

27706 - International public law

Syllabus Information

Academic year: 2023/24

Subject: 27706 - International public law

Faculty / School: 102 - Facultad de Derecho

Degree: 421 - Degree in Law

ECTS: 6.0

Year: 1

Semester: Second semester

Subject type: Basic Education

Module:

1. General information

Public international law as a scientific discipline differs from most other legal disciplines in that its object of study is the set of rules elaborated by the bodies of international society. Therefore, it is essential that the student changes their point of view when facing this subject taking into account this specificity.

These approaches and objectives are aligned with the Sustainable Development Goals (SDGs), in particular with goals 5, 10, 16 and 17 of the United Nations 2030 Agenda

(<https://www.un.org/sustainabledevelopment/es/>), in such a way that the acquisition of the subject's learning results provides training and competence to contribute to their achievement.

2. Learning results

1. Is able to explain the basic functioning of the international society and its basic rules, distinguishing the procedures of creation and application of international rules.
2. Distinguish the actors of the international scene and the international subjects, attributing to each of them a series of specific characteristic elements.
3. Knows how to analyse and justify the competences that the State has in its land, maritime and air territory, as well as the situations in which it must respond internationally, both for acts prohibited and not prohibited in international law and distinguishes the means of settlement of international disputes.
4. Is able to distinguish international organizations from other subjects of the international scene (non-governmental organizations, transnational corporations, etc.), can explain the cooperation mechanisms they use and is able to analyse these phenomena with the necessary legal rigor.
5. Seeks and applies the necessary knowledge to analyse the facts that usually occur on the international scene and interpret them from a legal point of view using, for their resolution, the most appropriate international legal texts.

3. Syllabus

1. International society and international law.
2. Sources of international law. 2.1- International custom. 2.2- International treaties. 2.3. Unilateral acts of the States 2.4. Resolutions of international organizations
3. The relationship between international law and domestic law.
4. Subjects of international law. 4.1- The State: recognition of States and Governments, privileges and immunities of States, succession of States, diplomatic and consular relations. 4.2- International organizations. 4.3- The protection of the individual in international law.
5. Territorial sovereignty. 5.1- The land territory. 5.2- International watercourses. 5.3- Marine spaces. 5.4- The airspace and outer space. Polar spaces.
6. International responsibility.
7. The peaceful settlement of international disputes. 7.1- Non-judicial means. 7.2- Judicial jurisdiction: international arbitration and international tribunals.
8. The use of force or the threat of the use of force by the State.

4. Academic activities

1. **Theoretical classes:** are based on the explanations of the teacher who may present an outline with the main ideas of each block of contents. This presentation can be included in the digital teaching ring before the explanations, so that the student has this outline before the class and during the class can complete it with the explanations given in it.

2. **Practical classes** the structure will be determined by each professor with the students, who will have the practical case to be dealt with in each class beforehand, so that they must prepare it using international legal texts and other types of documents

that the professor will indicate in each specific case. Once in class, the students will follow the teacher's instructions, which may consist of meeting in small groups to contrast the answers given to each question and appoint a spokesperson to represent the group (although the interventions can be made freely by all attendees), individual work of the students or a general discussion of the whole group, contrasting the answers and comments with the help of the teacher. The cases will try to correspond to real events so that students can contrast their theoretical knowledge with the reality of international life.

3. **Reflection work:** students must carry out reflection work that may consist of, among others, critical analysis of judgments of international courts, resolutions of international organizations and others, attendance to congresses and conferences, participation in academic activities, analysis of legal texts or other reflection work.

5. Assessment system

1. GLOBAL TEST OPTION

For those students who cannot or do not wish to opt for the system of evaluation with grade advancement, the evaluation will consist of two tests, one of a theoretical nature (which will include multiple choice and essay questions) and another of a practical nature that will consist of the resolution of a case of international public law. The objective test represents 70% of the final grade and its content is as indicated in point 2.1., while the case study represents the remaining 30%.

The two parts of the subject, theory and practice, must be passed separately. So if one of the part is passed and the other is not, the part passed will be retained exclusively for the second call of the same academic year.

2. EVALUATION OPTION WITH GRADE ADVANCEMENT

The evaluation with grade advancement involves the completion of an objective test that accounts for 70% of the final grade, while the remaining 30% is achieved through the completion of different activities such as case studies , oral presentations, presentation of research papers, reviews, etc., that the teacher will propose to the students throughout the term.

2.1 Objective test (70%)

It is a test that will be composed of two parts: one of a theoretical nature (which will include multiple-choice and essay questions) and another of a practical nature that will consist of the resolution of a public international law case.

The theoretical test represents 70% of the objective test grade, while the case study represents 30% of the objective test, both representing 70% of the final grade. The two parts must be passed separately to pass the objective test.

2.2 Grade advancement (30%)

Different activities will be carried out throughout the term, including:

2.2.1 *Case studies:* For the preparation of the case study, the teacher will propose to the students situations of the international practice, which will be presented in time to the student for their study and analysis, either in group or individually, and will be finally discussed in class. The active, reasoned and continued participation of students in these classes will be mandatory and subject to evaluation by the teacher, who may also request the delivery in writing to students of certain practices throughout the term. The value of this section is 20% of the final grade.

2.2.2 *Reflective work:* In addition, the student must carry out reflective work that may consist of, among others, the critical analysis of judgments of international courts, resolutions of international organizations and others, attendance at conferences and seminars, participation in academic activities, analysis of legal texts or other reflective work. The value of this section will be 10% of the final grade.

It will be necessary to pass both parts of the evaluation, either overall or with a grade advancement, separately for passing the subject.