



UNIVERSITÀ DEGLI STUDI DI PALERMO

DEPARTMENT	Giurisprudenza		
ACADEMIC YEAR	2020/2021		
MASTER'S DEGREE (MSC)	MIGRATIONS, RIGHTS, INTEGRATION		
INTEGRATED COURSE	MOBILITY AND SAFETY - INTEGRATED COURSE		
CODE	20876		
MODULES	Yes		
NUMBER OF MODULES	2		
SCIENTIFIC SECTOR(S)	IUS/17, IUS/16		
HEAD PROFESSOR(S)	MANGIARACINA ANNALISA	Professore Ordinario	Univ. di PALERMO
OTHER PROFESSOR(S)	MANGIARACINA ANNALISA	Professore Ordinario	Univ. di PALERMO
	OMODEI RICCARDO ERCOLE	Ricercatore a tempo determinato	Univ. di PALERMO
CREDITS	9		
PROPAEDEUTICAL SUBJECTS			
MUTUALIZATION			
YEAR	2		
TERM (SEMESTER)	2° semester		
ATTENDANCE	Not mandatory		
EVALUATION	Out of 30		
TEACHER OFFICE HOURS	<p>MANGIARACINA ANNALISA Monday 10:00 12:00 Il ricevimento si svolgerà mediante l'applicazione "Teams", previa prenotazione sul portale.</p> <p>OMODEI RICCARDO ERCOLE Wednesday 9:30 11:30 Dipartimento di Giurisprudenza - Sezione scienze penalistiche (II piano)</p>		

PREREQUISITES	Knowledge and competence regarding: a) the basic notions of public law, with particular reference to the sovereignty of the state; b) the basic notions of constitutional law, international law, and European law; c) the basic notions of human rights.
LEARNING OUTCOMES	<p>According to both the Dublin descriptors - section 'Didattica' of the website 'Giurisprudenza' - and the RAD).</p> <p>KNOWLEDGE AND UNDERSTANDING</p> <ul style="list-style-type: none">- Knowledge of the basic notions regarding the balancing of mobility and security in Europe;- Knowledge of legal instruments against illegal traffickings of people and goods (particularly as regards migrants, drugs, cultural goods);- Knowledge of the relevance of organized crime with regard to illegal traffickings in the Mediterranean sea. <p>This knowledge is aimed at understanding:</p> <ol style="list-style-type: none">1) the relationship with the EU legal basis regarding mobilità of people and goods;2) the social and economic relevance of mobility in the Mediterranean area;3) the importance of protecting fundamental rights entailed in migration;4) the relationship between European and international duties of criminalization of illegal traffickings and the corresponding enforcement at a national level;5) Italian law and practices against various forms of illegal traffickings;6) the forms of judicial cooperation between European and Mediterranean countries with a view to fighting illegal traffickings. <p>ABILITY TO APPLY KNOWLEDGE AND UNDERSTANDING: The course is aimed at orienting the student's ability to apply the notions that will be analyzed, as well as at stimulating their ability to solve real cases, with due awareness of relevant EU, constitutional and international norms.</p> <p>AUTONOMY OF JUDGEMENT: ability to value comparatively the different normative solutions against illegal traffickings.</p> <p>COMMUNICATIVE ABILITY: control over relevant legal concepts and terminology, to be fortified through exercise and the writing of brief papers.</p> <p>LEARNING ABILITY: ability to understand normative sources regulating illegal traffickings, as well as doctrinal conceptions and judicial decisions; ability to systematize the studied subjects with a view to their professional application; ability to grasp the relationships with other areas of law and their practical implications; ability to make use of multi-level legal instruments with a view to solving real cases.</p>
ASSESSMENT METHODS	<p>Oral final exam. Positive evaluation of the exams will always be provided on a scale ranging from 18 to 30 cum laude points.</p> <p>Oral exam. The oral exam consists of an interview aimed at ascertaining the candidate's knowledge of the basic notions of the economic criminal law and his/her specific knowledge of false accounting and bankruptcy. The interview consists of a minimum of three questions. Positive evaluation of the exam will be provided on a scale ranging from 18 to 30 cum laude points.</p> <p>Questions will be aimed at ascertaining: 1) the candidate's knowledge of the topics in the syllabus; 2) his/her ability to use and apply the learned notions, as well as to relate them each other; 3) his/her ability to use appropriately the criminal law theory's language.</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): excellent knowledge of the topics in the syllabus, excellent ability to use the criminal law's technical language, the excellent capacity of analysis; excellent ability to apply theoretical knowledge to real cases which are proposed to be analysed; excellent ability to properly argue possible solutions, including multiple alternatives.- Very good (26-29): very good knowledge of the topics in the syllabus, very good ability to use the criminal law's technical language, very good capacity of analysis; very good ability to apply theoretical knowledge to real cases which are proposed to be analysed; very good ability to properly argue possible solutions, including multiple alternatives.- Good (24-25): good knowledge of the topics in the syllabus, good ability to use the criminal law's technical language, with a certain ability to apply theoretical knowledge to real cases which are proposed to be analysed.- Satisfactory (21-23): satisfactory knowledge of the topics in the syllabus; satisfactory ability to use the criminal law's technical language, albeit with a poor

