# International Protection of Human Rights

## Prof. Monica Spatti

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

The course aims to provide students with the knowledge of the operating mechanisms of international systems to protect human rights, both at universal level and in the various regional areas, with special reference to the systems developed by the Council of Europe and the European Union. The course also aims to offer an overview of the relevance of some fundamental rights as well as the protection of specific categories of vulnerable individuals.

*Knowledge and understanding*

At the end of the course, students will be able to understand the different approaches of the various international systems for the protection of human rights and thus to distinguish their strengths and weaknesses. Students will also have achieved a deep understanding of some fundamental rights that have specifically been studied for their transversality and relevance.

*Ability to apply knowledge and understanding*

At the end of the course, students will be able to carry out a critical analysis of the international acts and of the European Union as well as the decisions of the jurisdictional and quasi-jurisdictional bodies that have implications on the protection of the fundamental rights of individuals. Furthermore, they will have acquired the method to understand the scope and content of the fundamental rights also not specifically studied during the course.

***COURSE CONTENT***

The *general part* of the course will focus on the study of the main international legal instruments for the protection of human rights. Starting from the development of the theory of human rights, the course will analyse the action to promote fundamental rights performed within the United Nations, as well as the relevant international legislation. Furthermore, the course will explore the regional protection systems, with special emphasis on the Council of Europe context. Finally, students will get an overview of the protection measures taken by the European Union.

The *special part* of the course will focus on some civil and political rights, as well as economic, social and cultural rights, specifically in the light of the jurisprudence of the international control bodies. It will also deal with the integration strategies for human rights in development and cooperation processes. Special attention will be given to the right to freedom of religion and belief, and to the protection of migrants.

***READING LIST***

For students who do not have the opportunity to attend the course, exam preparation will be based on the following volumes:

P. Pustorino, *Lezioni di tutela internazionale dei diritti umani*, Cacucci Editore, Bari, 2020, 2nd ed.

V. Zagrebelsky-R. Chenal-L. Tomasi, *Manuale dei diritti fondamentali in Europa*, Il Mulino, Bologna, 2022, 3th ed. (only chapters IV and V).

For students who have the opportunity to attend the course, exam preparation will be based on lecture notes integrated by the study of some parts of the following volumes:

A. Marchesi, *La protezione internazionale dei diritti umani*, Giappichelli Editore, Torino, 2021.

A. Santini-M. Spatti (a cura di), *La libertà di religione in un contesto pluriculturale. Scritti di diritto internazionale e dell’Unione europea*, Libreria Editrice Vaticana, Città del Vaticano, 2021.

V. Zagrebelsky-R. Chenal-L. Tomasi, *Manuale dei diritti fondamentali in Europa*, Il Mulino, Bologna, 2022, 3th ed.

Lecture summaries and any additional readings will be available on the Blackboard page of the course.

***TEACHING METHOD***

Classroom lectures will mostly focus on the description of cases pertaining to the contents covered and requiring students’ active participation. Lectures can be supplemented by practical classes and conferences.

***ASSESSMENT METHOD AND CRITERIA***

Attending students may take the exam in two sessions. The first will be held in the lecture break between the first and second semester. The test will be written and will assess students’ knowledge of the course programme of the first semester. The test at the end of the course will be oral.

For non-attending students, and for attending students who have not taken or have failed the interim test, the assessment will take place in a final oral exam.

Both the written and the oral tests will be out of thirty and will take into account students’ knowledge and understanding of the topics covered in the course, as well as their mastery of legal terminology.

***NOTES AND PREREQUISITES***

For an effective attendance of the course, a background knowledge of International Law is required. To bridge any gaps in this subject, students are invited to follow the pre-course available online at: *http://blackboard.unicatt.it*.

Any changes in schedules and information on exams will be published on the *Blackboard* platform. Therefore, all students are invited to register on the *Blackboard* page of the course.

To be assigned a thesis, students are expected to have an adequate knowledge of English. The lecturer is also available to supervise thesis drawn up in English or French.

In case the current Covid-19 health emergency does not allow frontal teaching, remote teaching and assessment 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.