

Università degli Studi di Palermo



*Scuola di Scienze giuridiche ed economico-sociali
Dipartimento di Scienze giuridiche, della società e dello sport
Dottorato di ricerca su “Diritti umani: evoluzione, tutela e limiti”
European Academy of Legal Theory di Bruxelles
École doctorale de Sciences Juridiques et Politiques, Université de Paris - Nanterre*

Summer Course

Human Rights and Security: Justifying Exceptions

Palermo, 15th – 20th June 2015

The Summer Course on *Human Rights and Security: Justifying Exceptions* (hereinafter: Summer Course) is being organized by the University of Palermo PhD Program on Human Rights, jointly with the European Academy of Legal Theory, Bruxelles, the renowned research centre in the field of Philosophy of Law, and in collaboration with the Ecole Doctorale de Sciences Juridiques et Politiques of the University of Paris Nanterre.

INTRODUCTION – KEY ISSUE

“Securitization” is the key concept of the Summer Course. The concept was introduced in the 1990s, initially in the field of international relations but later receiving widespread attention, in order to indicate the discursive process in which: (i) an agent claims (*securitization move*) the necessity to adopt exceptional measures which bring about serious violations of otherwise binding rules, in order to protect a certain value from a grave and extraordinary threat, with the scope of convincing a specific audience to accept those measures and the violations to follow; (ii) the move is successful and the audience effectively accepts the exceptional measures (*securitization*).¹ One of the principal credits of this conceptualization is in making evident the fact that every securitization move is, above all, an *argumentative* operation (being essentially an invocation of reasons for justifying violations of otherwise binding norms), all the while representing in a simple manner its essential elements: the agent, the “securitized” value, the exceptional measures, the violated rules, the grave and extraordinary threat and the audience.

¹ See Buzan B., Waever O., De Wilde J., *Security. A New Framework for Analysis*, Boulder, London, 1998, 23 ff.

OBJECTIVES AND TOPICS

The securitization moves have a double relationship with human rights: the violated rules typically include norms posited for the protection of fundamental rights (the most notable is the case of “the state of exception” whose declaration represents a securitization move *par excellence*); human rights are, on the other hand, themselves increasingly becoming the securitized values (the most obvious example is that of humanitarian interventions in cases of gross violations of human rights). The Summer Course aims at scrutinizing different aspects of securitization moves in its double relationship with human rights.

The issues that will be addressed are the following:

- (1) **Law, Security & Human Rights:** Analysis of the two main problems in legal theory concerning the securitization moves: (1) the question of defeasibility of legal norms in general, and norms guaranteeing human rights in particular; (2) the question of the legal or extra-legal nature of exceptions for security reasons.
- (2) **The Genealogy of Security:** Reconstruction of the genealogy of the notions of public order and public safety and their role in the legalization of securitization moves, particularly those detrimental to fundamental rights.
- (3) **Human Rights, Security & the International Legal Order:** Reconstruction of the relationship between security, human rights, and international legal order will be discussed.
- (4) **Emergencies & Human Rights:** Introduction to management of emergencies (with particular focus on health emergencies) as a genuine paradigm of the conflict between efficacy and rights peculiar of security issues.
- (5) **Human Security:** Examination of the concept “Human Security” as the possible synthesis of the double relationship between human rights and security.
- (6) **Right to Security & Responsibility to Protect:** Exploration of the relationship between a possible “right to security” and a possible “responsibility to protect” will be discussed.

METHODOLOGY

Each day two or three seminars will be held. On each day a specific topic will be discussed from various theoretical and practical perspectives, aiming at achieving an effective integration of methods and solutions. In order to encourage a proactive participation, the participants will be engaged in a workshop on the topic discussed in each seminar session, with the support of the suggested and provided bibliography.

WORKING LANGUAGES

Italian, English, French.

APPLICANTS, CONDITIONS OF ADMISSION AND CERTIFICATE OF ATTENDANCE

As established by the *Regolamento per l'attivazione di Corsi Internazionali di Studi Avanzati Summer and Winter School* of the University of Palermo, the Course is open to students holding a 1st or 2nd cycle degrees (ita. *laurea triennale* or *laurea specialistica*), a first or second level Master degree, PhD students, PhD's and researchers with an interest in the topic and able to orientate themselves in the subject matters of the courses. **No more than 30 applications will be accepted**, and at least 15 participants will be selected among applicants from other Italian or foreign Universities. Only in the case in which less than 15 people apply, more applications from the University of Palermo will be taken into consideration. The Course is open also to University students that have acquired a minimum of 120 CFU. However, no more than 10 current University students can be accepted to the Summer Course. The selection of the latter will be made on the basis of their CVs and letters of motivation. The Summer Course will not be held if there will be less than 10 applications.

