



## IDENTIFYING DATA

### Public international law

Subject	Public international law			
Code	V08G081V01303			
Study programme	Grado en Derecho			
Descriptors	ECTS Credits	Choose	Year	Quadmester
	9	Mandatory	2nd	1st
Teaching language	Spanish English			
Department				
Coordinator	Pereira Garrido, María Teresa			
Lecturers	Pereira Garrido, María Teresa			
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Web				
General description	This subject aims to approach the student to the legal dimension of the International Society and to the function of Public International Law as a regulatory system of the international relations. With this purpose, the Program is divided in three main parts: the international legal order; the subjects of Public International Law, and the application of Public International Law.			

## Training and Learning Results

Code	
A1	Students will have shown they have sufficient knowledge and understanding of an area of study, starting after completion of general secondary education, and normally reaching a level of proficiency that, being mostly based on advanced textbooks, will also include familiarity with some cutting-edge developments within the relevant field of study.
A2	That students know how to apply their knowledge to their work or vocation in a professional way and possess the skills that are usually demonstrated through the elaboration and defense of arguments and problem solving within their area of study. Know How
A3	That students have the ability to gather and interpret relevant data (usually within their area of study) to make judgments that include a reflection on relevant social, scientific or ethical issues. Know How Know be
A4	Students will be able to present information, ideas, problems and solutions both to specialist and non-specialist audiences.
A5	That students have developed those learning skills necessary to undertake further studies with a high degree of autonomy. Know be
B1	Know the role of law as a regulatory system of social relations. Know
B2	Know the different manifestations of Law in its historical evolution and in its current reality.
B3	To be able to use constitutional principles and values as a working tool for interpreting the law and developing legal dialectics.
B4	To be able to identify legal problems and approach their solution in an interdisciplinary way
C1	To know the legal framework of private international Law, at national, European and conventional levels, as well as the problems posed by the application of these norms given the unitary character of the legal system.
C9	CE9 <input type="checkbox"/> To know the regulatory framework governing individual and collective labor relations and Social Security.
C35	CE43 <input type="checkbox"/> To know the international legal order, to identify the problems of its application and to be able to suggest solutions.
C36	CE44 <input type="checkbox"/> To be able to critically interpret and analyze the international legal order.
D1	Capacity for analysis and synthesis for the elaboration and defense of arguments, as well as organization, planning and use of time in situations of pressure
D2	Use of foreign languages in different course activities.
D3	Ability to make decisions independently, leadership skills, ability to engage in co-operative teamwork, interpersonal skills that are helpful in professional and social situations.
D4	Ability to behave ethically and with social responsibility as a citizen and as a professional, respecting diversity and multiculturalism.
D5	To be able to solve problems and interpret data from reality with their associated meanings, and to establish links with the different branches of the juridical order.

<b>Expected results from this subject</b>				
Expected results from this subject	Training and Learning Results			
New				
New	A1	B1	C1	D1
	A2	B2	C9	D2
	A3	B3	C35	D3
	A4	B4	C36	D4
	A5			D5

