

Study Guide

PUBLIC INTERNATIONAL LAW

FIRST YEAR (SECOND SEMESTER)

***DEGREE: INTERNATIONAL RELATIONS AND EUROPEAN
UNION***

ATTENDANCE REQUIRED

ACADEMIC YEAR: 2021/2022

FACULTY OF LAW

1. COURSE / SUBJECT

1.- COURSE/SUBJECT:

Name: Public International Law	
Code: 12242	
Year(s) course is taught: First	Semester(s) course is taught: Second
Character: Compulsory	ECTS: 6
Language: English	Method: Face-to-face
Degree(s) in which course is taught: Law (Grupo de excelencia)	
Faculty in which course is taught: Law	

2.- ORGANISATION OF THE COURSE:

Department: Public Law
Area of knowledge: Public International Law & International Relations

2. COURSE TEACHING STAFF

1.- TEACHING STAFF:

PROFESOR	CONTACT DETAILS
Name:	Lazar Radic
Phone(Ext.):	91 456 63 00 - 5701
E-mail:	idee@ceu.es pradoc@ceu.es
Office:	
Teacher and research profile:	
Areas of research:	Public International Law, International Human Rights Law, Conflict and Human Rights

2.- CONTACT:

Students will be able to contact the teacher through the contact information provided above, so that during the tutoring hours established and made public on the student portal, they can answer questions or problems of an academic nature.

3. COURSE DESCRIPTION

It is a discipline whose object is the international order as a normative system that has been endowed with a certain social model: the International Society. The course includes the study of sources, subjects and material areas that the law regulates.

4. COMPETENCIES

4.1.- COMPETENCIES

CB1	- That the students have demonstrated they possess and understand knowledge in an area of study that starts at the base of general secondary education, and is usually found at a level that, although supported by advanced textbooks, also includes some aspects that involve knowledge from the forefront of the field of study
CB2	- That the students know how to apply the knowledge to their work or vocation in a professional way and possess the competences that are usually demonstrated through the elaboration and defense of arguments and the resolution of problems within their area of study.
CB3	- That the students have the ability to collect and interpret relevant data (usually within their area of study) to make judgements that include reflection on relevant social, scientific or ethical issues
CB4	- That the students can transmit information, ideas, problems and solutions to a specialized and non-specialized audience
CB5	- That the students have developed those learning skills necessary to undertake further studies with a high degree of autonomy.

SPECIFIC COMPETENCIES

CE1	Understand the evolution, nature and characteristics of international relations and the process of European integration in order to know its scope and importance in the globalization process.
CE4	Understand and know the basic characteristics of the main related subjects (Public International Law, History of International Relations, Comparative Political Systems) as well as the different geographical areas and international organizations of universal or regional scope.
CE5	Learn to differentiate the distribution of powers and functions of the State, international organizations, the European Union and other social groups in the international system.
CE10	Know the application of the principles of public law to the international regime of human and gender rights.
CE12	Understand the characteristics of international cooperation and security relations in order to evaluate the effectiveness of development policies.
CE14	Know the principles and norms of public law, both state and international, and international procedures for the peaceful settlement of disputes

4.2.- LEARNING OUTCOMES

1. - Introduction to International Society, the concepts and institutions of International Law, and approach to the sources.

An initial approach to international subjectivity is sought, the specificity of its system of legal sources and the main doctrinal currents through which the history of International Law runs.

2.- Deepening the knowledge of the institutions of International Law and the material areas that it regulates.

An attempt is made to show the character of complete ordering that International Law has, through the study of the regulation of the material fields on which it operates. Likewise, it is intended that the students grasp the importance that international law has for the protection of the human being.

3.- Acquisition of certain abilities specially oriented to the knowledge of this specific ordering.

It is intended that the students develop capacities for study and work in the international order.