Every applicant shall fill in the form here attached, adding his/her CV. If a selection will be necessary (if more than 30 applications will be received) the scientific committee will redact a list and a reserve list. Students from the reserve list will be contacted in the case in which students admitted in the list withdraw.

Extra 10 posts will be added for applicants from Colombian, Peruvian and Brazilian universities.

GENERAL INFORMATION AND FINAL CERTIFICATE

The Summer Course is composed of two different parts. In **the first part**, participants will have to study the reading material – theoretical and practical articles, court decisions, official reports – that will be provided through the website of the PhD program in “Human Rights: Evolution, Protection and Limits” at least two weeks before the beginning of the Course. **The second part** will see the participants engaged in lectures by speakers from Italian and foreign universities and in discussions and Q&A based on the lectures and on the reading material.

The second part of the Course will be held in Palermo, Italy, at the **Dipartimento di scienze giuridiche, della società e dello sport – Sezione “Diritto e Società” – Piazza Bologna 8**. As the program shows, lectures will be held from 9 a.m. to 2 p.m. and from 3 p.m. to 7 p.m.

Participants will have full access to the Law Faculty (Dipartimento di Scienze Giuridiche, della Società e dello Sport) Library.

Students who will attend at least 90% of the seminar hours will receive a certificate, corresponding to 6 ECTS, after passing a test.

ENROLMENT AND FEES

Attached to this Call (on-line from the 31th of March 2015), a model of the Application form can be found (this is in English, but it can be filled out also in French, Italian or Spanish).

The application should be sent (and received by **25th of May 2015**), jointly with a CV, a copy of the degrees obtained, a copy of a national ID, and a copy of the payment of registration fees (and, for current University students, a letter of motivation), to the following address:

Dipartimento di Scienze giuridiche, della Società e dello Sport

Piazza Bologna, 8

90134 Palermo, Italy

(also write down on the outside of the envelop: “Human Rights and Security Summer Course”).

The payment of **registration fees of 250,00€** includes the inscription to the Course, the reading material, the final certificate, and the insurance cover.

Students of the II. Level Master in *Global Rule of Law and Constitutional Democracy* (University of Genoa) and the *Máster en Argumentación Jurídica* (University of Alicante) may enroll in the Summer Course at a discounted rate of **€ 175,00**.

The registration fees shall be paid to the Università di Palermo bank account

IBAN: IT 09 A 02008 04682 000300004577

SWIFT/BIC code: UNCRITMMPAE

UNICREDIT S.p.A.

via Roma 185, Palermo, Italia.

Causal transfer: “Human Rights and Security: Justifying Exceptions, 15-20 June 2015 – director Prof. Pasquale De Sena”

More information about the payment of pre-inscription fees and registration fees (in particular the payment procedure) will be found on these websites:

<http://portale.unipa.it/dipartimenti/dipartimentoscienzegiuridichedellasocietaed>

<http://www.unipa.it/dottoratodirittiumani/>

Graduates of the Colombian universities, which participate in the cultural and scientific cooperation started on June 24th 2013 with the Italian embassy to Bogotá, are exempted by the registration fees.

HOUSING AND MEALS

Participants not residing in Palermo can rent a **room** at the ERSU Palermo – Ente Regionale per il Diritto allo Studio Universitario, at very cheap rates. All participants will have access to **University canteens** (at very cheap rates).

For further information, please contact the Summer Course secretary, Mr. Rosario Castiglione (rosario.castiglione@unipa.it)

CONTACTS

For further information, please contact:

Matija Žgur

Università di Palermo

Dipartimento di Scienze giuridiche, della società e dello sport

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DIRECTOR OF THE SUMMER COURSE

Prof. Pasquale De Sena

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Istituto di Studi internazionali

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SCIENTIFIC COMMITTEE

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SUMMER COURSE SECRETARY

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SCIENTIFIC BOARD

Prof. Juan Carlos Bayón Mohíno (Universidad autónoma de Madrid), Prof. Thomas Gammeltoft-Hansen (The Danish Institute for Human Rights), Prof. Paolo Napoli (Centre d'études des normes juridiques – Institut Marcel Mauss), Prof. Mariano Croce (University of Antwerp), Prof. Giuseppe Marazzita (Università di Teramo), Prof. Serge Sur (Université Panthéon-Assas), Prof. Hans-Jörg Albrecht (Max Planck Institute), Prof. Alessandro Colombo (Università di Milano), Prof. Fulvio Attinà (Università di Catania), Prof. Andraž Zidar (BIICL & Regent's University London), Prof. Lorenzo Del Federico (Università di Chieti – Pescara), Prof. Mark Duffield (University of Bristol), Magdalena Aguilar Pulido (UNDP), Prof. Vasilka Sancin (University of Ljubljana), Prof. Aidan Hehir (University of Westminster).

