UNIVERSITÀ
DEGLI STUDI DI MILANO-BICOCCA

SYLLABUS DEL CORSO

Tutela Internazionale dei Diritti Umani

2627-5-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.

Making judgments
Through the study of the assigned textbooks and reading materials, 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 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

The first five lectures (lasting 4 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 4 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.
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.

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Assessment methods

Oral exam. It consists in a discussion of two main topics among those discussed during the course and 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.

There are no intermediate exams or tests.

Textbooks and Reading Materials

SCOVAZZI, Corso di diritto internazionale - Parte III: La tutela internazionale dei diritti umani, Giuffrè, Milano, 2022 (second edition). **CHECK IF THE THIRD EDITION, SCHEDULED FOR RELEASE IN 2027, IS AVAILABLE**

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

Sustainable Development Goals

GENDER EQUALITY | REDUCED INEQUALITIES | PEACE, JUSTICE AND STRONG INSTITUTIONS