

30502 - International public law

Syllabus Information

Academic year: 2023/24

Subject: 30502 - International public law

Faculty / School: 102 - Facultad de Derecho

Degree: 432 - Joint Law - Business Administration and Management Programme

ECTS: 6.0

Year: 1

Semester: First semester

Subject type: Basic Education

Module:

1. General information

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

These approaches and goals are aligned with the Sustainable Development Goals (SDGs), especially 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 learning results of the subject 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. It can distinguish the actors of the international scene and the international subjects, attributing to each of them a series of specific characteristic elements.
3. Know how to analyze 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. Be 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 analyze these phenomena with the necessary legal rigor.
5. Can search for and apply the necessary knowledge to analyze the facts that usually occur in 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-jurisdictional means. 7.2- Jurisdictional means: the international arbitration and international courts.
8. The use of force or the threat of the use of force by the State.

4. Academic activities

1. Theoretical classes 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 teacher with the students, who will have the practical case to be dealt with in each class previously, so that they must prepare it using international legal texts and other types of documents that the teacher will indicate in each specific case. Once in class, 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 make 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 reflection work: students must carry out reflection work that may consist of, among others, the 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 assessment with grade advancement, the assessment will consist of two tests, one of a theoretical nature (which will include multiple choice and essay questions) and another of a practical nature which will consist of the resolution of a case of public international 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 part is passed and the other is not, the part passed will be retained only for the second call of the same term

2. ASSESSMENT OPTION WITH GRADE ADVANCEMENT

The assessment with advance marking involves the completion of an objective test that accounts for 70% of the final mark, while the remaining 30% is achieved through the completion of different activities such as case studies, oral presentations, presentation of research work, 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 case of public international law. 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 in order to pass the objective test.

2.2 Advance of grade (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 international practice, which will be presented to the students in time for their study and analysis, either in groups 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 assessment by the teacher, who may also request the delivery in writing to the 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, 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 reflective work. The value of this section will be 10% of the final grade.

It will be necessary to pass both parts of the assessment, either overall or with a grade advance, separately to pass the subject