	ability to adequately apply theoretical knowledge to real cases which are proposed to be analyzed. - Sufficient (18-20): basic knowledge of the main teaching; basic ability to use the criminal law's technical language; limited or no capacity to adequately apply theoretical knowledge to real cases which are proposed to be analyzed. - Insufficient outcome: the student does not have an acceptable knowledge of the topics in the syllabus.
TEACHING METHODS	- Classroom lessons - Exercise - Lectures by external experts

MODULE CRIMINAL LAW ASPECTS <i>Prof. RICCARDO ERCOLE OMODEI</i>	
SUGGESTED BIBLIOGRAPHY	
- V. Militello, A. Spena, Between Criminalization and Protection. The Italian Way of Dealing with Migrant Smuggling and Trafficking within the European and International Context, Brill, 2019, pp. 5-52, 56-78 - V. Militello, A. Spena, A. Mangiaracina, L. Siracusa (cur.), I traffici illeciti nel Mediterraneo. Persone, stupefacenti, tabacco, Giappichelli, 2019, pp. 1-360	
AMBIT	20826-A scelta dello studente
INDIVIDUAL STUDY (Hrs)	95
COURSE ACTIVITY (Hrs)	30
EDUCATIONAL OBJECTIVES OF THE MODULE	
The course is aimed at providing a clear and aware interdisciplinary understanding of the relationship between mobility and security in Europe, with particular regard to the fight against illicit trades in the Mediterranean sea. Students' participation in interactive seminars intends to promote teamwork skills and to develop a critical approach in the selection of personal study topics. In particular, the aim is to develop an enhanced legal knowledge, especially in the criminal law area, useful not only to manage practical issues but also to develop the ability to value current and future choices in the matter of migration and specifically in the fight against illicit trades.	