5. LEARNING ACTIVITIES

1. DISTRIBUTION OF STUDENT WORK:

Total Hours of the Subject	180 hours
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CODE	NAME	CONTACT HOURS
AF2	SEMINAR	45
AF3	WORKING GROUP	15
TOTAL	CONTACT HOURS	60

CODE	NAME	NON-CONTACT HOURS
AF5	INDEPENDENT STUDY	120

2. DESCRIPTION OF LEARNING ACTIVITIES

AF1	LECTURE: Training activity ordered preferably to the knowledge acquisition competence recognized in (Basic Competence (CB) 1 of the Spanish Framework of Qualifications for Higher Education (CB 1 MECES)); prioritizes the transmission of knowledge by the teacher, requiring the student prior preparation or further study.
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AF2	SEMINAR: Training activity ordered preferably to the knowledge application competence (CB 2 MECES), as well as to the ability to gather, interpret and judge relevant information and data (CB 3 MECES); prioritizes the common participation of students in the reasoned interpretation of knowledge and sources of the study area, based on the coordination of the teacher.
AF3	WORKING GROUP: Training activity ordered preferably to the acquisition of knowledge communication skills (CB4 MECES); prioritizes the completion by the student of practical activities aimed at the effective transmission of information.
AF4	SYNTHESIS WORK: Training activity ordered preferably to the competence or ability to gather, interpret and judge relevant information and data (CB3 MECES) and the competence of acquiring learning skills (CB5 MECES); it is representative of the End of Subject, End of Degree Work; prioritizes autonomous learning by the student.
AF5	INDEPENDENT STUDENT STUDY: Training activity in which the student manages his/her learning independently through the study of materials and other activities indicated by the teachers.

6. ASSESSMENT

1.- CLASS ATTENDANCE:

Regular and punctual attendance at class is required of all students.

In order to be eligible for the continuous assessment system, it is necessary to attend 75% of the classes (which will be subject to control). Since the student can miss 25% of the total classes, no excuses of absence will be admitted.

2.- ASSESSMENT SYSTEM AND CRITERIA:

ORDINARY, CONTINUOUS ASSESSMENT:

Continuous assessment requires attendance of at least 75% of classes. An attendance lower than this percentage supposes the loss of the continuous evaluation.

Regardless of the grade of the continuous evaluation, the student who does not take the final exam will be considered "not presented".

The final exam will be valued at 60% and the continuous evaluation at 40%.

The continuous evaluation activities will be distributed as follows:

- 20% evaluation systems (SE2 and / or SE3), that is, exams of all kinds
- 20% other activities:
 - 10% (SE4 and SE1): practices and simulations, working groups, reports
 - 10% (SE5 and / or SE1): class participation, conducting presentations, dissertation

EXTRAORDINARY CALL:

Students who does not pass the subject in the ordinary call must sit the final exam of the extraordinary call. which will cover all the material contained in the course.

In the extraordinary call. the percentages required for continuous evaluation will not be applied: the evaluation will be the exam that will be valued at 100%.

However. the content of the exam of the extraordinary call will include different exercises (theoretical / practical) that demonstrate the aptitude of the student in the required competences.

SYSTEM OF CONTINUOUS ASSESSMENT	PERCENTAGE
Attendance at theoretical classes and seminars (> 75%)	-
SE2 Final Written Exam. EX	60%
SE3 Partial exam: Test, short questions, development, exercises, practical cases, legal questions. EX	20%
SE4. Works, Practices and Simulations, reports, opinions PR / TR	10%
SE5. Class Participation.	10%
FINAL GRADE FOR THE SUBJECT	100%

7. COURSE PROGRAMME

1.- COURSE PROGRAMME:

THEORETICAL PROGRAMME:

Session 1: The nature of international law and the international legal system

- The historiography of international law
- The nature of international law: theoretical approaches
- The structure of the international legal system
- Existence of a hierarchy in international law

Session 2: Sources of international law

- Treaties in force
- Custom
- The general principles of international law
- Subsidiary sources: judicial decisions and teachings
- The relationship between the sources of international law
- Existence of new or additional sources of international law

Session 3: The law of treaties

- Conceptualizing and defining a treaty
- The “birth”, “life” and “death” of treaties in international law
- Treaty interpretation
- Reservations

Session 4: The United Nations and Dispute Settlement

- Peaceful settlement of disputes
- Diplomatic methods
- Legal methods
- The International Court of Justice

Session 5: The relationship between international law and domestic law

- The possible prevalence of international law over domestic law
- The reception of international law by municipal law and institutions
- Recognition of foreign judgments

Session 6: Personality, statehood, and recognition

- Subjects of international law
- States and the criteria of statehood
- International organizations
- Natural persons and other non-state actors
- Recognition of states and governments

