**International Law**

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**1. Course Description**

This course intends to help students understand the structure and process of the international legal system, as well as the concepts, rules and practices of international law in diverse fields, ranging from bilateral relations with neighboring countries to global commons such as international waters and atmosphere. Throughout this course, an emphasis will be made on interdisciplinary approaches to solving multifaceted international legal issues, which often times are difficult to address by the application of legal rules only.

**2. Objectives**

By the end of this course, students will be able to obtain:

1. The understanding of concepts, rules and practices of international law in general and in specific fields.

2. A broad perspective on what international law can and cannot do to improve the well-being of the international community.

3. The influence of various factors ‒ social, economic and political ‒, in shaping the international legal order.

4. Knowledge on the issues of international law that Korea is confronted with in its dealings with other nations.

**3. Course Requirements**

* You are expected to be in time for class, and to have completed all the suggested readings assigned prior to our class meetings.
* There will be in-class midterm and final examinations.

**4. Grading**

**Weights**

15% Attendance and participation

35% Midterm exam

50% Final exam

**5. Textbooks**

The following textbooks will be used for this course, and students are highly encouraged to obtain at least one of them for an effective course-taking.

Peter Malanczuk, Akehurst’s Modern Introduction to International Law, 7th rev. ed., 1997.

Malcolm N. Shaw, International Law, 8th ed., 2017.

James Crawford, Brownlie’s Principles of Public International Law, 8th Edition, 2012.

**6. Course Schedule**

**Week 1 (September 5) Introduction: Definition, Nature and Effectiveness of International Law**

Malanczuk, Ch. 1 & 2 (Introduction; History and Theory)

Shaw, Ch. 1 & 2 (The nature and Development of International Law; International Law Today)

Crawford, Ch. 1 (Introduction)

**Week 2 (September 12 (*Chusok* Holiday – to be taught on a different date)) Sources of International Law**

Malanczuk, Ch. 3 (Sources of International Law)

Shaw, Ch. 3 (Sources)

Crawford, Ch. 2 (The Sources of International Law)

**Week 3 (September 19) International Law and Municipal Law**

Malanczuk, Ch. 4 (International Law and Municipal Law)

Shaw, Ch. 4 (International Law and Municipal Law)

Crawford, Ch. 3 (The Relations of International and National Law)

**Week 4 (September 26) Subjects of International Law; Recognition of States and Governments**

Malanczuk, Ch. 5 & 6 (States and Governments; International Organizations, Individuals, Companies and Groups)

Shaw, Ch. 5 & 8 (The Subjects of International Law; Recognition)

Crawford, Ch. 4-6 (Subjects of International Law; Creation and Incidence of Statehood; Recognition of States and Governments)

**Week 5 (October 3 (National Foundation Day – to be taught on a different date)) Individuals in International Law: Human Rights**

Malanczuk, Ch. 14 (Human Rights)

Shaw, Ch. 6 & 7 (The International Protection of Human Rights; Individual Criminal Responsibility)

Crawford, Ch. 29 &30 (International Human Rights; International Criminal Justice)

**Week 6 (October 10) Acquisition of Territory**

Malanczuk, Ch. 10 (Acquisition of Territory)

Shaw, Ch. 10 (Territory)

Crawford, Ch. 8 & 9 (Forms of Governmental Authority over Territory; Acquisition and Transfer of Territorial Sovereignty)

**Week 7 (October 17) Law of the Sea**

Malanczuk, Ch. 12 (The Law of the Sea)

Shaw, Ch. 11 (The Law of the Sea)

Crawford, Ch. 11-13 (The Territorial Sea and Other Maritime Zones; Maritime Delimitation and Associated Questions; Maritime Transit and the Regime of the High Seas)

**Week 8 (October 24) Midterm exam**

**Week 9 (October 31) Jurisdiction**

Malanczuk, Ch. 7 (Jurisdiction)

Shaw, Ch. 12 (Jurisdiction)

Crawford, Ch. 21 (Jurisdictional Competence)

**Week 10 (November 7) Immunity from Jurisdiction**

Malanczuk, Ch. 8 (Immunity from Jurisdiction)

Shaw, Ch. 13 (Immunities from Jurisdiction)

Crawford, Ch. 17 & 22 (Diplomatic and Consular Relations; Privileges and Immunities of Foreign States)

**Week 11 (November 14) Law of Treaties**

Malanczuk, Ch. 9 (Treaties)

Shaw, Ch. 16 (The Law of Treaties)

Crawford, Ch. 16 (The Law of Treaties)

**Week 12 (November 21) State Responsibility**

Malanczuk, Ch. 17 (State Responsibility)

Shaw, Ch. 14 (State Responsibility)

Crawford, Ch. 25 & 26 (The Conditions for International Responsibility; Consequences of an International Wrongful Act)

**Week 13 (November 28) Peaceful Settlement of Disputes**

Malanczuk, Ch. 18 (Peaceful Settlement of Disputes between States)

Shaw, Ch. 18 & 19 (The Settlement of Disputes by Peaceful Means; The International Court of Justice)

Crawford, Ch. 32 (Third-Party Settlement of International Disputes)

**Week 14 (December 5) Use of Force**

Malanczuk, Ch. 19 (International Wars, Civil Wars and the Right to Self-Determination; *ius ad bellum*)

Shaw, Ch. 20 (International Law and the Use of Force by States)

Crawford, Ch. 33 (The Use or Threat of Force by States)

**Week 15 (December 12) Final Exam**