

JUSTICE  
& PEACE

EUROPE - MIDDLE EAST

**NEWS**

07/2020

# EDITO

The July 2020 Newsletter is structured around four main headings:

- Special report "Refugees & Environmental displacement".
- Covid-19 in prison
- Meeting of european promoters 27 June 2020
- News from JP-International

On the occasion of World Refugee Day, celebrated worldwide on Saturday 20 June 2020, a special dossier entitled "Refugees and Displaced Persons" has been prepared by Marie Monnet in conjunction with lawyers from the Paris Bar. Focus on environmental refugees: who are they? How to qualify them? How to defend them?

Then, Anne Lecu, Dominican and Doctor at the Fleury-Mérogis prison (Paris) give us a testimony on the health crisis in prisons. Xavier Gomez then informs us about the meeting of JP promoters from Europe and the Middle East, which is taking place remotely this year.

Finally, some news from Justice and Peace International opens our "region" to the world.

Wishing a good summer to all

Have a good summer to all

*Fr. Xavier Gomez et Sr. Marie Monnet, op  
JP Promoters for Europe and the Middle East  
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# SPECIAL FILE

## "WORLD REFUGEES DAY"

### (20 JUNE 2020)

"CLIMATE DISPLACED", "ENVIRONMENTAL REFUGEES",  
"ENVIRONMENTAL JUSTICE" ...

*By Marie MONNET,  
Promoter of Justice and Peace for Europe and the Middle East*

### **Climate migration has always existed**

Climate migration is a very old phenomenon: it has always existed but is rarely taken into account in the study of migration. It is now becoming a topic in its own right, due to the importance taken by the debates on climate change.

### **But there is a legal vacuum**

Climate-displaced persons fall into a legal vacuum. They are the most numerous internally displaced persons and cannot be considered as refugees. Persons who cross an international border for climatic reasons do not have legal protection as such.

### **691 million people live in high-risk areas**

IOM has been working on environmental refugees for 10 years. It is the only UN agency that works explicitly on the theme.

- 143 million is the number of displaced persons predicted in 2050 (rise in sea level, erosion, droughts), this figure has to be re-evaluated upwards if we add those displaced by natural disasters (World Bank report, 2018)
- 691 million people living today in areas at risk of displacement by 2100 (IPCC report)



- Number of people displaced by natural disasters each year (earthquakes, climatic disasters), 25 million displaced in 2019 (ICMC report). This figure is 2 to 3 times higher than the number of people displaced by conflict over the last 10 years.

There is currently no legal definition for climate-displaced persons: migrants, eco-migrants, climate-displaced and environmentally displaced persons. Today, there is a methodological vagueness. This results in a vagueness in the qualification of displaced persons: there is therefore no legal framework to protect them.

### **Some concrete examples**

- in Bangladesh, some people (1 million people per year) are displaced 10 to 20 times in their lifetime
- in the Caribbean, the aftermath of hurricanes displaces huge numbers of people every year
- Pacific Islands: this case raises huge legal issues

### **There are always several factors to human mobility**

Migration is never linked to a single factor: the environmental factor has often been neglected and is now (re)-integrated in the analysis, due to the debates on climate change. So, it is regaining its place, but it has always existed since the beginning of humanity.

The decision to migrate (when it is a decision) is based on several factors. It is very difficult to identify a single profile or to homogeneously categorize all those qualified as "climate migrants". These migrations are very different: chosen/constrained; temporary/permanent; very short-distance/long-distance (less frequent). They are very diverse. Internal migration (within a country) is by far the most frequent. International migration is much rarer. Climate change is an amplifying factor. It can induce the opposite risk by extrapolating it: increasing it.

## **The 1951 Geneva Convention does not protect the "climate-displaced".**

Today, the 1951 Geneva Convention does not mention "environmental refugees", the vast majority of populations are internally displaced, they do not cross international borders and are therefore not considered "refugees". Moreover, the 1951 convention is fragile and discussing it again may weaken all categories of refugees.

Migration involves so-called "trapped" populations: the most vulnerable among the vulnerable do not have the means to leave a very degraded area.

The largest research project funded by the European Commission (2020) concerns climate refugees.

## **What the United Nations can contribute**

The United Nations Climate Programme is part of the UN General Secretariat. Within the Security Council, the agenda has been gaining importance for the past two years, where it was previously non-existent: this is an important signal.

"Environmental refugees" or "government-induced displaced persons": the correlation between the environment and the conflict in Darfur was made as early as the 1990s but without specifying the terminology (no environmental refugees).

