding of the theoretical contents of the course, as well as their ability to apply the acquired knowledge to concrete cases; coherence and completeness of the exposition; correct

use of legal terminology; capacity to express oneself in an understandable and synthetic way.

No intermediate exams or tests are envisaged.

Textbooks and Reading Materials

Relevant documents will be distributed during the course, to be discussed in the context of the interactive parts of the lectures.
Students who do not attend the course, can prepare on the following textbooks:

Smith, Textbook on International Human Rights, tenth edition, Oxford University Press, 2022 (Chapters 1-8, 13 and 17); and

Carcano, Notable Cases of the European Court of Human Rights on the Right to Life, Giappichelli, 2020.

Sustainable Development Goals

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