International cooperation instruments and systems

Academic Year: (2021 / 2022) **Review date: 20-06-2021**

Department assigned to the subject: International Law, Ecclesiastical Law and Philosophy of Law Department

Coordinating teacher: FERNANDEZ LIESA, CARLOS RAMON

Type: Compulsory ECTS Credits : 3.0

Year : 2 Semester : 2

REQUIREMENTS (SUBJECTS THAT ARE ASSUMED TO BE KNOWN)

Public International Law

OBJECTIVES

The student shall acquire the knowledge of the different sectors and regimes in international law.
Students must get the ability to understand the principles, rules and regulations governing international activity of sovereign States, International Organizations and other subjects of international law in the exercise of their powers and competences.
Special attention will be drawn to the implementation of the executive powers of the Sovereign States over the people. Also the way people are treated, including an introduction to the rules on the protection of human rights and immigration rules.
The international legal regime for the protection of the environment will be analyzed comprehensively.
Students will be introduced into the basic rules of international law relating to international economic system.
Finally students should know the basic rules for the settlement of international disputes and the regime of banning the use of armed force, including the knowledge of international humanitarian law and the basic regimes concerning the disarmament and arms control, particularly of weapons of mass destruction.

DESCRIPTION OF CONTENTS: PROGRAMME

Theme 1. Personal jurisdiction of States in International Law. 1.1 Nature of the jurisdictional competences. Regime of exercise according to their spatial ambit.1.2. General regime of the nationality link.The relation with the nationals who are outside the therritory of the State. 1.3.Competences on non nationals.Different situations. Extraterritorial exercise of jurisdiction on foreigners. 1.4.Regimen of persons protected by an international status. 1.5. Persons needed of international protection.The protection of the asylum and refuge.
Theme 2. International protection of human rights : the universal system.
1. Origins of international law human rights protection in contemporary world.
2. The contribution of the League of Nations to the international law of human rights.
3. The United Nations and human rights.
4. Changes in the international law of human rights.
5. The universal de minis standard of human rights. Spain and the international protection of human rights.
Theme 3. International protection of human rights. The process of determination and the process of of regionalization. 3.1. Protection within the framework of the Council of Europe. 3.2. The protection by the European Union. The frame of the OSCE. 3.3. The protection in the american region : OEA. The system of the S. José Convention.3.4 The international protection in the african region.
Theme 4.The international protection of the environment. 4.1. Historical developmen and general questions.4.2. Principles and general norms of the Internationasl Law of Environment.4.3. The protection of the global environment : ambits and problems.4.4.Protection of specifics sectors and ecosystems.
Theme 5. Principles and norms of International Economic Law.5.1.General questions. The material ambit of internatonal regulation. 5.2. Institutional regimes : FMI,BM,OMC.5.3.The role of UNO, the regional organizations and other organisms 5.4. International development Law. International Investment Law.
Theme 6. Pacific solution of international controversies. 6.1 Basic notions : crisis, conflict, controversy. 6.2.Diplomatic procedures of solution. 6.3. The solution of controversies and multilateral diplomacy:universal and regional frames. 6.4.Jurisdictional procedures : arbitral and judicial tribunals. The ICJ.
Thme 7. The international regimen of the prohibition and use of armed force. 7.1. General questions and historical development. 7.2.Licit uses of amed force in International Law. Legitime defense. 7.3.The security system of the ONU Charter and the problems of its application. The situation after the conflicts

of Afganistán, Iraq ansd Siria.7.4.Other alleged forms of licit use or armed force in International Law. 7.5 Regime of the use of force during the armed conflicts Basic Princoiples of International humanitarian Law.7.6.Prohibition and limits of the use of some weapons in International Law

LEARNING ACTIVITIES AND METHODOLOGY

Theoretical explanations of the main topics of the subject will take place, with active participation of the students in the learning activities. There will be several sessions where readings will be evaluated. The main international legal texts and their special relationship with the Spanish law will be analyzed. Furthermore case studies based on real events, including knowledge of print media and, where appropriate, specialized videos will be studied.

ASSESSMENT SYSTEM

Ordinary session.
The knowledge will be evaluated through the active participation of students, by controlling reading, performing works and execution of exercises and case studies. Public exhibitions will be held by working groups.
Each teacher will set a compulsory minimum number of practices without whose completion the student will not pass the continuous assessment.
There will be a final theory test mandatory. The minimum required grade to pass the final theory exam will be 4 points. Students who do not get these four points will not pass the subject.
A compulsory exam will take place at the end of the course consisting in a written essay. There will be four questions, laid by subject¿s coordinator or its representative, which student will choose and answer only two. Exam length will be one hour. Minimal mark to pass is 4 (of 10 as the highest). Any student that does not mark four points will fail the exam.
Alternatively, authorized by the coordinator, it can be an examination test
Student¿s comprehensive mark will be performed by the lecturer responsible for the continuous evaluation, in order to achieve the most balanced assessment of his profile, balancing practical and theoretical skills. Professor in charge of master lectures may make assessments as well.

Extra-ordinary session.
The professor in charge of the permanent evaluation during the ordinary session will establish an exam according to the same criteria as for the final exam of the ordinary session. The value of the exam in the extra-ordinary session will be 100% of the total mark.

% end-of-term-examination:	50
% of continuous assessment (assigments, laboratory, practicals…):	50

BASIC BIBLIOGRAPHY

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- Beyerlin, U. and Marauhn, TH. International Environmental Law, Hart-Beck, 2016
- Fitzmaurice, M., Tanzi, A., Papantoniou, A. Multilateral Environmental Treaties, Elgar, 2017
- Freestone, D. Sustainable Development and International Environmental Law, Elgar, 2018
- Fripp, E. Nationality and Statelessness in International Law of Refugee Status, Hart, 2016
- Gammage, C. North-South Regional Trade Agreements as Legal Regimes, Elgar, 2017
- Gauvoneli, M., Plakokefalos, I. Documents in International Environmental Law, Hart, 2018
- J. Husa Advanced Introduction to Law and Globalisation, Elgar, 2018
- Lester, S., Mercurio, B., Davies, A. World Trade LAw. Text, Materials and Commentary, Hart, 2018
- Lim, C. L., Ho, J., Paparinskis, M. International Investment Law and Arbitration , Cambridge U.P., 2018
- M. J. Trebilcock - M. Mota Prado Advanced Introduction to Law and Development, Elgar, 2014
- Merrils, J. G. International Dispute Settlement, Cambridge U. P., 2017
- Mitchell, A. D., Heaton, D., Henkels, C. Non-Discrimination and the Role of Regulatory Purpose in International Trade and Investment Law, Elgar, 2018
- Moreiro González, C. J. The Convergence of Recent International Investment Awards and the Case Law on the Principle of LEgitimate Expectations: Towards Common Criteria Regarding Fair and Equitable Treatment? , European Law Review (Thomson Reuters) nr. 42, III, pp. 402 ss., 2017
- Morgera, E. Biodiversity and Nature Protection Law, Elgar, 2017
- Paddock, L, Markell, D. L., Bryner, N. S. Compliance and Enforcement of Environmental Law, Elgar , 2017

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- Shaw, M. N. International Law, Cambridge U.P., 2017
- Shaw, Malcolm N. International Law, Cambridge U.P., 2017