The motivations for migration cannot be linked solely to the environment. But we know that the 1 to 2% increase in carbon emissions will be decisive for vulnerable people. Failure to respect the 1.5% threshold will have a very strong impact on vulnerable populations. In the European context, this objective is explicitly taken into account, but we must remain vigilant.

The United Nations Environment Programme is "very small": 500 people. It constantly monitors the evolution of environmental issues (assessment/collection of facts) and recommends measures to public authorities and politicians to preserve the environment. Its main work is risk forecasting. The Sangai Framework Agreement (2015) specifies the objectives for reducing risks until 2030.

## **Is there a need for a legal status for environmental refugees?**

In this context, how can internally displaced persons, the majority of whom move from South to South, be protected?

From a legal point of view, the most emblematic case is that of *Peyota v/New Zealand*. The UN Human Rights Council has made a very promising decision (24/1/2020): it is a major turning point.

A first decision of the New Zealand Immigration Court (27/6/2013 *Ramsen*): the lawyers had invoked three international conventions to protect their client (the 1951 Convention but also the 1984 Convention against Torture and the 1966 Covenant on Civil and Political Rights). The New Zealand judge found that none of the three conventions was appropriate for the climate refugee's case. The client's application for protection was refused. This decision was referred to the Human Rights Council. The case was a domestic dispute (in New Zealand) all the way to the Supreme Court (2015 ruling) and then to the Human Rights Council (2020).

There is a half precedent (see Prof. Michael Gérard): *Pacifique Grant (Mururoa)*. A series of populations are concerned in the Marshall Islands. These islands can no longer be inhabited, after the nuclear tests conducted by the USA after the war. Conventionally, the rights of the populations were maintained, for a certain period of time, then there were bilateral agreements with certain American states, such as Wisconsin, which allowed the inhabitants of these islands to go to work in the USA. There was continuity of a state, continuity of territory and a certain legal situation that brought continuity.

## **How can these "refugees", these "displaced persons" be legally qualified?**

In the tradition of French jurists, we have contributed to the major conventions. It is necessary to move on to this stage for climate refugees. Is it local, regional or international? Since the decision of the Human Rights Council: it will be long, we must start the process, not reinventing the wheel:

- 1 Let's take the mandate of the UNHCR
- 2 Let us regulate a signatory State that would do nothing: the International Court of The Hague, with its Environmental Chamber.
- 3 Let us treat each situation on a case-by-case basis as whether or not it falls within the scope of an international convention for the protection of environmental refugees.

The term migration is misused in the political sphere, wherever populism is practised. It is more complicated for anti-migrants to use the term "displaced" in the political rhetoric of misuse! The legal community can coordinate in this great coalition!

## **"Crime of Ecocide": how to have a new legal tool?**

It is proposed to formalize the "crime of ecocide": the proposal is to evolve the Rome Statute so that the ICC (International Criminal Court, 1998) can judge certain interventions (or non-interventions) by heads of state to establish an "ecocide", such as genocide. It is a question of having new tools of governance and sanctions, i.e. an expansion of international law.

To go further:

<https://ecocidelaw.com/the-law/what-is-ecocide/>

## **The concept of "Environmental Justice"**

In Europe, the concept of "Environmental Justice" is only seen from a procedural point of view. In the USA, a social angle is taken into account. How can precariousness be taken into account in the issue of environmental justice? In Europe, we often have the idea that people displaced for environmental reasons live far away from us, in hotspots. In the Netherlands, 60% of people live below sea level. The standard of living will enable the vast majority to solve the problem, but there will still be people who will be heavily impacted.

In some mountain areas, shepherds in the Alps or in Portugal will be gradually displaced due to slow changes in the living and working environment, for example by causing forest fires. We could talk about social-environmental protection: France is the State that most "solidarises" the cases; this must now be done at the European Community level.



## **Ongoing discussions in the European Parliament**

The Rome Statute is often incorporated into national law, and its integration can be strengthened to make it easier to recognize IDPs displaced by environmental issues as political victims. Some displacement can be interpreted as human rights violations. Under the Lisbon Treaty (2009), subsidiary protection could be extended to environmental IDPs. At the European Commission, on the executive side, few respondents.

There is no response from the European Commission, even at the level of the Green Deal. There is no obligation for environmental action. The environmental issue is not taken into account in the migration issue. Moreover, security is "privileged" and leads to more borders. Cyprus, Finland and Sweden have recognised the climate factor as a criterion for migration. But visas are not based on this criterion alone. It must be based on another criterion.