<b>Contents</b>	
Topic	
<b>I. THE INTERNATIONAL LEGAL ORDER</b>	
Subject 1 .- The International Society and International Law as the legal order of the International Society	<ol style="list-style-type: none"> <li>1. The International Society               <ol style="list-style-type: none"> <li>A) Historical evolution</li> <li>B) Basic characteristics</li> </ol> </li> <li>2. Public International Law as the legal order of the International Society               <ol style="list-style-type: none"> <li>A) Concept of Public International Law</li> <li>B) Characteristics of Public International Law</li> <li>C) Functions of the Public International Law</li> </ol> </li> </ol>
Subject 2.- The formation of Public International Law	<ol style="list-style-type: none"> <li>1. The formation and progressive development of Public International Law</li> <li>2. International Treaties               <ol style="list-style-type: none"> <li>A) The procedure for the conclusion of Treaties</li> <li>B) The application of Treaties</li> </ol> </li> <li>3. Custom and general principles</li> <li>4. Unilateral acts of States and International Organizations</li> <li>5. The reception of international norms in internal systems</li> </ol> <ol style="list-style-type: none"> <li>4. Los actos unilaterales               <ol style="list-style-type: none"> <li>A) Los actos unilaterales de los Estados</li> <li>B) Los actos unilaterales de las Organizaciones Internacionales</li> </ol> </li> <li>5. La interacción entre los distintos procedimientos de creación de normas internacionales</li> </ol>
<b>II. SUBJECTS OF PUBLIC INTERNATIONAL LAW: STATE □ INTERNATIONAL ORGANIZATIONS □ INDIVIDUALS</b>	
<b>A) THE STATE</b>	
Subject 3.- The State as the primary subject of the PIL	<ol style="list-style-type: none"> <li>1. The constituent elements of the State</li> <li>2. The recognition of States and the recognition of governments</li> <li>3. The immunities of the State</li> <li>4. The succession of States</li> </ol>
Subject 4.- The territory of the State	<ol style="list-style-type: none"> <li>1. Concept and nature of the territory</li> <li>2. Methods of acquiring territory</li> <li>3. The delimitation of territory               <ol style="list-style-type: none"> <li>A) Borders</li> <li>B) Neighborhood relations and cross-border cooperation</li> </ol> </li> <li>4. Modifications in the exercise of territorial jurisdiction of the State</li> </ol>
Subject 5.- Law of the Sea	<ol style="list-style-type: none"> <li>1.The evolution of the Law of the Sea: factors and interests</li> <li>2. Maritime spaces subject to the sovereignty of States</li> <li>3. Maritime spaces subject to certain functional competences of the States</li> <li>4. Maritime spaces not subject to the competences of States and certain special situations</li> </ol>
Subject 6.- Air and space law	<ol style="list-style-type: none"> <li>1.The Air Space</li> <li>2. The supraterrrestrial spaces not subject to the territorial competences of the States: Outer space</li> </ol>
Subject 7.- Other spaces of international interest	<ol style="list-style-type: none"> <li>1. International water courses</li> <li>2. International channels</li> <li>3. Polar spaces</li> <li>4. Spaces and natural resources: the environment and its international protection</li> </ol>
Subject 8.- State's population	<ol style="list-style-type: none"> <li>1. Nationality: powers of the State over its subjects abroad</li> <li>2. The legal status of the foreigner</li> <li>3. Qualified foreign immigration schemes</li> </ol>
Subject 9.- The role of State organs in International Relations	<ol style="list-style-type: none"> <li>1. Central organs</li> <li>2. Diplomatic representation</li> <li>3. The consular offices</li> </ol>
<b>B) INTERNATIONAL ORGANIZATIONS</b>	

Subject 10.- General Aspects of International Organizations	<ol style="list-style-type: none"> <li>1. Background and historical evolution</li> <li>2. Concept</li> <li>3. Structure and formation of the will</li> <li>4. International legal personality</li> <li>5. Classes</li> </ol>
Subject 11.-The United Nations Organization	<ol style="list-style-type: none"> <li>1. Background and historical evolution</li> <li>2. Purposes and principles</li> <li>3. Members</li> <li>4. The institutional structure</li> <li>5. Main functions</li> </ol>
<b>C) THE INDIVIDUAL</b>	
Subject 12.- The individual in Public International Law	<ol style="list-style-type: none"> <li>1. The individual's international subjectivity</li> <li>2. The ability of the individual to act before international bodies</li> <li>3. The individual's international responsibility</li> <li>4. Protection of Human Rights</li> </ol>
<b>III. APPLICATION OF PUBLIC INTERNATIONAL LAW</b>	
Subject 13.- International Responsibility	<ol style="list-style-type: none"> <li>1. Codification and progressive development of the right on international responsibility</li> <li>2. International responsibility for internationally wrongful acts</li> <li>3. International responsibility for the consequences of acts not prohibited by public international law</li> </ol>
Subject 14.- The procedures for ensuring the application of international standards	<ol style="list-style-type: none"> <li>1. Diplomatic protection</li> <li>2. Measures of self-protection</li> <li>3. Institutionalized procedures</li> </ol>
Subject 15.- Peaceful procedures for settling international disputes	<ol style="list-style-type: none"> <li>1. International disputes</li> <li>2. Non-jurisdictional dispute resolution procedures</li> <li>3. Jurisdictional dispute resolution procedures</li> </ol>
Subject 16.- Control of the use of force	<ol style="list-style-type: none"> <li>1. The prohibition of the threat or use of force</li> <li>2. The regulation of armed conflicts</li> <li>3. International Humanitarian Law</li> </ol>

