

*Dipartimento di Giurisprudenza  
Dottorato di ricerca in Diritti Umani: Evoluzione, Tutela e Limiti  
Dottorato di ricerca in Architettura, Arti e pianificazione  
Progetto Prin 2015*

Soggetto di diritto e vulnerabilità: modelli istituzionali e concetti giuridici in trasformazione

## **Winter School *Lieu, Human Rights, and Vulnerability***

Palermo 18–22 February 2019

The PhD Programmes on "Human Rights: Evolution, Protection, and Limits" and on "Architecture, Arts, and Planning" of the University of Palermo jointly organise the Winter School on "*Lieu, Human Rights, and Vulnerability*" (hereinafter: Winter School).

### **INTRODUCTION – KEY ISSUES**

The 2019 Winter School of the PhD Programme in "Human Rights: Evolution, Protection, and Limits" and of the PhD Programme "Architecture, Arts, and Planning", University of Palermo, will engage participants in a challenging discussion concerning how laws and policies regulating space and the environment impact the full enjoyment of human rights. In particular, the discussion will focus on the specific relationship between vulnerability – social, cultural, economic – and space, the place, the *lieu* where vulnerable subjects live.

The main questions underlying the entire week of studies, each looking at different dimensions of the same problem, are the following: how does *lieu* influence, positively or negatively, the access to and the full enjoyment of human rights? In which ways institutional measures and actions of bordering distribute rights, resources, and power among the human population? In which way environmental policies and laws produce effects beyond state borders and thereby worsen (mostly, and normally) the situation of already vulnerable individuals and groups?

In order to assess the general topic from different points of view, the Winter School will be articulated into four main sections:

a. *Inclusion and Exclusion Through Law*. The words "inclusion" and "exclusion" derive their meaning from the idea of a certain position in space. In this sense, urban planning severely influences social stratification, and it also contributes to structuring the relationships between individuals and groups, as well as the opportunities and the rights of those who live, temporarily reside, or transit through a territory. National and international case-law assessed the legitimacy of such laws and policies in order to guarantee the aggrieved rights of vulnerable individuals and groups. With the aim to analysing the implications of these issues, the first part of the Winter School will look at how the law may produce vulnerability by shaping space: the design and implementation of urban plans, the conscious or unconscious creation of ghettos, etc. In addition, the discussion will focus on how national and international Courts construct the category of 'vulnerability' in relation to space and environment, as well as the substantial and procedural effects produced by this category in the proceedings, which sometimes allow for the correction of the distortive impact produced by laws and policies.

b. *Climate change and vulnerability* will look at the big picture: place at the global level, beyond and regardless of national borders. It will focus on the environment crisis, and in particular on climate change as an event generated in certain places but with world-wide consequences. Even though it is mostly fuelled by the wealthiest countries, climate change places particularly at danger those subjects which are already among the most vulnerable – such as refugees, indigenous peoples, and people living in favelas or townships. Climate change will hence be explored as a potential additional cause of vulnerability and human rights violations and global injustice. The speakers will introduce the most important features of and current answers to increase resilience and support indigenous peoples and local communities, and will look at environmental justice issues and their special relationship with the concept of vulnerability.

The *role of legal clinics*, a relatively recent experience in Italian universities, will also be investigated in this section. Scholars and researchers who are active in the field of clinical legal education will present their experience and reflections on two issues: the protection of common goods, and the clash between cardinal principles of international law and the current governance of migration in the Mediterranean area.

c. *Architectures of Humanitarian Intervention*. Policy, law, and space planning in connection to the issue of refugees is a paradigmatic example of the impact these activities can bear on vulnerability and access to human rights.

The focus will, therefore, be on how current border policies severely influence the lives of millions of people, with a critical view of the mainstream humanitarian approach. In order to face humanitarian crises, the United Nations, as well as many other cooperation projects, have often adopted the 'provisional camp' model. But, in fact, refugees' camps have often become segregated and alienated areas where people reside permanently, rather than temporarily. Therefore, it is questioned whether the logic of the camp and of separation should or not be substituted by a different logic, more porous, inclusive and promiscuous; and this for several reasons, including security reasons.

d. *Bottom-up regulation for the district-market Albergheria*: The district-market 'Albergheria', where the Department of Law of the University of Palermo is located, is a perfect case-study to test ideas and suggestions that will emerge during the Winter School. This area is central and populated by a very diversified population, with regard to both status, and provenience; marked by pervasive illegality and degradation, but at the same time very rich in artistic and human diversity. The Municipality of Palermo, the University of Palermo and a network of civic associations (SOS Ballarò), together with the sellers in the market and the residents are carrying out a shared project of urban regeneration. This section will not only benefit from the experts' opinions and views, but also of a visit and a workshop, engaging with the local actors.