At the Council of Europe, the issue is a priority in 2020.

In 2020, the issue of the environment and human rights is declared to be a "priority", notably through ecocide. The right to a stable and healthy environment (the right to a stable climate, as in the USA in the Juliana case), a fundamental right to be protected? For about ten years now, draft conventions have been under study, but we can hope that they will be completed by 2020.

## **The community of lawyers in solidarity and action**

Defending the environment is very risky. In a state governed by the rule of law, this defence is possible. In other countries, it is only possible at the risk of one's life. The memory of these defenders of the general interest is to be commended. We need legal tools to protect displaced persons and ensure respect for their fundamental rights.



## **A let - die policy as an asylum policy**

On the road to the Balkans, there is systematic violence and chain expulsions to prevent people from reaching their destination: Italy sends back to Slovenia who sends back to Bosnia ... with its cohort of suffering. To the crisis of reception has been added the health crisis: the crisis has acted as a magnifying mirror.

## **What about the health crisis in all this?**

Before the crisis, all we talked about was the Turkish border.

The refoulement to Turkey of exiles from Syria, Afghanistan and Libya took place in a brutal manner and now there is total silence. Where are they now?

The non-treatment of asylum is the rule in several regions of the world: tired of war, unable to make a formal application, people decide to take the route of the Mediterranean, by sea or by land.

A great hypocrisy: Ukrainian labour to pick asparagus in Germany and strawberries in Spain does not lead to a certain openness to the labour market. The more labour and family immigration is closed, the more people are tempted to apply for asylum, as this is the only way to try to enter the EU legally (although the chances are slim). There is a very great difficulty in "sorting" the influx of asylum applications according to the terminology of the Member States. European policy needs to evolve to clarify the profiles of applications: asylum seekers, economic migrants.

# THE PANDEMIC IN PRISON: TESTIMONY

*By Anne Lecu,  
doctor at the Fleury-Merogis women's prison (Paris, France)*

At the beginning of the Covid-19 epidemic, the newspapers showed us the beginnings of riots in our prisons, in Italy, then a little in France. One must imagine the distress of the prisoners, learning that the visiting rooms were going to be abolished. Confinement, proximity to others and the feeling of abandonment are powerful engines of revolt. In the beginning we were all haunted by a "Diamond Princess" effect, named after the contaminated liner off the Japanese coast at the beginning of the epidemic.

However, it seems that the combined efforts of the magistrates to release people at the end of their sentences, the supervisors and the caretakers (who were very present), who were able to coordinate their efforts in any case where I work, have made it possible for the external health provisions to be applied with the same equity inside so that access to care for all is respected. The result, no doubt provisional, is a decrease in the number of detainees that we had not seen for a long time.

In the end, the prisons have been remarkably quiet. It is no doubt too early to take anything away from this considerable event, which blurs the cards and the dividing lines: we were all concerned and the inmates accepted perfectly the constraints imposed on them.

Uncertainty remains, however, for the foreign detainees who do not know whether, on their release, they will have a plane to return to their country. As on the outside, the "second wave" may not be viral, but psychiatric.

Today in the hospital, it is depressive disorders, anxiety disorders, and severe psychological decompensation that are overwhelming the already vulnerable psychiatric hospital. And we are well aware that social misery is one of the most powerful risk factors, if not the most powerful risk factor for returning to prison.

Moreover, in France, a telephone line (a toll-free number) was opened so that prisoners could call chaplains who could no longer return. I am not directly concerned by this, but I know that it is a rich idea that deserves to be extended!

What I take from all this is that the general population, well beyond our borders, will have had some experience of being locked up, with all the anguish it generates, with empty heads, the impossibility of following two ideas coherently, the difficulty of situating oneself in time. If only we could collectively remember from this that imprisonment is always a tragedy and therefore not impose it beyond what is strictly necessary on those of us who have committed non-serious offences!