### Planning

	Class hours	Hours outside the classroom	Total hours
Mentored work	1	5.5	6.5
Problem solving	27	36	63
Lecturing	51.5	98	149.5
Essay questions exam	3	0	3
Objective questions exam	2	0	2
Essay	1	0	1

\*The information in the planning table is for guidance only and does not take into account the heterogeneity of the students.

### Methodologies

	Description
Mentored work	The students will make a work and will present it in the classroom, where it will be object of debate.
Problem solving	This activity will consist in the resolution of practical cases in which the students will have to use the main international instruments.
Lecturing	The fundamental concepts of the subject will be presented to the students.

### Personalized assistance

Methodologies	Description
Lecturing	The fundamental concepts of the subject will be presented to the students. Students will be able to pose any question during the lectures, the practical sessions and the mentoring hours.
Mentored work	The students will make a work, as a group or individually, that afterwards will be presented in the classroom. The professor will orient the students in the preparation and presentation.
Problem solving	During the work in the classroom, the student will apply the knowledge acquired in the lectures by solving practical cases, commenting sentences... under the orientation and supervision of the professor.

### Assessment

Description	Qualification	Training and Learning Results

Problem solving	Students will have to solve different practical cases.  The maximum qualification will be of one point. Attendance and active participation will be taken into account in the qualification.  Results of learning: This subject tries to make possible the systematic study of the legal regulation of the internacional community/society and to facilitate the understanding of its main problems by the students.	10	A1 B1 C35 D1 A2 B2 C36 D2 A3 B3 D3 A4 B4 D4 D5
Essay questions exam	The knowledge adquired during the lectures will be evaluated at the end of the course by means of a written exam with several questions that may cover all the lessons. This exam will be evaluated up to a maximum of 6 points.  Those students who opt for the system of continous evaluation, need to achieve a minimum of three points in this exam so that the other marks of the continous evaluation can be added.  The dates of the final exams will be approved by the Board of the Faculty for the course 2021-2022.  Results of learning: This subject tries to make possible the systematic study of the legal regulation of the internacional community/society and to facilitate the understanding of its main problems by the students.	40	
Objective questions exam	During the semester two tests will be carried out, which will not be liberatory. The date of the tests will be communicated by the teacher.  Each of these tests will be scored up to a maximum of one point.  Results of learning: This subject tries to make possible the systematic study of the legal regulation of the internacional community/society and to facilitate the understanding of its main problems by the students.	40	A2 B1 C35 D4 A3 B2 C36 D5 A4 B3
Essay	During the semester, students must carry out a work individually or as group, which will be delivered to the teacher and will also be presented in the class.  This test will be scored up to a maximum of one point.  Results of learning: This subject tries to make possible the systematic study of the legal regulation of the internacional community/society and to facilitate the understanding of its main problems by the students.	10	A1 B1 C35 D1 A2 B2 C36 D2 A3 B3 D3 A4 B4 D4 A5 D5

