



Italian code: IUS/13 (old) – GIUR-09/A (new)

Credits: 9

Course: International Law

Main language of instruction: Italian

Other language of instruction: English

Head instructor

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Objectives

The international law course aims to provide students with:

1. adequate knowledge to understand and describe the rules that regulate the functioning of the international community and its institutions
2. the ability to understand and use legal vocabulary
3. the ability to understand the main legal texts of international law
4. the ability to access international careers or public administrations or private companies with an international dimension.

Course structure

- The origin of international law
- Subjects of international law
- Sources of international law
- Relation between international law and domestic law
- Immunities of States and their bodies
- Peaceful settlement of international controversies
- Use of force
- Responsibility of States
- International human rights law

In particular, the International Law Course, which consists of 9 credits, requires a total study of at least 225 hours divided as follows:

- approximately 189 hours for viewing and studying the video-recorded material (27 video-recorded hours of theory).
- approximately 36 hours of interactive teaching, of which 9 hours dedicated to carrying out 2 e-tivities.

It is advisable to distribute the study of the subject over a period of 12 weeks, dedicating between 20 and 30 hours of study per week.

Competencies

A. Knowledge and understanding:

At the end of the course students will know the main institutions and the fundamental rules that regulate the relational life of the international community. Will be able to read, understand and interpret international instruments and judgments.

B. Applying knowledge and understanding:

At the end of the course, students will be able to implement methods, rules and principles of international law to current international dynamics.

C. Making judgements

The implementation of rules and principles acquired during the course will allow students to critically and consciously evaluate issues of both a theoretical and practical nature relating to international law. The student, therefore, will be able to express an autonomous and informed opinion on international matters.

D. Communication skills

Students will acquire technical-legal language and will be able to communicate clearly and appropriately on what has been studied during the course and on current issues concerning international law.

E. Learning skills

Students will develop legal analysis skills that will allow them to identify the legally relevant aspects that can emerge from a sentence of an International Court, from the analysis of a Treaty or from a factual situation that arises in the international community. This legal analysis ability constitutes the necessary basis to also tackle international careers (diplomatic career, work within international organisations, etc.).

Syllabus

Subject 1 – The Origin of international law

Origins and characteristics of the international community and international law. International law before and after the Second World War. New independent States and new legal instances in the international Community.



Subject 2 – Subjects of international law

The legal capacity in international law. The legal personality of States, international organizations, the sovereign military order of Malta; insurgents; national liberation movements, individuals and other subjects. Events that modify subjectivity.

Subject 3 – Sources of international law

Relations among legal sources and the hierarchy of sources in international law. International custom and its elements; the norms of jus cogens; international treaties and the law of treaties; third degree sources and soft law; unilateral acts.

Subject 4 – Relation between international law and domestic law

The adaptation of domestic law to international law. Relations between international norms and the Italian legal system. The adaptation of domestic law to customary law, to treaty law, to EU law.

Subject 5 – Immunities of States and their bodies

State immunity from jurisdiction and executive and precautionary measures; the immunity of state bodies, diplomatic and consular agents; the immunity of international organizations.

Subject 6 – Peaceful settlement of international controversies

The subjects 6 on the peaceful settlement of international controversies addresses the following topics: the obligation to resolve disputes peacefully; diplomatic means to settle disputes; judicial means to settle disputes. Legal instruments to end a dispute. The role of the international court of Justice and other international tribunals.

Subject 7 – Use of force

The module on the use of force in international law addresses the following topics: genesis of the ban on the use of force in international law; the prohibition on the use of force in the United Nations Charter; exceptions to the prohibition on the use of force in international law; self-defence; the use of force authorised by United Nations security council; the use of force by regional organizations.

Subject 8 – Responsibility of States

This module addresses the following topics: the concept of “internationally wrongful acts” and its constitutive elements; different kind of internationally wrongful acts; causes for exclusion of the wrongfulness; the consequences of an internationally wrongful act.

Subject 9 – International human rights law

The main topic is the international protection of human rights at a universal level and in Europe. Here, the following topics are addressed: the universal level of protection of human rights; the European regional level (the Council of Europe and the European Convention on Human Rights); other regional systems of human rights protection (the African and Inter-American systems).

Evaluation system and criteria

The examination of knowledge takes place through an oral test OR a written test, which are aimed at ascertaining the student's knowledge of international law and the ability to apply and interpret current international dynamics.

For Erasmus students, only the oral exam is available.

The written test is divided into 30 multiple choice questions, in which the student has to mark the one considered correct among the options given and will obtain 1 point for each correct answer. The exam is passed with 18 points.

The oral exam consists of an interview of the student in front of the exam commission, aimed at ascertaining the student's level of knowledge. The oral exam is divided into 3 questions (of a theoretical and/or practical nature) which concern the entire teaching programme, each question has equal dignity and therefore a maximum mark of 10 points. In the oral exam, particular attention in the evaluation of the answers is given to the student's ability to use legal vocabulary.

The final mark will also take into account the correct carrying out of the activities, with 1 point for each activity.

Bibliography and resources

1. Materials to consult

Notes written by the instructor are available in Italian (part of the notes are also available in English).

For Erasmus students, the program includes the book Cecil Rose and Others., An introduction to public international law, Cambridge, 2022, (only chapters 1 – 11).

2. Recommended bibliography

Suggested readings are:

- Ronzitti N., International law, Giappichelli, 2023
- or
- Marchisio S., International Law Course, Giappichelli, 2021