# MEETING OF EUROPEAN AND MIDDLE EAST JP PROMOTERS

28/06/2020

By Xavier Gomez,

Promoter of Justice and Peace for Europe and the Middle East

## AGREEMENTS AND ACTION PLAN 2020-2021

- 1** Communication: We will add collaborations for the JP-Europe newsletter: Richard Finn, Stephen, Ivan and Alessandro will commit themselves to send news, short articles or reflections, and Xabier will take care of the coordination. In September, he will send them a calendar to specify the dates of their participation.  
We have agreed to maintain the WhatsApp group, but not to promote discussions, but to keep us informed of the activities we are developing in our provinces, to communicate news, notices, etc. We will continue to work with the WhatsApp group.
- 2** Formation: We will ensure that the social teaching of the Church is somehow integrated into the Ratios Studiorum and Formationis of our provinces. We will also reflect on how to help younger people and communities of brothers to connect with the challenges of the social reality that surrounds them in order to respond to these challenges as preachers of good news. We will try to ensure that brothers engaged in pro-life campaigns are open to involvement in other dimensions of the Church's social teaching related to JP.  
We will continue to promote all the platforms of formation at our disposal.
- 3** Salamanca Process: We agree to organize a webinar on 2021 to commemorate the fifth anniversary of Laudato Si and to promote this encyclical. We agreed on a team to design this event: Richard, Alessandro, Marc, Stephen and Xabier. We will try to integrate the help of Luke Thomas and his experience at UN-Geneva. For this webinar, we will integrate suggestions received on topics or links to be addressed (migrants, experience in Benin, etc.).  
We will use the preparation of the webinar on Laudato Si to connect centres and projects that produce a reflection, thought or teaching

related to the challenges of social reality such as migration, climate change, dignity, etc.. (Pistoia, Las Casas Institute, Simirona Institute, Human Rights Observatory-Madrid).

We also agreed to draw up a list of the brothers who are prison chaplains in Europe, starting in September, in order to try to put them all in contact with each other and with other initiatives around the prisons on which the UN-Vienna working group is working (Tobias Krachler).

- 4 Dominican Month for Peace: We will wait for Petro to send us the material, the documentation on the Dominican Month for Peace Ukraine 2020 and then we will see if we can propose a symbolic common action for the European region that will be added to the activities that each province can carry out, or that will help to motivate the provinces and the Dominican Family.
- 5 Face to face and virtual meeting of promoters: We agreed to maintain, if the sanitary conditions allow it, the annual meeting of promoters. We will try to organize it in Pistoia in June 2021. But at the same time, we have decided that when necessary, we will meet online.

# INTERNATIONAL JUSTICE AND PEACE NEWS

*By Marie Monnet,*

*Promoter of Justice and Peace for Europe and the Middle East*

## **Preamble**

Each promoter represents his or her "region" of the world on the International Justice and Peace Commission. The Commission meets annually. There are two promoters for Europe and the Middle East, two promoters for Asia-Pacific, two promoters for South America, two promoters for North America and Canada, two promoters for Africa.

In 2020, the meeting of the International Commission is scheduled to take place in Geneva (Switzerland), health conditions permitting. The Commission is presided over by the General Promoters of Justice and Peace, Br. Mike Deeb, a Dominican friar from the Province of South Africa and Cecilia Espenilla, a Dominican friar from the Philippines.

A brief international overview, with newcomers from other continents

## **A new promoter in October 2020**

Dear friends, I am pleased to announce that the Master of the Order has appointed Brother Aniedi Okure to succeed me as Promoter General of Justice et Paux and Permanent Delegate of the Order to the United Nations. He will succeed me at the end of my mandate on October 25. Bro Aniedi is Nigerian and has been living in the United States for many years. Communicated 20 June 2020 by Br. Mike Deeb

## **Biography of fr. Aniedi Okure**

Bro Aniedi Okure is a Dominican priest and the executive director of the Africa Faith & Justice Network (AFJN) in Washington DC. He is also a member of the Institute for Policy Research (IPR) at the Catholic University of America. He serves on the board of Jubilee USA and is the coordinator of the Africa Track of the Ecumenical Advocacy Days (EAD) conference.

Previously, he worked in the Office of Migration and Refugees and organized seminars on intercultural skills for immigrant professionals. For about seven years he was the Coordinator of Ethnic Ministries at the United States Conference of Catholic Bishops. While at the USCCB, he brought together African priests and religious persons to form the African Conference of Catholic Clergy and Religious in the United States (ACCCRUS) coalition. His pastoral services in Nigeria, the Democratic Republic of Congo, and the United States include the position of Associate Director of Campus Ministry at the University of Ife, the chaplain of the National Federation of Catholic Students, St. Ambrose Parish in Boston, St. James Church in Davis, and the chaplain to the Sisters of Ss. Cyril and Methodius in Danville, Pennsylvania, as well as the chaplain of the Geisinger Hospital in Danville, Pennsylvania.

