



UNIVERSITÀ DEGLI STUDI DI PALERMO

DEPARTMENT	Scienze Economiche, Aziendali e Statistiche		
ACADEMIC YEAR	2017/2018		
BACHELOR'S DEGREE (BSC)	ECONOMIC DEVELOPMENT, INTERNATIONAL COOPERATION AND MIGRATION		
INTEGRATED COURSE	INTERNATIONAL LAW AND MIGRATION LAW - INTEGRATED COURSE		
CODE	19258		
MODULES	Yes		
NUMBER OF MODULES	2		
SCIENTIFIC SECTOR(S)	IUS/13, IUS/20		
HEAD PROFESSOR(S)	SCHIAVELLO ALDO	Professore Ordinario	Univ. di PALERMO
OTHER PROFESSOR(S)	SCHIAVELLO ALDO	Professore Ordinario	Univ. di PALERMO
	ROMANA NICOLA	Ricercatore	Univ. di PALERMO
CREDITS	10		
PROPAEDEUTICAL SUBJECTS			
MUTUALIZATION			
YEAR	2		
TERM (SEMESTER)	1° semester		
ATTENDANCE	Not mandatory		
EVALUATION	Out of 30		
TEACHER OFFICE HOURS	<p>ROMANA NICOLA</p> <p>Monday 10:30 12:00 A partire dal mese di marzo 2020 e fino alla ripresa delle normali attività, il ricevimento si svolge attraverso la piattaforma Microsoft Teams, previa prenotazione. CODICE TEAMS PER ACCEDERE: 4t8lz74</p> <p>Thursday 10:15 11:30 A partire dal mese di marzo 2020 e fino alla ripresa delle normali attività, il ricevimento si svolge attraverso la piattaforma Microsoft Teams, previa prenotazione. CODICE TEAMS PER ACCEDERE: 4t8lz74</p> <p>SCHIAVELLO ALDO</p> <p>Wednesday 09:00 12:00 Dipartimento di giurisprudenza Piazza Bologni, 8, I piano- Stanza del Direttore del Dipartimento</p>		

PREREQUISITES	Adequate knowledge of the legal order (high school level)
LEARNING OUTCOMES	<p>Knowledge and understanding: Know and understand the fundamental notions related to the international legal system. Understand and learn about the main problematic aspects related to the phenomenon of migration.</p> <p>Applying knowledge and understanding Demonstrate the ability to apply the knowledge and skills acquired in tackling problems and issues related to the course, both theoretically and practically.</p> <p>Autonomy of judgment Acquire critical awareness of the dynamics of the international system and the main problems deriving from the North-South imbalance. Acquire similar critical awareness regarding the actions, placed at a pluri-ordinamental level, regarding the phenomenon of migration.</p> <p>Communication skills Communicate the acquired knowledge in a comprehensive and convincing way.</p> <p>Learning skills Ability to update with the consultation of scientific publications specific to the sectors. Ability to follow, using the knowledge acquired in the course, both first level master, both in-depth courses and specialized seminars in the field of international law and the protection of human rights. To be able to reconstruct the characteristics of the main institutions of the international legal system as well as the main problems of economic development, following the main jurisprudential orientations. To know how to develop reasoning and argument skills even in dialogical contexts, related to human rights.</p>
ASSESSMENT METHODS	<p>Oral Final exam - Grades on a scale between 18 and 30 cum laude</p> <p>The exam consists of an interview aimed at ascertaining the level of knowledge of the topics in the syllabus, the level of command in the specialized language and the ability of the candidate to develop a reasoning aimed at the application of theoretical knowledge to specific cases in order to argue and possible solutions.</p> <p>The interview consists of a minimum of three questions for each module</p> <p>The evaluation will take place 'in conformity' to the following evaluation grid:</p> <ul style="list-style-type: none"> -Excellent 30 -30 cum laude: good knowledge of the topics, excellent property 'language, excellent capacity of analysis; the student is 'able to apply theoretical knowledge to real cases which are proposed to be analysed. He/she is also able to properly argue possible solution, including multiple alternatives. - Very good 26-29: good knowledge of the topics, good properties 'of language, good capacity' analytical; the student is 'able to apply theoretical knowledge to real cases which are proposed to be analysed. The students is able to adequately apply theoretical knowledge to real cases which are proposed to be analysed. - Good 24-25: Basic knowledge of the main topics, good property of language, the student shows limited ability' to apply theoretical knowledge to real cases which are proposed to be analysed. -Satisfactory 21-23: the student does not show that complete command of the main teaching topics, although showing to know the basic knowledges; he/she shows satisfactory property of language albeit with a poor ability' to adequately apply theoretical knowledge to real cases which are proposed to be analysed. - Sufficient 18-20: minimal knowledge of the main teaching and technical language issues, limited or no capacity to adequately apply theoretical knowledge to real cases which are proposed to be analysed. - Insufficient outcome: the student does not have an acceptable knowledge of the contents of the various topics on the agenda. - the final evaluation is the weighted average of the two modules' evaluations <p>N. 1 Midterm oral exam for each module on voluntary basis (mark out of 30). The evaluation of this exam will be weighted (doing a simple average) with the</p>

	final evaluation of each module
TEACHING METHODS	Lectures

MODULE MIGRATION LAW

Prof. ALDO SCHIAVELLO

SUGGESTED BIBLIOGRAPHY

Benhabib, S., 2004, *The Rights of Others: Aliens, Residents and Citizens*, Cambridge: Cambridge University Press.

