

**Public International Law**

Code: 101119  
ECTS Credits: 6

Degree	Type	Year	Semester
2500259 Political Science and Public Management	OT	3	2
2500259 Political Science and Public Management	OT	4	0
2503778 International Relations	FB	2	1

The proposed teaching and assessment methodology that appear in the guide may be subject to changes as a result of the restrictions to face-to-face class attendance imposed by the health authorities.

**Contact**

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**Use of Languages**

Principal working language: spanish (spa)  
Some groups entirely in English: No  
Some groups entirely in Catalan: No  
Some groups entirely in Spanish: No

**Prerequisites**

No pre requirements

**Objectives and Contextualisation**

Understand that the international system is increasingly interdependent and that state freedom to adopt international standards is limited by the joint will of the other States

- Realize that public international law is still the necessary instrument to regulate relationships international
- Assume that they are the same subjects that make international standards those who must comply. Only exceptionally is the enforcement of public international law coercively enforced
- Understand that public international law has a high level of voluntary compliance, despite the fact that it sometimes seems otherwise. The reason is that it is adopted because of the common interest of the States and that is why it is enforced.
- To understand that a very significant part of the internal norms of the States have their origin or are related to public international law

**Competences**

- Political Science and Public Management
- Demonstrating good writing skills in different contexts.
- Distinguishing the discipline's main theories and different fields: conceptual developments, theoretical frameworks and theoretical approaches underlying the discipline's knowledge and different areas and sub-areas, as well as their value for the professional practice through concrete cases.
- Identifying sources of data and conducting bibliographic and documentary searches.
- Interpreting and applying English texts in an academic way.

- Managing the available time in order to accomplish the established objectives and fulfil the intended task.
- Realising effective oral presentations that are suited to the audience.
- Showing a good capacity for transmitting information, distinguishing key messages for their different recipients.
- Working autonomously.
- Working in teams and networking, particularly in interdisciplinary conditions.

#### International Relations

- Analyse, establish and argue the legal rules applicable to international phenomena.
- Identify data sources and carry out rigorous bibliographical and documentary searches.
- Students must be capable of applying their knowledge to their work or vocation in a professional way and they should have building arguments and problem resolution skills within their area of study.
- Students must be capable of collecting and interpreting relevant data (usually within their area of study) in order to make statements that reflect social, scientific or ethical relevant issues.
- Students must develop the necessary learning skills to undertake further training with a high degree of autonomy.
- Use different tools for analysing the contemporary international system and its functional and regional or geographical subsystems.

## Learning Outcomes

1. Assessing the impact of the inter-administrative relationships.
2. Assessing the international responsibility in several current examples.
3. Critically analysing and assessing the legal elements of the relations between the political power and its citizens and generally, in the political processes.
4. Define the context of legal regulation for international relations and the sources, rules and subjects in international public law and the way in which they appear in the actions of states and international organisations.
5. Defining the concepts of act, activity, procedure, resources and administrative guarantees.
6. Defining the regulatory legal context of international relations, as well as the sources, norms and subjects of the International Public Law, and actions of the States and International Organizations.
7. Demonstrating good writing skills in different contexts.
8. Evaluate international responsibility in different current situations.
9. Explaining the concept of Constitution and basic constitutional principles and the State of Law and social and democratic state principles.
10. Identify data sources and carry out rigorous bibliographical and documentary searches.
11. Identifying sources of data and conducting bibliographic and documentary searches.
12. Interpreting and applying English texts in an academic way.
13. Managing the available time in order to accomplish the established objectives and fulfil the intended task.
14. Realising effective oral presentations that are suited to the audience.
15. Recognise the influence of different actors in the production and practice of international law and European and community law in the international system.
16. Showing a good capacity for transmitting information, distinguishing key messages for their different recipients.
17. Students must be capable of applying their knowledge to their work or vocation in a professional way and they should have building arguments and problem resolution skills within their area of study.
18. Students must be capable of collecting and interpreting relevant data (usually within their area of study) in order to make statements that reflect social, scientific or ethical relevant issues.
19. Students must develop the necessary learning skills to undertake further training with a high degree of autonomy.
20. Working autonomously.
21. Working in teams and networking, particularly in interdisciplinary conditions.

## Content

# PROGRAM OF PUBLIC INTERNATIONAL LAW

Course 2019-2020

## I. THE INTERNATIONAL SYSTEM

### Lesson 1. International society and the public international law (PIL)

Origin and evolution. The institutionalization of the international system. The United Nations and its principles. Cc

## II. THE INTERNATIONAL SUBJECTIVITY

### Lesson 2. The international subjectivity of the State

Concept and constituent elements of the State. The principle of sovereign equality. Immunities of the State. The p

### Lesson 3. The international subjectivity of international organizations (IO) and the international status of other act

The international legal personality of the IO. The competences of the IO. Historical situations. The peoples. NGO.

## III. THE PROCESS FOR TRAINING RULES IN PIL

### Lesson 4. The structure of the international legal system

Concept of source of law and

*lege ferenda* norms. Consent and consensus of the States in the formation of norms. The hierarchy of internation  
*ius cogens*.

### Lesson 5. Treaties as a source of PIL

Concept of treaty. Modalities of treaties and functions. The celebration of treaties: special reference to the Spanis

### Lesson 6. Other sources of PIL, auxiliary means and their interaction

The custom. The general principles of law. Equity. Jurisprudence and doctrine. Concept and modalities of unilate  
*Soft law*. The interaction between formal sources and coadjuvant mechanisms for the creation of norms.