## **OBJECTIVES AND TOPICS**

- (1) The creation of vulnerability through the legal regulation of space.**
- (2) Protection in courts: which space for vulnerable individuals and groups?**
- (3) Climate change and vulnerable subjects.**
- (4) Human rights and border: effects of restrictive border control policies on refugees, migrants, and citizens.**
- (5) Intervention on space, security, and common goods.**
- (6) Case-study: ways-out from vulnerability. An experiment of shared urban regeneration in Palermo.**

## **METHODOLOGY**

On each day, two or three seminars will investigate a specific topic from various theoretical and practical perspectives, with the aim of achieving an effective integration of views, methods, and solutions. In order to encourage a proactive participation, and to favour the connection between theory and practice of human rights, participants will be engaged in two workshops on the topics discussed during the seminar sessions. Speakers will suggest reading materials in advance in order to prepare the participants on the issues and questions discussed, favouring a deeper engagement and a more profitable discussion on the topics of the seminars. After each seminar, a discussant will facilitate and open up the debate for the participants.

## **WORKING LANGUAGES**

The working languages will be English and Italian, according to the speakers' preferences and the characteristics of the audience.

## **APPLICANTS, CONDITIONS FOR ADMISSION AND CERTIFICATE OF ATTENDANCE**

As provided by the *Regolamento per l'attivazione di Corsi Internazionali di Studi Avanzati "Summer and Winter School"* of the University of Palermo, the Winter School is open to students holding a Master degree or a Ph.D., as well as Ph.D. students and researchers who are interested in the subjects, and have a good background knowledge of the topics discussed in the course. **No more than 40 applications will be accepted.** Among them, at least 15 participants will be selected among applicants from other Italian or foreign Universities. Only if less than 25 people apply, more applications from the University of Palermo will be considered. The School is open also to undergraduate students enrolled in Italian Universities, and who are working on their final dissertations (towards the end of their curriculum). However, no more than 10 undergraduate students will be accepted to the Winter School. The selection of those candidates will be based on their CV and motivation letter. The minimum number to activate the Winter School is 15 candidates. Every candidate must fill in the attached form and attach their CV to their application. The selection of candidates will be necessary if more than 40 (forty) applications have been received, and it will be based on the candidates' CVs and letters of motivation. The scientific committee will prepare a waiting list. In case the admitted students withdraw, the students in the waiting list will be admitted in their place.

## **GENERAL INFORMATION AND FINAL CERTIFICATE**

The Winter School is composed of two different parts. In the **first part**, participants will study the reading materials – articles adopting both a theoretical and practical approach, court decisions, official reports – that will be uploaded on the website of the Ph.D. program in “Human Rights” at least two weeks before the beginning of the School. **The second part** will see the participants engaged in lectures by speakers from Italian and foreign universities and in discussions, Q&A based on the lectures and on the reading materials, and in Workshops led by experts on the relevant topics.

The second part of the School will be held in Palermo, Italy, at the **Dipartimento di Giurisprudenza – Sezione “Diritto e Società” – Piazza Bologni 8, second floor, aula dottorato Diritti Umani**. Lectures will be held from 9 a.m. to 7 p.m.

Students will have full and free access to the library of the Department of Law. The students who will attend at least 90% of the seminars will receive a certificate, corresponding to 6 ECTS, after passing a test. Access to the Wi-Fi network of the University of Palermo will be allowed following a written request to be submitted at least two weeks before the beginning of the Winter School to Andrea Fattorini (email: [andrea.fattorini@unipa.it](mailto:andrea.fattorini@unipa.it)).

The Winter School is interdisciplinary.

## **ENROLMENT AND FEES**

Prospective participants will find the Application form attached to this Call. Applicants can fill in the Application form in English, French, Italian or Spanish according to their preferences.

The application should be sent jointly with a CV, a copy of the degrees certificates, a copy of a valid ID, and the proof payment of the registration fees (and, for undergraduates, lawyers and members of the Legal Clinic of the University of Palermo, a letter of motivation). The application, together with the supporting documents, must be received by 31/01/2019.

Prospective candidates should send their application to the following address:

### **Dipartimento di Giurisprudenza**

Piazza Bologni, 8  
90134 Palermo, Italy

[Please write down on the outside of the envelope: "Lieu, Human Rights and Vulnerability Winter School"].

**Alternatively, please send the application form, along with the documents mentioned above via e-mail at the following address: [teresa.affatigato@unipa.it](mailto:teresa.affatigato@unipa.it)**

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

The students of the Master in *Global Rule of Law and Constitutional Democracy* (University of Genova), the students of the *Master de Argumentación Jurídica* (University of Alicante) and the students of the *European Academy of Legal Theory* (University of Frankfurt) are exempt from the payment of the enrollment fee.

The trainees, students, and caseworkers of the Legal Clinic for Human Rights of the University of Palermo are exempt from the enrollment fee in case they wish to attend the Workshops.

### **Registration fees shall be paid to the Università di Palermo bank account**

IBAN: IT 09 A 02008 04682 000300004577

SWIFT/BIC code: UNCRITMMPAE

UNICREDITS.p.A.

via Roma 185, Palermo, Italia.

Causal transfer: "Lieu, Human Rights, and Vulnerability 18-22 febbraio 2019".

