# International Regimes: Institutions and Rules

## Prof. Luca Galantini

***COURSE AIMS AND INTENDED LEARNING OUTCOMES***

The course aims to provide students with a structured and in-depth study of: the legal organisation of the main principles of international and supranational political institutions; the history of the sources of international law that govern them; the development of the relationship between the subjects of the international legal community, or the international political institutions and sovereign States. There will be a particular focus on the historical development of the international protection of human rights, the discipline of the lawfulness of armed forces, the fight against international terrorism and the contractual and judicial instruments for the prosecution of international criminal offences or Gross Violations, both in peace time and during international and non-international armed conflicts.

***Knowledge and understanding***

At the end of the course, students will have the ability to acquire knowledge critically, as well as the relative analytical skills when it comes to comparing the legal and metalegal elements underlying international political institutions and the States as actors of International Law in international relations with the main theories for interpreting contemporary political sciences.

***Ability to apply knowledge and understanding.***

Students will acquire operational knowledge and analytical skills that will allow them to express evaluation criteria for understanding and interacting with the subject in international institutional practice, with special focus on the main strategies and procedural methods for the evolution of decision-making processes of international legal-institutional interaction between the subjects of International Law in the present historical and temporal variables.

***COURSE CONTENT***

– Aspects and foundations of the law of international organisation. The historical development of the international legal system.

– Institutions acting within the international community. The State, the international organisations, other subjects. The development of the principle of state sovereignty in international relations over time. The United Nations Organization (UN).

– Sources of production and knowledge of the law of international regimes. Pactional and common law practices, treaties.

– The legal sources guaranteeing international law. The International Court of Justice, diplomatic, arbitral and judicial sources, and ad hoc courts.

– Maintaining peace and international security. The legitimate use of armed force in the international community. Guidelines for armed conflict in international law. The main international treaties regulating armed conflict. The rules to hinder international terrorism.

– The international protection of human rights in peace time and during armed conflicts. The hierarchy of human rights. The legal framework regulating human rights, from the Geneva Conventions to today. The jurisdictional sources of guarantee of human rights, the International Criminal Court.

***READING LIST***

*Mandatory texts*

A. Cassese – P. Gaeta, *Le sfide attuali del diritto internazionale,* Il Mulino, 2008 (First Part; Second Part).

B. Conforti, *Diritto internazionale,* Editoriale Scientifica, 2010, VIII ediition (Introduction; First Part; Fifth Part).

V. Colombo-L. Galantini, *Diritti umani e identità religiosa – Islam e Cristianesimo in medio oriente,* Vita&Pensiero, 2013 (pp. 3-43).

Various authors, *La tutela internazionale dei diritti umani,* Simone Edizioni Giuridiche, 2011 (Introduction; Part 1; Part 4).

*Recommended reading*

L.Galantini, *L’identità costituzionale e politica dell’Unione Europea,* in *Rivista di Politica*,Università di Perugia, Rubbettino Editore, 2017, no.1.

L.Galantini, *The exposition of religious and cultural symbols according to the political European system.The case Lautsi vs Italy at the European Court of Human Rights,* in *Prace Historyczne*, Jagellonian University of Krakow, 2013, nr.2.

L.Galantini, *Una teoria della giustizia delle istituzioni politiche internazionali. La crisi della democrazia procedurale,* in *Emeneutica del Ponte – Materiali per una ricerca*, Mimesis Edizioni, 2019, vol.1.

***TEACHING METHOD***

The course will be delivered by means of frontal lectures and seminars, including talks from experts in the field of international legal policy.

***ASSESSMENT METHOD AND CRITERIA***

Discussions between the lecturer and the students in regular seminars intended to ascertain the level of knowledge achieved.

Students will be examined in written format. The paper will comprise ten open questions on the entire contents of the course, as described above. The ten questions will each be worth an equal number marks, ranging from 0 (no answer) to 3 (full, accurate answer). Answers will be assessed according to the following criteria: absolute relevance; conscious and appropriate use of the legal terminology specifically introduced by the lecturer; coherent and logical argumentation; ability to make conceptual links within the framework and scope of the question.

***NOTES AND PREREQUISITES***

There are no specific prerequisites for this course in terms of legal knowledge. However, given that this is an introductory course to the principles of international law, students are nevertheless expected to be interested in and have a propensity for historic, ethical and philosophical reflection on the foundations of the principles of law and justice, as applied to the theories of political science and political institutions in international relations.

In case the current Covid-19 health emergency does not allow frontal teaching, remote teaching will be carried out following procedures that will be promptly notified to students.

Further information can be found on the lecturer's webpage at http://docenti.unicatt.it/web/searchByName.do?language=ENG or on the Faculty notice board.