### Other comments on the Evaluation

#### EVALUATION CRITERIA FOR ATTENDEES. FIRST OPPORTUNITY OF EVALUATION.

On the first day of class, students will be given an evaluation option sheet, in which they must choose between the continuous assessment system or the final evaluation system. They must return the fulfilled evaluation option sheet back to the professor in the next week. Within the continuous evaluation system, in the first opportunity of evaluation, they will not be able to go to the modality of final evaluation. Students who choose continuous assessment will do the different evaluation activities described in the evaluation section throughout the course, that is: two tests, a work that will be exposed in the classroom as well as resolution of practical cases. With these evaluation activities they can reach up to a maximum of four points. In addition, the student will take a final exam that will be held on the date scheduled in the exam calendar of the faculty and which will be evaluated up to a maximum of 6 points. The qualification of the continuous evaluation activities will only be added if the students gets a mark of three or more points in the final exam.

#### EVALUATION CRITERIA FOR NON ATTENDEES. FIRST OPPORTUNITY OF EVALUATION.

Those students who do not follow the continuous evaluation, will be examined through the final evaluation modality, which will consist of two parts: a written exam with development questions as well as the resolution of a practical case. The written test will be graded up to a maximum of 8 points and the resolution of the practical case up to a maximum of two. The mark of the resolution of the practical case will only be added to that of the written exam as long as the mark obtained in the written exam is at least four. In any case, the competences and learning outcomes evaluated will be the same as in the system of evaluation for attendees.

#### EVALUATION CRITERIA FOR 2nd OPPORTUNITY AND END OF CAREER EVALUATIONS

1. Students who, opting for the continuous evaluation system do not pass the subject at the first opportunity, will keep the grade they obtained in the continuous evaluation when taking the second opportunity (June exam and, if applicable, following academic year), having to do exclusively the theoretical part of the exam that will consist, as in the first

opportunity, in questions to develop.

2. For those students who do not follow the continuous evaluation system, the evaluation system will be the one established in the Evaluation criteria for non-attendees in the first opportunity.

3. The exam corresponding to the End of Degree Call will be carried out in the same way as the final evaluation modality (evaluation criteria for non-attendees, first opportunity).

The dates and times of the evaluation activities will be detailed in the exams calendar approved by the Board of the Faculty for the 2021-2022 academic year.

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### Sources of information

#### Basic Bibliography

Díez de Velasco, M, **Instituciones de Derecho Internacional Público**, Última edición,

Díez de Velasco, M, **Las Organizaciones Internacionales**, Última edición,

Sobrino Heredia, JM, **Textos para el estudio del Derecho Internacional Público, del Derecho de la Unión Europea y el Derecho Internacional de los espacios**, Última edición,

Kaczorowska, A, **Public International Law**, Última edición,

#### Complementary Bibliography

Carrillo Salcedo, J.A, **El Derecho Internacional en perspectiva histórica**, 1991,

Pastor Ridruejo, J.A, **Curso de Derecho Internacional Público y Organizaciones Internacionales**, Última edición,

Andrés Sáenz de Santa María, P, **Sistema de Derecho Internacional Público**, Última edición,

Remiro Brotons y otros, **Derecho Internacional. Curso General**, 2010,

Sánchez, V.M, **Derecho Internacional Público**, Última Edición,

Jiménez Piernas, C, **Introducción al Derecho Internacional Público. Práctica de España y de la Unión Europea**, Última edición,

Casanovas,O; Rodrigo,A, **Compendio de Derecho Internacional Público**, Última edición,

Casado Raigon, R, **Derecho Internacional. Parte General**, Última edición,

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### Recommendations

#### Subjects that are recommended to be taken simultaneously

European Union Law/O03G081V01304

#### Other comments

For the preparation of this subject in Spanish we recommend the manual of Prof. Díez de Velasco and the Compilation of Texts of Prof. Sobrino Heredia.

This subject has a theoretical and a practical group in the Degree in Law taught in English by Professor Annina Bürgin.

This subject in the PCEO is taught in the 2nd semester of the 2nd year.