

## Public International Law

UGRA\_014052

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Departments	Department of International, European Union and Comparative Law
Teaching Languages	English
ECTS	4
Teacher responsible	Baillet Olivier Georges Robert - oliviergeorgesrobert.baillet@esade.edu

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### Course Goals

The course's goal is to gain an introductory knowledge to public international law. To this end, the course will explore the subjects and players of the international legal community (Part 1), the making of international law through the study of its sources (Part 2) and, finally, the implementation of international (Part 3).

### Previous knowledge

None.

### Prerequisites

None

### Recomended courses

None

### Teaching methodology

The course will employ a Socratic teaching methodology, emphasising active student participation through continuous dialogue. Students will collaboratively construct their understanding of the subject matter. Assigned readings will be provided in advance, with a particular emphasis on contemporary case studies.

The course aims to foster critical thinking skills, encouraging students to analyse and evaluate complex issues within international trade law.

### Description

### Course contribution to program

Public international law is part of our daily lives both as citizens and/or as lawyers. Understanding specificities of the international legal order, by comparison with domestic legal orders, reinforces a lawyer's understanding of what law is and how it works. Furthermore, it is nowadays necessary, in all legal disciplines, to understand what a treaty is, when and to what extent it can be invoked before a domestic court.

### Short description

What measures should States take in order to contain climate change and mitigate its consequences? Can space resources be appropriated and used commercially? Can war ever be justified? These questions are directed at all humanity and, to a large extent, cannot be solved with domestic frontiers. Contemporary international law organises both the coexistence of States and the framework within which the international community can cooperate in order to attain goals or uphold values it establishes for itself.

This course aims to provide an introduction to public international law, by providing an overview of the subjects and actors of its legal system (Part 1), the making of international norms by analysing its sources (Part 2) and the implementation of international norms at both the international and the domestic levels (Part 3).

## Bibliography

- Jan Klabbers, *International Law*. 4th edition, Cambridge University Press, 9781009304344 (Book)
- Varia, *EJIL Talk - Blog of the European Journal of International Law*, *European Journal of International Law* (Blog)
- Varia, *Opinio Juris* (Blog)
- Gleider Hernández, *International Law*. 2nd Edition, Oxford University Press, 9780192848260 (Book)
- Olivier Corten, François Dubuisson, Vaios Koutroulis, Anne Lagerwall, *A Critical Introduction to International Law*, Éditions de l'Université de Bruxelles, 978-2-8004-1692-2 (Book)
- Olivier Corten; Vaios Koutroulis, *The 2022 Russian intervention in Ukraine: What is its impact on the interpretation of jus contra bellum?*, *Leiden journal of international law*, 36, 2023, page (997-1022) (Article)
- , *EJIL: The Podcast! Episode 23: Unhappy New Year! Genocide in the Courtroom* (Audio Recording)
- Jan Klabbers, *The Cheshire Cat That Is International Law*, *European Journal of International Law*, 31(1), 269-283.- (Article)
- Martti Koskeniemi, *Enchanted by the Tools? An Enlightenment Perspective*, *American University International Law Review*: Vol. 35 : Iss. 3 , Article 1 (Article)
- Cecily Rose et al., *An Introduction to Public International Law*, Cambridge University Press, 9781108421454 (Book)

## Content

#	Topic
1	Introduction
2	Subjects and Players of Public International Law - States - International Organisations - Individuals and Businesses
3	Sources of Public International Law Customary Law Treaties General Principles Case-Law Scholarship Soft Law?
4	Implementation of Public International Law Within the International Legal Order: International Responsibility Within Domestic Legal Orders: Incorporation & Enforcement

## Assessment

Tool	Assessment tool	Category	Weight %
Written and/or oral exams	Mid-term Exam	Ordinary round	40.00%
Attendance and punctuality	Participation	Ordinary round	20.00%
Written and/or oral exams	Final Exam	Ordinary round	40.00%

## PROGRAMS

GBD20-Double Degree in Business Administration and Law (Undergraduates: Law)  
GBD20 Year 2 (Mandatory)

GBD23-Double Degree in Business Administration and Law (Undergraduates: Law)  
GBD23 Year 2 (Mandatory)

GDL20-Double Degree in Law and Global Governance, Economics and Legal Order (Undergraduates: Law)  
GDL20 Year 1 (Optative)  
GDL20 Year 2 (Optative)

GDL23-Double Degree in Law and Global Governance, Economics and Legal Order (Undergraduates: Law)  
GDL23 Year 2 (Mandatory)

GED20-Bachelor in Law (Undergraduates: Law)  
GED20 Year 2 (Mandatory)