He has also served as Vicar Provincial of his Dominican Province for North America and the Caribbean and has taught at Obafemi Awolowo University in Nigeria, the University of California Davis, George Washington University, the Catholic University of America and Loyola Marymount University in Los Angeles.

Currently, he leads the Africa Faith & Justice Network's efforts in training, capacity building and coalition building of civil society organizations based on the Gospel and Catholic Social Teaching, and mobilizes them to promote just governance and the common good, transparency and accountability, human rights and human solidarity throughout Africa. Aniedi did his university studies at the Dominican Institute of Ibadan, the Catholic Faculty of Kinshasa, the University of Ife, Boston University and the Catholic University of America. He holds a Master's degree in religion and culture, a Master's degree in social sciences with a focus on social and political movement organizations, and a Doctorate in sociology.

He is the author and co-author of several books, including "International Priests in America" (2006), "African and Caribbean Catholics in the United States" (2008) and "Intercultural Competencies" in F. Ortiz and G McGlone, eds (2015), To Be One in Christ: Intercultural Formation and Ministry. He is a frequent guest of the media, including the Voice of America (VOA) television programme, Straight Talk Africa, national public television and radio.

## **COVID-19 and INDIGENOUS POPULATIONS (UN, NEW YORK)**

The Delegation of the Order of Preachers to the United Nations (New York office) contributed to the "Report of the United Nations General Assembly on the Rights of Indigenous Peoples", especially dedicated to the impact of Covid-19 on these peoples. This contribution is six pages long and can be communicated in English to those who wish to read it. Also, a three-page report on "Amazon and Covid-19" is shared by the delegates to the United Nations.

To obtain them, please write to [justiceandpeaceeurope@gmail.com](mailto:justiceandpeaceeurope@gmail.com).

## **Legal action in Florida against Santo Domingo sugar company**

This June 17, 2020 an article reports on the legal action taken by the Dominicans for Justice and Peace (Order of Preachers at the United Nations, Ms. Laurence Blattmer) in a US court in Florida against the Central Romana sugar company in the Dominican Republic.

*"A lawsuit filed in January against the Fanjul Corporation in the U.S. District Court for the Southern District of Florida seeks compensation for the loss of property suffered by 60 families in January 2016. At that time, the Central Romana sugar company forced the families off their land in El Seibo province in the Dominican Republic. Although the case is currently pending pending the outcome of Central Romana's case, it could set a precedent for multinational companies involved in human rights violations."*

[Read the full article in English](#)

## **THE CELEBRATION OF THE ENCYCLICAL LAUDATO SI THROUGH THE MEDITATION OF NEIL MITCHELL (South Africa)**

The promoter for Justice and Peace on the African continent (Sr Mary Tuck) shares with us Neil Mitchell's meditation.

[Read the full article](#)

## **DOMINICAN WEEK FOR JUSTICE AND PEACE IN VENEZUELA**

The Dominicans for Justice and Peace in Venezuela organized a week of prayer from 24 to 30 May 2020 around Dominican human rights defenders.

## **AN ONLINE SEMINAR (WEBINAR) IN ARGENTINA**

On May 23, 2020, the Dominicans for Justice and Peace in Argentina (Teresa Tenti) organized a webinar - online seminar - to celebrate the 5 years of the Encyclical Laudato Si.



## **"AT HOME OR IN THE STREETS, WE WANT TO BREATHE" (BRAZIL)**

The Dominicans of Brazil for Justice and Peace (Fr. Jose Fernandes Alves) have organized an international campaign until June 24, 2020, in reaction to the brutal death of the American citizen George Floyd.

[Watch the video online](#)

## **A REACTION TO THE ANTI-TERRORISM LAW IN THE PHILIPPINES**

Dominicans for Justice and Peace in the Philippines respond on June 6, 2020 to the recently passed Anti-Terrorism Bill.

[Read the statement](#)  
(Facebook post of June 6, 2020)

## **NEW PROMOTER FOR JUSTICE AND PEACE IN THE USA AND CANADA**

As we extend our warmest greetings to Sister Marcelline Koch, we welcome the new promoter for Justice and Peace in the USA and Canada: Sr Reig McKillip.

## **HUMAN RIGHTS AND CLIMATE CHANGE**

The Order's delegation to the United Nations (Geneva office) co-organised a Webinar (online seminar) on 17 June 2020 with various NGOs active in the United Nations sphere, bringing together a panel of speakers, men and women from the field and academia. The webinar was recorded and is available on You Tube. This event will be followed by two other webinars.

[Review the Webinar](#)

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