

COURSE OF STUDY: POLITICAL SCIENCES (L-36)

(common course with the Interclass Sociology course)

ACADEMIC YEAR: 2024-25

ACADEMIC SUBJECT: INTERNATIONAL AND EUROPEAN LAW OF MIGRATIONS

General information	
Year of the course	III year
Academic calendar (starting and ending date)	II term (from 10/2/2025 to 16/5/2025)
Credits (CFU/ETCS):	8
SSD	IUS/13 International and European law of migrations
Language	Italian
Mode of attendance	Albeit optional, attendance is strongly recommended

Professor/ Lecturer	
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Department and address	Corso Italia, 23 (III floor, room 26)
Virtual room	Exceptionally, via Microsoft Teams
Office Hours (and modalities: e.g., by appointment, on line, etc.)	Tuesday, from 9 to 13 Students are invited to send an email to schedule a meeting. For updates, see https://www.uniba.it/it/docenti/gervasi-mario/

Work schedule			
Hours			
Total	Lectures	Hands-on (laboratory, workshops, working groups, seminars, field trips)	Out-of-class study hours/ Self-study hours
200	64		136
CFU/ETCS			
8	8		

Learning Objectives	The course aims to illustrate the international and EU legal framework and categories relevant to migration, in order for the students to be able to understand and critically evaluate the main issues concerning migration.
Course prerequisites	Knowledge of International Law and EU law is an asset. An adequate knowledge of English and/or French is necessary to read the authentic text of the main sources of international and EU migration law.

Teaching strategies	Lectures and seminars. Students are warmly invited to actively participate in the course, possibly through the presentation of individual or group works involving the examination and classroom discussion of current cases and/or scholarly essays.
Expected learning outcomes in terms of	
Knowledge and understanding	<ul style="list-style-type: none"> – Knowledge of the international and EU legal framework and categories relevant to migration. – Acquisition of the correct methodology for studying the subject. – Acquisition of the correct technical-legal terminology.
Applying knowledge and	<ul style="list-style-type: none"> – Ability to identify the relevant norms.

understanding	<ul style="list-style-type: none"> – Ability to interpret and apply the norms, also in light of the case law and scholarship. – Ability to refer to the pertinent practice.
Soft skills	<p><i>Making informed judgments and choices</i> Ability to understand and critically examine the main issues concerning migration, on the basis of the knowledge acquired and through the qualification of relevant conducts.</p> <p><i>Communicating knowledge and understanding</i> Ability to illustrate the main issues concerning migration, in light of the pertinent legal framework and through the use of a technically-correct language.</p> <p><i>Capacities to continue learning</i> Ability to understand new issues concerning migration, thanks to the identification and proper application of pertinent norms and legal categories.</p>
Syllabus	
Content knowledge	<p>Overview of migration in light of International and EU Law.</p> <p><i>International Law</i> The treatment of foreigners. Diplomatic protection. Protection of aliens: the status of refugees; statelessness and citizenship; internal displacement; migrant workers; climate migrants. Territorial sovereignty and expulsion of aliens: the right to exit and the right to return; <i>non-refoulement</i>; prohibition of mass expulsion; procedural safeguards; right to respect for family life. The impact of human rights on the treatment of foreigners: fundamental rights; economic and social rights; political rights.</p> <p><i>EU Law</i> EU citizenship. The mobility of EU citizens: the freedom of movement. The mobility of non-EU citizens. The specific forms of protection of aliens: subsidiary protection and temporary protection. The fight against irregular migration. Trafficking in human beings and smuggling of migrants.</p>
Texts and readings	<ul style="list-style-type: none"> – CALAMIA, GESTRI, DI FILIPPO, MARINAI, CASOLARI, <i>Lineamenti di diritto internazionale ed europeo delle migrazioni</i>, Wolters Kluwer, Milano, 2021; – CELLAMARE, <i>La disciplina dell'immigrazione irregolare nell'Unione europea</i>, Giappichelli, Torino, 2021, Chapters I e II.
Notes, additional materials	<p>Students are warmly invited to read the most relevant legal instruments. The main sources and acts will be available on https://www.uniba.it/it/docenti/gervasi-mario/attivita-didattica.</p>
Repository	<p>The reference books are available at the Department Library: see https://www.uniba.it/it/ricerca/dipartimenti/scienze-politiche/biblioteca/biblioteche-1</p>
Assessment	
Assessment methods	<p>The exam consists in a colloquium aimed at verifying the widespread knowledge of the subject, argumentation skills, the ability to properly use a technical language, and the capacity to refer to pertinent law sources and practice. Mid-term exams are not scheduled.</p>
Assessment criteria	<p><i>Knowledge and understanding</i></p> <ul style="list-style-type: none"> – Knowledge of the international and EU legal framework and categories relevant to migration.

	<ul style="list-style-type: none"> – Acquisition of the correct methodology for studying the subject. – Acquisition of the correct technical-legal terminology. <p><i>Applying knowledge and understanding</i></p> <ul style="list-style-type: none"> – Ability to identify the relevant norms. – Ability to interpret and apply the norms, also in light of the case law and scholarship. – Ability to refer to the pertinent practice. <p><i>Autonomy of judgment</i></p> <p>Ability to understand and critically examine the main issues concerning migration, on the basis of the knowledge acquired and through the qualification of relevant conducts.</p> <p><i>Communication skills</i></p> <p>Ability to illustrate the main issues concerning migration, in light of the pertinent legal framework and through the use of a technically-correct language.</p> <p><i>Capacities to continue learning</i></p> <p>Ability to understand new issues concerning migration, thanks to the identification and proper application of pertinent norms and legal categories.</p>
Final exam and grading criteria	<p>The oral exam usually consists of three questions. However, serious gaps concerning fundamental topics could prevent the colloquium from continuing. The grades are the following.</p> <p>Fail: 0-17 There are serious gaps concerning fundamental topics.</p> <p>Pass marks: 18-20 The knowledge is limited to the basic notions of the topics dealt with in the Course.</p> <p>Average marks: 21-23 The knowledge of the topics dealt with lacks of an in-depth study and the use of the technical language is not always correct.</p> <p>Good marks: 24-26 The knowledge of the topics dealt with includes some major insights and, overall, the use of the technical language is adequate.</p> <p>Very good marks: 27-28 There is a deep knowledge of the topics dealt with and a correct and proper use of the technical language.</p> <p>Merit: 29-30 The student demonstrates their command of the subject and of the pertinent legal categories, the ability to link different topics, and remarkable communication skills</p> <p>Distinction: 30 <i>cum laude</i> Excellent command of the subject and of the pertinent legal categories is apparent from the ability to adopt a critical approach and to illustrate, thanks to extraordinary communication skills, the controversial aspects of the topics dealt with.</p>
Further information	