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

<https://www.unipa.it/dipartimenti/dipartimentogiurisprudenza/>

### **HOUSING AND MEALS**

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

For further information on housing and meals, please contact Ms. **Teresa Affatigato** ([teresa.affatigato@unipa.it](mailto:teresa.affatigato@unipa.it))

### **CONTACTS**

For further information on the Winter School, please contact:

**Dr. Clelia Bartoli** ([clelia.bartoli@unipa.it](mailto:clelia.bartoli@unipa.it));

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**Dr. Giulia Sajeve** ([giusajeve@gmail.com](mailto:giusajeve@gmail.com)).

### **DIRECTOR OF THE WINTER SCHOOL**

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Further information can be found at:

<https://www.unipa.it/dipartimenti/dipartimentogiurisprudenza/>

WINTER SCHOOL  
'LIEU, HUMAN RIGHTS AND VULNERABILITY'

**Monday 18 February 2019**

INCLUSION AND EXCLUSION THROUGH LAW

CHAIR: ISABEL TRUJILLO, *University of Palermo*

DISCUSSANT: EMILIO TERAN

11:00 ISABEL TRUJILLO, CLELIA BARTOLI, ELENA CONSIGLIO, GIULIA SAJEVA, *University of Palermo* – **Welcome and Opening remarks**

11:30-13.00 PAOLO CUTTITTA, *Vrije Universiteit Amsterdam* – **Space, Vulnerability and Human Rights**

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CHAIR: DARIA COPPA, *University of Palermo*

DISCUSSANTS: MARCO EMANUEL FRANCUCCI, GIORGIO MATTARELLA

14:30 MARCO CALABRÒ, *Università degli studi della Campania Luigi Vanvitelli* – **Pianificazione urbanistica: tra inclusione ed esclusione**

16:00-17.30 GIUSEPPE MELIS, *Luis University Guido Carli* – **Evasione ed elusione fiscale come limite al finanziamento dei diritti sociali e all'inclusione**

**Tuesday 19 February 2019**

CLIMATE CHANGE AND VULNERABILITY

CHAIR: GIULIA SAJEVA

DISCUSSANT: MARICA DI PIERRI

9:30-11.00 FABRIZIO FRASCAROLI, *University of Bologna; Lòm Research* – **Climate Change: local strategies for resilience**

11:30-13.00 BAS VERSCHUUREN, *IUCN-WCPA Specialist Group: Cultural and Spiritual Values of Protected Areas* – **Indigenous ontologies and epistemologies in the conservation and climate change debates**

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CHAIR: ISABEL TRUJILLO

DISCUSSANT: GUADALUPE IMORMINO

14.30-16.00 MARKUS GEHRING, *Cambridge University* – **Climate Change and Human Rights in a Sustainable Development Context**

**Wednesday 20 February 2019**

THE PLACE OF LEGAL CLINICS: LOCAL EXPERIENCES WITH VULNERABLE SUBJECTS

CHAIR: GUIDO SMORTO, *University of Palermo*

DISCUSSANT: ALAJIE JINKANG

9:30-11.00 MARIA ROSARIA MARELLA, *University of Ferrara* – **Local environment and health issues for legal clinics**

11.30-13.00 ELENA CONSIGLIO, *University of Palermo* – **Space, law and vulnerability in the action of the Legal Clinic for Human Rights**

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CHAIR: MASSIMO STARITA, *University of Palermo*

DISCUSSANT: FERDINANDO INSANGUINE

14:30 FULVIO VASSALLO PALEOLOGO, *University of Palermo* – **La frontiera liquida**

**Thursday 21 February 2019**

ARCHITECTURES OF HUMANITARIAN INTERVENTION: A CRITICAL APPROACH

CHAIR: CLELIA BARTOLI, *University of Palermo*

DISCUSSANT: ASMAA DWIKAT ABU HATAB, FEDERICA CICALA

9:30-11.00 GIORGIO AMADEI, *Architect, expert in human settlements (former UNHCR senior officer)* – **Rethinking Humanitarian Intervention: from Camp to Settlement**

11:30-13.00 DAVIDE NICOLINI, *Humanitarian consultant (former member of the International Committee of the Red Cross, UNHCR, UNICEF)* – **Contemporary approaches to settlements for persons of concern. Efforts and contexts**

**Friday 22 February 2019**

PALERMO ALBERGHERIA MARKET:  
A CASE STUDY OF PARTICIPATIVE URBAN REGENERATION

**9.30 Tour of Albergheria neighborhood and dialogue with local institutions and civil society actors involved in the participative process of urban regeneration**

[Appointment at 9.30 in Piazza Bologni to start the tour. The round table and the afternoon lecture will be held in piazza N. Colajanni, in classroom “B. Albanese”]

11.00-12.30 ROUND TABLE

CHAIR: FILIPPO SCHILLECI, *University of Palermo*

MASSIMO CASTIGLIA, *Presidente I Circoscrizione del Comune di Palermo*  
UNITÀ TERRITORIALE MEDIAZIONE E GIUSTIZIA RIPARATIVA, *Comune di Palermo*  
SOS BALLARÒ, *Civil society network*

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CHAIR: MARCO PICONE, *University of Palermo*  
DISCUSSANT: GIANCARLO GALLITANO

14:30 FRANCESCO MONTAGNANI, *Manchester University* – **Emancipating regulation: the San Saverio Market and its Rearguard Theory**