Session 7: Self-Determination of Peoples

- The ‘right’ to self-determination
- Decolonisation at the United Nations
- Self-Determination in non-colonial contexts

Session 8: Sovereignty and jurisdiction

- Sovereignty
- Territorial jurisdiction

- Extraterritorial jurisdiction

Session 9: Immunity

- The meaning and purpose of immunity
- Functional and personal immunities
- Diplomatic and consular immunities
- Immunities of international organizations

Session 10: State responsibility

- Attribution to the state
- Circumstances precluding wrongfulness
- Consequences of an internationally wrongful act
- Invocation of responsibility

Session 11: Use of force

- The prohibition of force before 1945
- The general prohibition of force in the UN Charter
- Collective security
- The authorization of armed force by the UN Security Council

Session 12: Human rights and international humanitarian law

- Origins of human rights
- The nature and qualities of international human rights
- The nature of state obligations
- International courts and institutions devoted to human rights
- International humanitarian law

8. RECOMMENDED READING

1.- BASIC READING:

~~Mansell, W and Openshaw, K, *Intenational Law: A Critical Introduction* (2nd edn, Hart Publishing 2019)~~

2.- COMPLEMENTARY READING:

ABASS, A, *Complete International Law: Text, Cases and Materials* (2nd edn, Oxford University Press, 2014)

AMERASINGHE, CF, *Principles of the Institutional Law of International Organizations* (2nd edn, Cambridge University Press, 2005)

BANTEKAS, I and OETTE, L, *International Human Rights Law and Practice* (3rd edn, Cambridge University Press, 2020)

CHESTERMAN, S, JOHNSTONE, I and MALONE, DM, *Law and Practice of the United Nations* (2nd edn, Oxford University Press, 2016)

CRAWFORD, J., *Brownlie's Principles of Public International Law* (9th edn, Oxford University Press, 2019)

DIXON, M., *Textbook on International Law* (7th edn, Oxford University Press, 2013)

DIXON, M, MCCORQUODALE, R and WILLIAMS, S, *Cases and Materials on International Law* (6th edn, Oxford University Press, 2016)

EVANS, M, *International Law* (5th edn, Oxford University Press, 2018)

EVANS, M (ed), *Blackstone's International Law Documents* (14th edn, Oxford University Press, 2020)

GAETA, P, VINUALES JF and ZAPPALA, S, *Cassese's International Law* (3rd edn, Oxford University Press, 2020)

KLABBERS, J, *Introduction to International Law* (3rd edn, Cambridge University Press, 2015)

KOSKENNIEMI, M, *From Apology to Utopia: The Structure of International Legal Argument* (Cambridge University Press 2006)

MERRILLS, JG, *International Dispute Settlement* (6th edn, Cambridge University Press 2017)

ORAKHELASHVILI, A., *Akehurst's Modern Introduction to International Law* (8th edn, Routledge, 2019)

SHAW, MN, *International Law* (8th edn, Cambridge University Press, 2017)

4.- ONLINE RESOURCES:

United Nations website : www.un.org/

United Nations Audiovisual Library : www.unmultimedia.org/avlibrary/

Max Planck Encyclopedia of International Law : <https://opil.ouplaw.com/home/mpi>

Electronic Information System for International Law : www.asil.org/coming-soon (website under reconstruction as of July 2020)

International Court of Justice website (includes all rulings of the ICJ and its predecessor, the Permanent Court of International Justice : www.icj-cij.org/en

Blog of the European Journal of International Law, EJIL :Talk! : www.ejiltalk.org/

Opinio Juris Blog : <http://opiniojuris.org>

9. CLASSROOM REGULATIONS

1.- REGULATIONS:

Failures in Academic Integrity (absence of citation of sources, plagiarism of work or improper / prohibited use of information during exams), as well as signing on the attendance sheet by a classmate who is not in class, will result in the student not being eligible for continuous assessment and possibly being penalized according to the University regulations.

10. MEDIDAS EXTRAORDINARIAS

En el caso de producirse alguna situación excepcional que impida la impartición de la docencia presencial en las condiciones adecuadas para ello, la Universidad adoptará las decisiones oportunas, y aplicará las medidas necesarias para garantizar la adquisición de las competencias y los resultados de aprendizaje de los estudiantes establecidos en esta Guía Docente, según los mecanismos de coordinación docente del Sistema Interno de Garantía de calidad de cada título.