**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 security issues such as the use or threat of force. 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**

* Students are expected to be in time for class. Attendance will automatically be checked electronically. Being late for or absent from classes will negatively affect students’ grades. If any student finds him/herself unable to attend classes, he/she must notify the instructor in advance. Such notifications may be made by any appropriate means – emails, phone calls, text messages, etc. but must be accompanied by materials supporting his/her case. *Post facto* notifications, or notifications without supporting materials will not be accepted.
* Students are expected to have completed at least one of the suggested readings assigned per each class meeting. Occasionally students will be asked questions randomly during classes based upon the assigned readings, and the students’ being unable to answer those questions correctly will negatively affect their grades.
* There will be in-class, individual student presentations from week 5 through week 13. Topics of presentations will be assigned to each student in advance by the instructor. Up to five students will make presentations in each class, depending upon the class size. Students are encouraged to use materials other than the course readings to organize and prepare their presentations. Evaluations will be made based on the presentations’ accuracy and their relevance to the topics concerned, as well as the effectiveness with which to convey the main ideas, including punctuality.
* Due to the adjustment of the Spring Semester 2020 from 15 weeks to 14 weeks, one week’s class will be substituted by each student’s submission of an essay of up to 5 pages long, on the theme of **“How has the international order achieved the goal of the outlawry of war? Which series of historical events drove world leaders to agree to renounce war as an instrument of implementing state policy?”** The essay is due by noon on June 11, 2010, the last day of class, and will be graded.
* There will be an in-class, closed-book final examination on week 14.

**4. Grading**

**Weights**

20% Attendance and participation

20% Class Presentation

10% Essay

50% Final exam

**5. Textbooks**

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

Alexander Orakhelashvili, Akehurst’s Modern Introduction to International Law, 8th ed., 2019.

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

James Crawford, Brownlie’s Principles of Public International Law, 9th Edition, 2019.

**6. Course Schedule & Assigned Readings**

**Week 1 (March 19) Introduction: Definition, Nature and Effectiveness of International Law**

Orakhelashvili, 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 (March 26) Sources of International Law**

Orakhelashvili, Ch. 3 (Sources of International Law)

Shaw, Ch. 3 (Sources)

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

**Week 3 (April 2) International Law and Municipal Law**

Orakhelashvili, 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 (April 9) Subjects of International Law; Recognition of States and Governments**

Orakhelashvili, Ch. 5 & 6 (Creation and Recognition of States; Legal Personality of non-State Entities)

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

Crawford, Ch. 4-7 (Subjects of International Law; Creation and Incidence of Statehood; Recognition of States and Governments; International Organizations)

**Week 5 (April 16) Individuals in International Law: Human Rights**

Orakhelashvili, Ch. 16 & 19 (Protected Persons and Entities: Human Rights, Group Rights and Self-determination; International Criminal Justice)

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

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

**Week 6 (April 23) Acquisition of Territory**

Orakhelashvili, Ch. 7 (Territory)

Shaw, Ch. 9 (Territory)

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

**Week 7 (April 30– Buddha’s Birthday) No Class**

**Week 8 (May 7) Law of the Sea**

Orakhelashvili, Ch. 8 (The Law of the Sea)

Shaw, Ch. 10 (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 9 (May 14) Jurisdiction**

Orakhelashvili, Ch. 10 (State Jurisdiction)

Shaw, Ch. 11 (Jurisdiction)

Crawford, Ch. 21 (Jurisdictional Competence)

**Week 10 (May 21) Immunity from Jurisdiction**

Orakhelashvili, Ch. 11 (Immunity from Jurisdiction)

Shaw, Ch. 12 (Immunities from Jurisdiction)

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

**Week 11 (May 28) Law of Treaties – Student Presentation Day**

Orakhelashvili, Ch. 12 (Treaties)

Shaw, Ch. 15 (The Law of Treaties)

Crawford, Ch. 16 (The Law of Treaties)

**Week 12 (June 4) State Responsibility**

Orakhelashvili, Ch. 13 (State Responsibility)

Shaw, Ch. 13 (State Responsibility)

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

**Week 13 (June 11) Peaceful Settlement of Disputes**

Orakhelashvili, Ch. 23 (Settlement of Disputes)

Shaw, Ch. 17 & 18 (The Settlement of Disputes by Peaceful Means; The International Court of Justice)

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

**Week 14 (June 18) Final Exam**