ORGANIZATION

Dr. Marco Brigaglia, Matija Žgur

Further information will be available on:

<http://portale.unipa.it/dipartimenti/dipartimentoscienzegiuridichedellasocietaed>

SUMMER COURSE PROGRAMME (15TH – 20TH JUNE 2015)²

MONDAY, 15TH JUNE

9 am

Greetings by Prof. Aldo Schiavello (Director of the PhD)

Introduction to the Course by Dr. Marco Brigaglia, Prof. Pasquale De Sena, Dr. Serena Marcenò (Organizers of the Summer Course)

9.30 am: Seminar Session on “Law, Security & Human Rights”

Juan Carlos Bayón Mohíno (Universidad autónoma de Madrid)

Thomas Gammeltoft-Hansen (The Danish Institute for Human Rights)

3 pm: Workshop

TUESDAY, 16TH JUNE

9.00 am: Seminar Session on “Genealogy of Security”

Mariano Croce (University of Antwerp)

Giuseppe Marazzita (Università degli studi di Teramo)

3 pm: Workshop

Movie Projection and Discussion: *The Law in These Parts* (director: Ra’anan Alexandowicz)

WEDNESDAY, 17TH JUNE

9 am: Seminar Session on “Human Rights, Security & the International Legal Order”

Serge Sur (Université Panthéon-Assas)

Hans-Jörg Albrecht (Max Planck Institute for Foreign and International Criminal Law)

Alessandro Colombo (Università di Milano)

3 pm:

Paolo Napoli (Centre d’études des normes juridiques – Institut Marcel Mauss)

THURSDAY, 18TH JUNE

9 am: Seminar Session on “Emergencies & Human Rights”

Fulvio Attinà (Università di Catania)

Andraž Zidar (BIICL & Regent’s University London)

3 pm: Workshop

² The organizer reserves the right to modify the content of the program.

FRIDAY, 19TH JUNE

9 am: Seminar Session on “Human Security”

Lorenzo Del Federico (Università di Chieti – Pescara)

Mark Duffield (University of Bristol)

Magdalena Aguilar Pulido (UNDP)

3 pm: Workshop

SATURDAY, 20TH JUNE

9 am: Seminar Session on “Right to Security & Responsibility to Protect”

Vasilka Sancin (University of Ljubljana)

Aidan Hehir (University of Westminster)

Application Form
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To the Director of the Dipartimento
di Scienze giuridiche, della società e dello sport, – Sezione “Diritto e Società”
Address: Piazza Bologni, 8 - 90144 PALERMO, Italy

I, the undersigned (First name) _____ (Family name) _____,
born _____ on _____ (DD/MM/YY) _____/_____/_____ in _____ (Town,
State) _____ resident in _____ (Town, State)
_____, having obtained (title of the degree)/ enrolled in the
last year of a 1st/2nd level Master degree in (title of the master course)

HEREBY APPLY

to the SUMMER COURSE on “Human Rights & Security: Justifying Exceptions” which will
be held in Palermo, Italy from 15th to 20th June 2015.

Documents attached:

- curriculum vitae et studiorum;
- copy of the degrees obtained or of the certificate of enrolment in the last year of a 1st/2nd level Master degree (for undergraduate students: an auto-certificate of having obtained at least 120 CFU and a letter of motivation);
- copy of a valid National ID or Passport;
- copy of the receipt for payment of the inscription fee amounting to 250,00 EUR

The students of the Master in *Global Rule of Law and Constitutional Democracy* (University of Genoa) and in *Argumentación Jurídica* (University of Alicante) must attach - in addition to the curriculum, the copies of the degrees obtained and the valid ID or Passport - a certificate of inscription to the Master as well as a copy of the receipt for payment of the inscription fee amounting to 175,00 EUR.

Please indicate if you need to stay at the university residences ERSU.

Date and signature