## IV. ORDINARY APPLICATION OF THE PIL

### Lesson 7. The relations of the PIL with the internal rights

The reception of the PIL and its hierarchy: special reference to the Spanish State. The interpretation The applicat

## Lesson 8. Effects of international regulations and their possible alterations

The effects of the international norms, special reference to the *erga omnes* effects. Nullity, modification, termination and suspension of treaties.

## V. EXTRAORDINARY APPLICATION OF THE PIL

### Lesson 9. The peaceful resolution of international disputes

Concept and regulation of disputes. The diplomatic means of solution. The means of jurisdictional solution: the arbitral tribunal.

### Lesson 10. International responsibility

Concept of international responsibility. The objective element and the subjective element. Excluding circumstances.

### Lesson 11. Mechanisms for demanding compliance with the PIL

Diplomatic protection Countermeasures. The institutionalized procedures: the social sanction, the disciplinary power.

## VI. SPACE COMPETENCES AND INTERNATIONAL COOPERATION

### Lesson 12. Space competences and spaces of collective interest

The terrestrial space. Air space. The law of the sea. Other spaces of collective interest. The protection of the environment.

### Lesson 13. International economic architecture and development cooperation

International financial relations. International trade relations. Development cooperation.

### Lesson 14. International law on armed conflicts.

Origin and evolution of international humanitarian law (IHL). The governing principles of the IHL. The international humanitarian law.

## Methodology

Teaching will be mixed online and face-to-face.

### CONTINUED EVALUATION SYSTEM

The student at the beginning of the course can opt for a continuous assessment system that will not have to be tested

directed activities

Theoretical classes: taught by the teacher

Students can choose to follow a system of continuous evaluation consisting of practical cases, comments of resolutions of international organizations, judgments of the International Court of Justice among others and that will be resolved in class. Therefore, students who opt for this system, attending classes for the entire duration of the sessions is mandatory and 90% mandatory. In case the student can not come in 90% of the sessions of the course will go to the system for examination

The activities carried out during the course may consist of:

A) Report-individual report on a program topic

B) Presentation in class during the course of the results of the work

C) (previous autonomous preparation) Carry out and comment in class practical cases, judgments, committee resolutions, among others

The teacher at the beginning of the course will explain the procedure to be followed in more detail

Autonomous activities

The teacher in the classroom or on the virtual campus will explain how to prepare autonomously content of the subject

Annotation: Within the schedule set by the centre or degree programme, 15 minutes of one class will be reserved for students to evaluate their lecturers and their courses or modules through questionnaires.

## Activities

Title	Hours	ECTS	Learning Outcomes
Type: Directed			
PRACTICAL ACTIVITIES	22.5	0.9	3, 6, 14, 11, 16, 21
THEORICAL CLASSES	30	1.2	3, 6, 2
Type: Supervised			
STUDENT ATENTION	5	0.2	13
Type: Autonomous			
READING BASIC BIBLIOGRAPHY	19	0.76	3, 6
READING DOCUMENTS	11	0.44	
Research and documentation	8	0.32	11
STRUCTURING AND EDITING RESEARCHS	13	0.52	13, 12, 20, 21
STUDY	17	0.68	3

## Assessment

### Continuous evaluation model

with the aim that the teacher can establish the degree of achievement of each student's competences, the practical activities carried out throughout the course in exceeding can be a maximum of 100% of the final grade and there is no compensatory evaluation. If the student has a discontinuous follow-up and does not pass the exercises during the course, he will go to the exam model

### Exam model

There will be an exam of 7 questions that is equivalent to 70% of the final grade on subjects related to the program of the subject and a practical case that is equivalent to 30% of the final grade. There is the possibility of Compensatory Evaluation of the exam (7 questions + case study) in case it is not approved, at least, with a grade of 5

A student who cheats or try to cheat an exam will have a 0 as a mark. A Student who submits a paper o practical in which there is evidence of plagiarism will have a 0 as a mark and will receive a warning. In case of repetition, the students will fail the subject.

## Assessment Activities

Title	Weighting	Hours	ECTS	Learning Outcomes
CASE LAW	30%	22.5	0.9	3, 1, 6, 5, 7, 9, 14, 13, 10, 11, 12, 16, 17, 18, 20, 21, 2
FINAL EXAM	40%	1	0.04	3, 1, 6, 5, 9, 19, 15, 2
SPECIFIC PART EXAM	30%	1	0.04	4, 2, 8

## Bibliography

### BIBLIOGRAFIA BàSICA

#### I. OBRA GENERAL RECOMANADA

CASANOVAS, O. RODRIGO, A. *Compendio de Derecho Internacional Público*

[Sistema de derecho internacional público / Paz Andrés Sáenz de Santa María](#) (recurs electrònic)

[https://cataleg.uab.cat/iii/encore/record/C\\_\\_Rb1705931](https://cataleg.uab.cat/iii/encore/record/C__Rb1705931)

Dret internacional públic [Recurs electrònic] / Joan Piñol i Rull (coordinador) ; [Josep B. Acosta i Estévez... et al.] UOC 2000

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[Non-recognition of states as a specific sanction of public international law](#) / Adrian Corobană (recurs electrònic)

[https://cataleg.uab.cat/iii/encore/plus/C\\_\\_Rb1170291\\_\\_SPublic%20international%20Law\\_\\_Orightresult\\_\\_U\\_\\_X6](https://cataleg.uab.cat/iii/encore/plus/C__Rb1170291__SPublic%20international%20Law__Orightresult__U__X6)

#### II. ALTRES OBRES GENERALS D'ESPECIAL INTERÈS

DIEZ DE VELASCO, M. *Instituciones de derecho internacional público*, Tecnos 2013

PASTOR, J.A. *Curso de derecho internacional público y organizaciones internacionales*, Tecnos, 2012

## **Software**

We only use Moodle Program