

## 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	Olivier Georges Robert Baillet - olivier.baillet@esade.edu

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### Course Goals

The goal of the course is to acquire an introductory understanding of public international law. To this end, the course will be divided into two parts, each with a specific objective:

- First, to understand how the legal system of public international law works: who its subjects are, what its sources are, and how it is implemented.
- Second, to understand the main substantive content of its rules in key areas such as the use of natural spaces (sea, air, outer space), international economic law, issues of war, peace, and national security, as well as environmental protection.

### Previous knowledge

A good command of English is necessary for the course.

It is recommended to read press articles on international affairs regularly, in newspapers and magazines such as The New York Times, The Financial Times, or The Economist, both to improve language skills and to place international law in its broader context

### Prerequisites

A good command of English.

### 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.

NB:

Please note that, in order to successfully complete this course, students must obtain a minimum score of 5/10 on each graded component (mid-term exam, participation, and final exam).

## 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.

To this end, the first half of the course will, after having examined how sovereign States can even be legally bound in the first place (Module 1), explain how the public international legal system works. It will do so by providing an overview of the subjects and actors within this legal system (Module 2, examining the creation of international norms by analyzing their sources (Module 3), and exploring the implementation of these norms at both the international and domestic levels (Module 4).

The second half of the course will focus on substantive public international law. More specifically, it will examine the use of natural spaces and resources (sea, air, and outer space) (Module 5), international economic law (Module 6), international security (Module 7), and international cooperation for the protection of the environment (Module 8).

## 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)

## Content

#	Topic
1	Introduction What is Public International Law? Can it even exist given that States are all sovereign?
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
5	Use of natural spaces and resources (sea, air, airspace)
6	Elements of International Economic Law (investment; trade)
7	International Security (UN, NATO)
8	The International Protection of the Environment

## Assessment

Tool	Assessment tool	Category	Weight %
Written and/or oral exams	Mid-term Exam (Closed Book; Minimum Grade of 5/10)	Ordinary round	40.00%
Attendance and punctuality	Participation (Minimum Grade of 5/10)	Ordinary round	20.00%
Written and/or oral exams	Final Exam (Closed Book; Minimum Grade of 5/10)	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 2 (Mandatory)

GDL20 Year 1 (Mandatory)

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)