SYLLABUS

Hrs	Frontal teaching
6	An introduction to the fundamental principles of criminal law, with particular reference to constitutional, supranational and international principles regarding mobility and security
3	Human mobility in the current European legal framework, its relevance in the EU and EU Member States migration policies, especially in connection with the emerging security issue.
3	THE ROLE OF ORGANIZED CRIMINALITY IN THE ILLICIT TRAFFICKING IN THE MEDITERRANEAN AREA: ECONOMIC AND SOCIOLOGICAL FOCUS
3	THE EUROPEAN AND INTERNATIONAL LEGISLATION ON HUMAN SMUGGLING AND HUMAN TRAFFICKING: SUBSTANTIVE CRIMINAL LAW
2	THE ITALIAN ANTI-TRAFFICKING AND ANTI-SMUGGLING LEGISLATION: SUBSTANTIAL CRIMINAL LAW
2	HUMAN TRAFFICKING AND FORCED LABOUR
2	THE ITALIAN, EUROPEAN AND INTERNATIONAL LEGISLATION ON DRUG TRAFFICKING: SUBSTANTIAL CRIMINAL LAW
2	THE ITALIAN, EUROPEAN AND INTERNATIONAL LEGISLATION ON AND THE ILLEGAL TRANSPORT OF HAZARDOUS WASTE: SUBSTANTIAL CRIMINAL LAW
2	THE ITALIAN, EUROPEAN AND INTERNATIONAL LEGISLATION ON THE TRAFFICKING OF CULTURAL GOODS: SUBSTANTIAL CRIMINAL LAW
Hrs	Practice
1	THE ITALIAN ANTI-TRAFFICKING AND ANTI-SMUGGLING LEGISLATION: CASE-LAW ANALYSIS
1	HUMAN TRAFFICKING AND FORCED LABOUR: CASE-LAW ANALYSIS
1	THE ITALIAN, EUROPEAN AND INTERNATIONAL LEGISLATION ON DRUG TRAFFICKING: CASE-LAW ANALYSIS
1	THE ITALIAN, EUROPEAN AND INTERNATIONAL LEGISLATION ON AND THE ILLEGAL TRANSPORT OF HAZARDOUS WASTE: CASE-LAW ANALYSIS
1	THE ITALIAN, EUROPEAN AND INTERNATIONAL LEGISLATION ON THE TRAFFICKING OF CULTURAL GOODS: CASE-LAW ANALYSIS

MODULE CRIMINAL PROCEDURAL LAW ASPECTS

Prof.ssa ANNALISA MANGIARACINA

SUGGESTED BIBLIOGRAPHY

- S. Manacorda, Criminal law protection of cultural heritage. An international perspective, in Crime in the art and antiquities world. Illegal trafficking in cultural property, S. Manacorda - D. Chappel (eds.), Springer, New York, 2011;
- V. Militello, A. Spena, A. Mangiaracina, L. Siracusa (cur.), I traffici illeciti nel Mediterraneo. Persone, stupefacenti, tabacco, Giappichelli, 2019, pp. 1-360

AMBIT	20826-A scelta dello studente
INDIVIDUAL STUDY (Hrs)	76
COURSE ACTIVITY (Hrs)	24

EDUCATIONAL OBJECTIVES OF THE MODULE

The course is aimed at providing a clear and aware interdisciplinary understanding of the relationship between mobility and security in Europe, with particular regard to the fight against illicit trades in the Mediterranean sea. Students' participation in interactive seminars intends to promote teamwork skills and to develop a critical approach in the selection of personal study topics.

In particular, the aim is to develop an enhanced legal knowledge, especially in the criminal procedure law area, useful not only to manage practical issues but also to develop the ability to value current and future choices in the matter of migration and specifically in the instrument to fight against illicit trades.

SYLLABUS

Hrs	Frontal teaching
6	Introduction to the fundamental principles of the criminal trial, with particular regard to the Constitutional, supranational and international frame, relevant in the area of mobility and security
2	European and International legislation regarding smuggling and trafficking: procedural issues
2	Italian legislation regarding smuggling and trafficking: procedural issues,
2	European and International legislation regarding trafficking of drugs: procedural issues
2	Italian legislation regarding trafficking of drugs: procedural issues
2	Italian, European and international legislation concerning trafficking of waste: procedural issues
2	Italian, European and International legislation regarding trafficking of cultural heritage: procedural issues
Hrs	Practice
1	European and International legislation regarding smuggling and trafficking: procedural issues. Case law analysis
1	Italian legislation regarding smuggling and trafficking: procedural issues, Case law analysis
1	European and International legislation regarding trafficking of drugs: procedural issues. Case law analysis
1	Italian legislation regarding trafficking of drugs: procedural issues. case law analysis
1	Italian, European and international legislation concerning trafficking of waste: procedural issues. Case law analysis
1	Italian, European and International legislation regarding trafficking of cultural heritage: procedural issues. Case law analysis