AMBIT	10713-Attività formative affini o integrative
INDIVIDUAL STUDY (Hrs)	68
COURSE ACTIVITY (Hrs)	32

EDUCATIONAL OBJECTIVES OF THE MODULE

The course aims at examining the nature, contents, and justifications of contemporary migration law from a theoretical and critical perspective. First, the course aims at understanding the philosophical and historical foundations of the state prerogative to regulate the entry of non-nationals on its territory. Second, the course aims at articulating the arguments pro and contra the claim that the state has the authority to restrict the aliens' entrance on its territory. Third, the course aims at reflecting on the philosophical grounds on which the category of citizenship is founded, and on the grounds to differentiate the treatment of citizens and aliens. In addition, the course aims at articulating the relationships between immigration law and human rights, the principle of equality and non-discrimination. The main objective of the course is providing students with tools and knowledge needed to grasp the norms and the policies governing contemporary migration. The concepts of citizenship, boundary, nationality, sovereignty, territory, are investigated with respect to their structural tension with the proclaimed universality of human rights. The way in which such tension has been worsened in the era of global migration is considered. Within this theoretical framework, an overview of the legal framework related to migration is provided. The parable of the right of asylum, as a right of access to rights for people who do not have, or who have lost, the protection of their own State, and ask for that of another one, is adopted as a privileged observation point. Peculiar attention will also be paid to the nature of complex phenomenon, such as trafficking and smuggling, and migrant labour exploitation, by looking at the efficacy of existing legal and policy framework in order to combat them.

SYLLABUS

Hrs	Frontal teaching
2	Introduction to the course: illustration of the scope, aims, and contents of the course. Sketching the context of migration in the contemporary world: large movements of people, forced migration with a critical perspective on their causes, effects, and trajectories of evolution.
2	The philosophical foundations of migration law and policies: the State prerogative to exclude aliens from its territory, the limits to this prerogative which are grounded on conventional and international human rights and the potential tensions with the liberal state's principles.
2	Territory, sovereignty and boundaries: nationalism and formal conceptions of the State.
2	Discussing citizenship: the legal, the political and the identity dimension of the concept. Two models of citizenship: the liberal and the republican. The boundaries of citizenship.
2	Rights, migrations and global and internal Justice.
2	International Refugee Law and Human Rights Law.
2	Historical-philosophical Excursus on the right to asylum.
2	The Common European Asylum System.
2	The Common European Asylum System: is it compatible with human rights and Refugee Law?
2	Cosmopolitan Law and Law of Peoples.
2	The Ethics of Migration: An Introduction.
2	New policies on migration challenging International Law: EU Agenda on migration.
2	New policies on migration challenging International Law: EU agreement with Turkey.
2	Smuggling, Sea Law and duty to rescue, Humanitarian Law, Human Rights: from subjects of law to shipwrecked to be rescued or refouled .
2	Trafficking and labour exploitation: discrimination, intersectionality, and the lack of a holistic approach.
2	Conclusion of the course.

MODULE INTERNATIONAL LAW

Prof. NICOLA ROMANA

SUGGESTED BIBLIOGRAPHY

Per la parte I: A. CASSESE, Diritto internazionale, (a cura di P. Gaeta), Bologna, Il Mulino, 2013 - ISBN 978-88-15-24183-2 (o edizione piu' recente)
 Per la parte II e III: A. CASSESE-P. GAETA, Le sfide attuali del diritto internazionale, Bologna, Il Mulino, 2008 - ISBN 978-88-15-11335-1 (o edizione piu' recente)
 Per gli approfondimenti relativi alle origini ed all'evoluzione della comunita' internazionale, nonche' alla pace ed alla sicurezza internazionale, si consiglia la lettura di SCOVAZZI, Corso di diritto internazionale. Parte I, Milano, Giuffre, 2000 (o edizione piu' recente).
 E' raccomandata inoltre la consultazione di una raccolta dei principali strumenti normativi e giurisprudenziali di riferimento, quali ad es. CONETTI-MIGLIORINO-SCOVAZZI, Testi di base per lo studio del diritto internazionale, Milano, Giuffre, 2006, ISBN 978-88-141-3310-7 (o edizione piu' recente);
 Codice del Diritto e delle Organizzazioni internazionali, Napoli, Simone, 2011, ISBN 978-88-244-5951-8 (o edizione piu recente);
 LUZZATTO-POCAR, Codice del diritto internazionale pubblico, Torino, Giappichelli, 2010, ISBN 978-88-348-1509-0 (o edizione piu' recente)

AMBIT	50212-cooperazione e sviluppo
INDIVIDUAL STUDY (Hrs)	102
COURSE ACTIVITY (Hrs)	48

EDUCATIONAL OBJECTIVES OF THE MODULE

The course aims to provide students with skills and knowledge necessary for the understanding of the specificity of international law and of the main problems of the international community. Objective of the course, divided into a general part relating to subjects and sources of international law, will be to make students appreciate the peculiarity of the discipline than the other branches of the law, even through the examination of issues related to the violation of international rules and international responsibility, international disputes and peacekeeping.

SYLLABUS

Hrs	Frontal teaching
24	Part I. General Profiles of international law: Definition and characters of international law. The State and other subjects of international law. Relations between international law and domestic law. The customary and written rules: The Codification. The United Nations and the specialized agencies. The violation of international norms and its consequences. The solution of international disputes. The maintenance of peace and international security.
12	Part II. The problem of economic development: The genesis of the International Economic Law. The substantive principles at the foundation of cooperation between States in economic and commercial matters. The so-called New International Economic Order. The international development cooperation: international law and the North-South divide. The role of international organizations in the economic cooperation between States. The non-governmental cooperation.
12	International Environmental Law: The supranational dimension of environmental law. Evolution of the subject of environmental protection in international law. Analysis of the principles relating to the environment. The main international conventions. The interrelations between economics and environment: sustainable development.