

LECTURE: Recent issues of international law

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WINTER Semester

HOURS: 10

ASSESSMENT:

- General course available to PHD students of 2<sup>nd</sup> and 3<sup>rd</sup> year
- Credit requirements: active participation in classes
- Duration: 16.30-19:00 (4 x 45 minutes) every two weeks (for a total of 10 hours)
- Commencement date: 1.10.2018

COURSE AIMS AND CONTENT:

The course is aimed at presenting the most recent theoretical and practical issues of international law. The programme reflects the core assumption that research in legal sciences, including traditionally domestic fields such as civil, criminal and administrative law, necessitates taking into account the international law as such (as an instrument of state-to-state relationships) and its impact on the domestic regulation (lawmaking and application).

The aim of the course is also to develop students' skills necessary for individual analysis of the most important international events and processes from the perspective of international law as well as understanding of the relations between international law and the Polish legal order.

The course is conducted in the form of lecture with elements of workshop, including discussion, analysis and interpretation of legal texts.

KNOWLEDGE TO BE ACQUIRED:

During the course students will be acquainted with the most recent legal issues of international law, including selected topic of theoretical bases as well as case-studies.

EDUCATIONAL OUTCOMES:

Knowledge:

- student knows and understand the theoretical bases and selected particular issues of international law;
- student knows and understands the main trends of evolution of international law;

Skills:

- student has skills to employ the acquired knowledge in creative identification and formulation of legal problems connected with international law; student has skills to solve the problems identified in an innovative way;
- student has skills to initiate a debate;
- student has skills to participate in a scientific discussion;

Social Competence:

- student is prepared to assess critically the legal doctrine of international law;
- student is prepared to acknowledge the importance of knowledge and solving theoretical and practical problems of international law.

TIME & VENUE:

INP PAN (Staszic Palace), room 273, Monday 16.30-19.00.

SHORT DESCRIPTION OF THE CLASSES AND CORRESPONDING LITERATURE

The course covers in particular:

- the theoretical foundations of international law: the idea of international law, sources of international law, state sovereignty as a foundation of international law, relationship between international law and domestic legal orders,
- systemic issues of international law: state consent as a foundation of many institutions, relationships between several institutions of international law, the importance of the prohibition of the use of force, international law as a system – arguments in favour and against, codification of international law as a chance and as a threat,
- case-study of selected issues: Polish “reparation claims”, “reparation claims” to Poland, state immunity and “reparation cases”, the ECHR and “reparation claims”

Further reading:

W. Czapliński, A. Wyrozumski, Prawo międzynarodowe publiczne. Zagadnienia systemowe, Warszawa, 2004

G. Dahm, Völkerrecht, 2. völlig neu bearbeitete Auflage von: J. Delbrück, R. Wolfrum, Berlin 2002, Band I/3,

V. -D. Degan, Sources of International Law, the Hague, Boston, London, 1997

R. Jennings, A. Watts, Oppenheim’s International Law, ninth edition, vol. I, London, New York, 1996